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House of Representatives

The House met at 12:30 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 1052. An act 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, and for other purposes.

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.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

PROMOTING LIVABLE COMMUNITIES

Mr. BLUMENAUER. Mr. Speaker, the issue of the livable communities will be one of the dominant themes in the year 2000 election.

It is not altogether clear to me that the pollsters, pundits, and consultants fully understand the depth of this issue and what it means to American families.

The reason it will be an issue is not because it is being driven by the national level, although I do appreciate the leadership of the administration and Vice President GORE. This is an issue that is being driven from the grassroots.

Many of us are aware that in 1998 there were over 240 State and local ballot measures nationwide that dealt with issues of open space, land use planning, and environmental protection and transportation.

Seventy-two percent of these measures passed involving spending of over $7.5 billion; even in the relatively quiet so-called off year of 1999, the drumbeat continued. There were 139 ballot measures with a 77 percent approval rating.

The media coverage of the term ''smart growth,'' which is probably the best proxy of livable communities, rose from 101 citations in 1996 to over 2,700 citations in 1999.

Why is this?

People know that the past patterns of development are simply not sustainable. From 1992 to 1997, we just learned a couple of weeks ago that over 16 million acres of farm and forest land were lost to development, an area larger than the State of West Virginia.

Mr. Speaker, we as a Nation are sprawling faster than we increase in population. In the last 5 years, the population grew by 5 percent, while developed land area increased 18 percent. In fact, we are seeing communities around the country that are actually losing population, yet are gobbling up land at a 10 percent, 20 percent, 30 percent rate in a decade. This means that wetlands in the United States are disappearing at a rate of 54,000 acres annually, despite our good intentions, despite some protections that are being built in.

At the same time, we are becoming increasingly dependent on foreign oil. Petroleum prices have tripled in the last few months. Drivers in the Washington, D.C. metro area waste 116 gallons of fuel each year simply waiting in traffic.

We know that we can do better than forcing the average commuter to spend more than 50 workdays a year behind the wheel of his or her car just to get to work.

Livability does not have to be a casualty of gridlock in Washington, nor does it have to become a partisan issue. There is no reason we cannot embrace as a Congress some of the administration's specific recommendations for livable communities, in transportation funding, for better America bonds.

We can as a Congress embrace the bipartisan legislation that is coming forward by the gentleman from California (Mr. GEORGE MILLER) and the gentleman from Alaska (Chairman YOUNG) for the Land and Water Conservation Fund. There is no reason that we cannot see the enactment of terrific legislation, if I do say so myself, the two-floods-and-you-are-out of the taxpayer pocket that the gentleman from Nebraska (Mr. BEREUTER) and I are working on to reform our national flood insurance program, to help people and not promote and subsidize the degradation of our environment.

Mr. Speaker, at a time when the public knows we can do a lot better, it is time for the Federal Government to be a full partner in that effort of promoting livable communities.

I am looking forward to bringing to this floor proposals this year that will make our families safe, healthy, and economically secure, maybe something as radical as requiring the post office to obey the same land use, environmental and planning regulations as the rest of America.

Promoting livable communities is not rocket science. It is definitely our job. I urge the Congress to take a bit of a break from some of what occupies our attention day in and day out and think about ways that we can make our families safer, healthier, more economically secure, while saving money and protecting the environment.

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U.S. MILITARY READINESS: A DEEP CONCERN

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

Mr. STEARNS. Mr. Speaker, yesterday the President released his budget for fiscal year 2001, and with that begins another round of authorizations and appropriations.

This afternoon what I want to do is focus on the issue of military readiness, a concept which the administration, until recently, has failed to embrace. In fact, the President has consistently proposed defense budgets which were completely inadequate.

I am happy to see that the President has proposed a $11.3 billion increase in discretionary defense spending in recognition of the deplorable circumstances with which this administration has allowed our forces to deteriorate.

Since the end of the Cold War, the United States military has been forced to do more with less. The defense budget has decreased by 8 percent, or $24 billion, since 1990, and is the only major spending category to steadily decline since 1994. In contrast, the nondiscretionary spending and entitlements have increased nearly 60 percent, or $458 billion.

Despite the reduced spending and force reductions, the pace of operations, other than war, has increased dramatically. Our forces are engaged in humanitarian, peacekeeping, civil assistance, and other areas of non-combat operations. In addition, the United States continues to engage in combat operations over Iraq and the conflict in former Yugoslovia. In terms of commitments abroad, the United States has about 260,000 personnel in over 100 countries, according to the Department of Defense.

The Clinton administration has pursued a military policy of open-ended commitments to operations which have had no bearing on our national security at home or abroad. U.S. military forces have been deployed more times under this administration than they were throughout the entire Cold War period.

This pace and scope of non-combat operations, the time away from family, and substandard pay and benefits have led to recruitment and retention problems. In fact, the Marine Corps was the only service to meet its recruiting requirements for 1999. Our forces are now coping with the inability to recruit highly qualified individuals, while at the same time losing the most experienced soldiers. My office has received letters from constituents, many of whom having proudly served in our Armed Forces, saying they were inclined to discourage young Americans from joining today's military force.

Mr. Speaker, this is a demoralizing statement to hear. To add further emphasis, the Heritage Foundation, in its National Defense Report, concluded that our military is suffering the worst personnel crisis since the draft ended in 1973.

The problem extends beyond personnel. Operations and maintenance accounts have suffered, and the lack of funding has resulted in spare parts shortages and the cannibalizing of existing equipment. Cannibalizing for parts, once considered a last resort to maintain combat capability, is now a common practice.

Nations which may be potentially hostile to the United States are investing in advanced weaponry and technological upgrades to existing systems which can seriously impact our military superiority. For example, China in fact is working on a defense system that may be able to defeat stealth technology by monitoring radio and television waves for turbulence resulting from aircraft flight. In addition, smaller countries can invest in and upgrade highly capable and advanced surface-to-air missiles for a fraction of the cost of an offensive weapon platform. Such a high-volume air defense could spell disaster for current U.S. air forces.

Mr. Speaker, these are but a fraction of the concerns facing military readiness. Last year, Congress recognized the need to halt the decline of our military. We provided for an increase in pay, retention bonuses, procurement, research and development and operations and maintenance, over $4 billion above the President's request.

I look forward to examining the President's budget for 2001 to see exactly where his goals lie and how he plans to allocate the funding for our military. I sincerely hope he has realized inadequate funding leads to inadequate forces. I need not emphasize what drastic consequences inadequate forces would lead to.

INAUGURAL MEETING OF INTERAGENCY GROUP ON INSULAR AFFAIRS

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

Mr. UNDERWOOD. Mr. Speaker, nearly 2 weeks ago President Clinton delivered his final State of the Union. It included the achievements of his administration, remarkable as they are, over the past 7½ years, rebuilding and returning America's economy to great posterity; over 20 million new jobs, the lowest unemployment rates in 30 years, the lowest poverty rates in 20 years, the longest period of economic growth in America's history. President Clinton also pointed out that we have crossed the bridge we have built to the 21st Century and that we must now shape a new 21st Century American revolution of opportunity, responsibility, and community for all Americans.

But, Mr. Speaker, there are many Americans who do not participate in this prosperity. There are thousands of Americans who do not enjoy the prosperity that most of America has felt across the Nation. Americans living in the U.S. Territories, Guam, the Commonwealth of the Northern Marianas, the U.S. Virgin Islands, and American Samoa, often rely on economic factors and economies apart from the American mainland for their economic well-being.

U.S. Territories are unique because we are not fully incorporated with the U.S. Though we share many issues with our fellow Americans living in the U.S. mainland, our geography, our history and our political status present a number of economic challenges common amongst ourselves. Our commonalities, however, give this Nation and the President the opportunity to craft Federal policy that recognizes our status and extraordinary challenges to participate in the prosperity of the Nation.

Like no other President, Mr. Clinton has risen and has been responsive to the challenge and has created an Interagency Group on Insular Areas called IGIA to provide guidance on Federal policies towards the U.S. Territories. This initiative will include Governors and Delegates to Congress and other elected officials that will come together and bring together some coherence in Federal policy.

Next month, this inaugural meeting of the IGIA will take place. This will be an historic moment for the leaders of the territories, and I would like to take this opportunity to encourage the IGIA meeting and forum to address issues of economic development in Guam, particularly land and taxes, and, in light with that, to also remember the President's call to include all Americans in the prosperity of the Nation and to finally craft a policy which will bring the Territories into the prosperity of the Nation.

Many of the situations that we face in Guam in terms of land and taxes need reform so that we can economically grow. We still face problems on the return of excess Federal lands. We are a small territory, but over one-third of our land is held by the Federal Government and we need assistance in making sure that these valuable lands are returned to the people of Guam.

We are also trying to seek equity in the taxation of Guam, particularly for foreign direct investment. I have introduced a bill, H.R. 2462, which brings equity between Guam and other areas of the United States in terms of taxing foreign investment. Right now we are disproportionately taxed. In another related area, my colleague, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), has introduced a bill, H.R. 3247, which would make U.S. Territories eligible for empowerment zone designation. These are all resources that are a hand up, not a handout, and will go a long way towards bringing

much needed assistance towards the Territories.

There are many other programs, and we will discuss this as we go along, but the IGIA meeting early next month is the perfect vehicle through which to craft and review policy initiatives which will bring prosperity to those American communities which are offshore and have a very different relationship to Washington, D.C. than most Americans.

I call upon the administration to work with the representatives of the Territories here in Washington and the chief executives of the respective territories to craft a new economic policy which will make sure that no child in Pago Pago goes without the educational life chances that children in the U.S. mainland have, that no family in St. Croix or St. Thomas will not have the same access to health care that Americans everywhere deserve, and that bread winners in Hagatna, Guam, do not have to leave their homeland and travel 6,000 miles to find a decent job.

ENACT H.R. 6, MARRIAGE TAX ELIMINATION ACT

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

Mr. WELLER. Mr. Speaker, over the last several years, many of us have been asking a question that we hear time and time again back home. I have the privilege of representing the south side of Chicago and the south suburbs, communities like Joliet and Lancing and Morris and rural communities like Tonica and elsewhere; and they often ask me a pretty basic question. That question is, as we talk about taxes, they say, why? Why do married working couples, a husband and wife who are both in the workforce, why do they pay higher taxes when they get married? They ask, is it right, is it fair that under our Tax Code, married working couples pay higher taxes? On average, 25 million married working couples pay, on average, $1,400 more in higher taxes than identical couples who choose not to get married, but live together outside of marriage. That is not right.

The folks back home tell me that it is time that those of us here in Washington should do something about it, that we should work to eliminate what has been called the marriage tax penalty. Mr. Speaker, $1,400, the average marriage tax penalty, is a lot of money back home in Illinois. Mr. Speaker, $1,400 is one year's tuition for a nursing student at Joliet Junior College, our local community college; it is three months of day care for a working mom and dad with children. It is almost 4,000 diapers for a family with a newborn child.

It is real money for real people; and there are, of course, some here in Washington who say they would much rather spend that money here in Washington than bring about tax fairness by eliminating the marriage tax penalty.

Well, I am proud to say this House is doing something about the marriage tax penalty. Last year we passed and sent legislation to the President which would have wiped out the marriage tax penalty for over 25 million couples; and unfortunately, President Clinton and Vice President Gore vetoed that bill. They had a lot of excuses. They wanted to spend that money. But this year, there is no excuse. We have Valentine's Day approaching, and what better gift to give 25 million married working couples who suffer the marriage tax penalty than to pass legislation wiping out the marriage tax penalty.

This Thursday, we will be considering in the House legislation approved by the Committee on Ways and Means, H.R. 6, the Marriage Tax Elimination Act, which I am proud to say now has 236 cosponsors, including almost 30 Democrats who have joined with us in our effort to eliminate the marriage tax penalty. We help real people.

Let me introduce a couple here. This couple here, Shad and Michelle Hallihan of Joliet, Illinois, two public school teachers in Joliet, Illinois. They happen to make about $60,000 in combined income from their two teaching salaries, and Shad and Michelle suffer almost the average marriage tax penalty.

Well, under the legislation that the House is going to be considering this week, Shad and Michelle will benefit, because two public school teachers who chose to get married who now suffer the marriage tax penalty will essentially have their marriage tax penalty wiped out. Michelle told me the other day, she says, Congressman, tell your friends in the Congress, particularly those who believe it is not a good idea to eliminate the marriage tax penalty, what wiping out the marriage tax penalty would mean for them.

They say $1,000, which is essentially the marriage tax penalty, would buy 3,000 diapers for their newborn baby. That is money that is currently going to Washington that they could use to take care of their child. Frankly, if we want to be fair, it is their money. We should eliminate the marriage tax penalty.

This Thursday, H.R. 6, the Marriage Tax Elimination Act, will help couples like Shad and Michele Hallihan. We do it in several ways. We double the standard deduction. One-half of married couples do not itemize their taxes; they use the standard deduction, so we double it for joint filers. The marriage penalty is created when a married couple of course get married, they file their taxes jointly, their combined income usually pushes them into a higher tax bracket. That is what pushes Shad and Michelle into the 28 percent bracket.

What we want to do, of course, is for the nonitemizers, which is about half of the married couples who suffer the marriage penalty, to double the standard deduction for joint filers to make it twice that of singles. For those who itemize, who are the other half of married couples who suffer the marriage tax penalty, those who itemize are homeowners. The average middle-class family itemizes their taxes because they own a home. We want to help them and provide marriage tax relief as well. So we widen the 15 percent bracket, the basic tax bracket that every one of us pays. We are all in the 15 percent bracket, regardless of our income, for the lowest bottom bracket of our income. By widening the bracket so that joint filers, married couples, can earn twice as much as a single filer and be in that same bracket, we help those who itemize.

We also help the working poor. There is a marriage penalty for the earned income credit, and we provide tax relief for them.

This Thursday, let us have an overwhelming bipartisan majority. Let us work together. Let us eliminate the marriage tax penalty. There are no excuses. We want to be fair. Eliminate the marriage tax penalty.

EXTREMISM, RACISM AND XENOPHOBIA SWEEPING AUSTRIA: HOUSE RESOLUTION 417

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

Mr. LANTOS. Mr. Speaker, last week I called the attention of my colleagues to the rise of neofacism in Austria. The deed is now done. The extremist, racist, xenophobic FPO party has entered the Government of Austria. I want to thank all of my colleagues on both sides of the aisle who have joined me in supporting this resolution expressing our regret and dismay.

Joerg Haider, the leader of this party, had ample praise for Adolf Hitler and for SS veterans whom he described as ''decent people with character who stuck to their beliefs.''

I want to commend the European Union, all 14 nations, which have chosen to downgrade their diplomatic relations with Austria. I want to commend our own State Department for recalling our Ambassador to Austria and for promising to watch developments carefully.

At a time, Mr. Speaker, when the European Union, the United States, and other democratic nations are working actively to discourage ethnic hatred in the republics of the former Yugoslavia and elsewhere, Joerg Haider and his neofascist allies are appealing to racist sentiment and xenophobia. Haider learned this lesson early on. His father joined the Nazi Party in 1929. His mother was an active and enthusiastic Nazi Party member as a teacher. Haider has surely learned the lesson well.

We recognize the right of the Austrian people to elect anybody they choose. However, we reserve the right to express our views when people elect Communist totalitarian regimes or Fascist totalitarian regimes.

We are not there yet. This extremist xenophobic, far right-wing political party is only one of two parties of the Austrian coalition, and we will follow their activities with great care. They have made many commendable promises; but we will have to see how—in the unfolding of Austrian policy, domestic and international—these high-sounding promises are implemented.

The leaders of the European Union, all 14 nations, as well as other nations outside the European Union like Canada, Israel, and Norway, have expressed their deep concern about the new Government of Austria. One of the concerns that I shared in looking at this new far right-wing regime is the impact it is having in legitimatizing anti-democratic, racist forces in other countries of Europe.

This is an awful way to begin the 21st century. Therefore, we need to engage in a voluntary ban against tourism to Austria, the purchase of Austrian products, the use of Austrian airlines, and investments in that country. People need to understand that elections have consequences; and when 27 percent of the Austrian electorate chooses to support an extremist who has made complimentary remarks about Adolf Hitler and who has repeatedly expressed the most obnoxious, racist and xenophobic sentiments, the American people and the people of other civilized countries must respond.

We hope that this government will be better than the past record of Haider's party. There is always an opportunity for change, for reformation, for learning lessons. I call on all of my colleagues and I call on our administration to watch with the utmost care the actions of the new Austrian Government. It is important for us to realize that Adolf Hitler was voted into power, and the fact that people come to power through elections says nothing about their values. Democracy is not just elections; it is the sharing of a set of values of free and open societies.

I call on all of my colleagues to join me in cosponsoring this resolution so it can be the voice of the Congress in expressing our concern over political trends in Austria.

SUPPORT H. RES. 414 FOR STEM CELL MEDICAL RESEARCH

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

Mrs. MORELLA. Mr. Speaker, last week I joined with my good friend and colleague, the gentlewoman from New York (Mrs. MALONEY), in the introduction of H. Res. 414 to allow Federal funding of pluripotent stem cell research to help us further understand Parkinson's, cancer, blindness, AIDS, Alzheimer's, diabetes, Muscular Dystrophy, Sickle-Cell Anemia, brain and spinal cord injuries, heart, lung, kidney and liver diseases, strokes, Lou Gehrig's Disease, birth defects, and other life-threatening diseases and disabilities.

House Resolution 414 does not request a specific amount of money, nor does it direct disease-specific research. It simply asks that Federal money be allowed to be utilized for the next best chance science has, not only to treat, but to cure, debilitating and life-threatening illnesses that afflict millions of Americans.

Many people have confused pluripotent stem cell research with human embryo research. Stem cells are not embryos. In fact, there is a ban on the use of Federal funds for human embryo research in the United States. Pluripotent stem cells cannot develop into complete human beings; and, therefore, under the law, they are not embryos.

Pluripotent stem cells are the type of cell that can be turned into almost any type of cell or tissue in the body. The medical community estimates that human pluripotent stem cell research makes it a very real possibility that Parkinson's Disease will be cured within 5 years. The American Cancer Society strongly supports pluripotent stem research. In fact, cancer research has shown that injections of stem cells could revive the immune response of patients undergoing bone marrow transplants. With stem cell technology, transplantation of human retinal tissue may be the cure for blinding retinal degenerative diseases which affect more than 6 million Americans.

Stem cell research holds the key; it holds the key to solve the problem of the body's reaction to foreign tissue, resulting in dramatic improvements in the treatment of a number of life-threatening conditions such as burns and kidney failure for which transplantation is currently used.

While the potential medical benefits of pluripotent stem cell technology are unprecedented, the National Institutes of Health has proposed guidelines outlining that this area of research must be conducted in accordance with strict ethical standards.

□ 1300

NIH understands the ethical, legal, and social issues relevant to human pluripotent stem cell research and is sensitive to the need to subject it to oversight that is more stringent than that associated with the traditional NIH scientific peer review process.

Most importantly, Mr. Speaker, Federal funding would bring with it a level of oversight that will not be present if the work remains the sole province of the private sector.

Finally, the American people support stem cell research, as shown by a nationwide survey conducted by Opinion Research Corporation International last year. They found that 74 percent of those polled favored funding of stem cell research by NIH.

Federal funds are crucial to allow scientists to proceed with stem cell research, which offers hope to more than 100 million Americans who suffer from a myriad of deadly and debilitating diseases.

In closing, Mr. Speaker, I want to urge my colleagues to support medical research in the search to find the cure for life-threatening disease and disability. I ask them to cosponsor House Resolution 414.

PAKISTAN'S PATTERN OF SPONSORING TERRORISM, PROVOKING CRISIS IN KASHMIR, AND THREATENING DESTABILIZATION OF REGION

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

Mr. PALLONE. Mr. Speaker, I rise today to discuss the latest episode in a troubling, ongoing pattern by the military regime in Pakistan to provoke a crisis in Kashmir and to essentially pick a fight with India with results that could be destabilizing and devastating to the entire region and the entire world.

The Pakistani government, a military junta that overthrew the civilian government in a coup last October, declared last Saturday, February 5, Kashmir Solidarity Day. Pakistan's military strongman leader, General Musharraf, visited the Pakistani-administered area of Kashmir and encouraged the terrorist forces there to continue their Jihad in the Indian states of Jammu and Kashmir.

That same evening, according to an account from the Indo-American Kashmir Forum, a band of gun-wielding terrorists sought out Kashmiri Pandits or Hindus in the village of Telwani and opened fire on two families belonging to the minority Hindu community. Three Pandits, including a 9-year-old girl, were killed and many others were injured.

Mr. Speaker, this is the true face of the so-called liberation campaign being waged by so-called freedom fighters for years in Kashmir. It is a violent terrorist campaign, pure and simple. Now Pakistan's support for this violent campaign has been laid bare for all the world to see.

Pakistan has always acknowledged its political and moral support for the insurgency in Kashmir, but evidence clearly shows that Pakistan's support runs much deeper. Now General Musharraf has spelled it out. He publicly pledged his support for the terrorist groups fighting in India's state of Jammu and Kashmir.

He was quoted in news accounts saying, ''All heads rise with pride when we

hear of the struggle of Kashmiri freedom fighters.'' These are the same freedom fighters who carried out the atrocity against the Pandit villagers, including the little girl, that same night.

Mr. Speaker, India and Pakistan have fought two wars over Kashmir. Last summer Pakistan initiated a border skirmish last year across the line of control that separates the two sides near the town of Kargil. Most news accounts indicate that General Musharraf and the other military coup leaders were behind the planning and execution of that disastrous campaign.

Fortunately, the United States and the rest of the world community recognize Pakistan as the aggressor. President Clinton prevailed on the civilian leadership of Pakistan, and I stress, civilian leadership of Pakistan at the time, because the civilian government was still in place, to withdraw its forces.

A few months later General Musharraf overthrew Pakistan's civilian government, and the government in Islamabad has been escalating the threatening rhetoric and destabilizing actions ever since.

Mr. Speaker, the U.S. has not done enough, in my opinion, to show its opposition to the military takeover in Pakistan. A House resolution that condemns the coup has come out of committee. The problem is that the military government has no legitimacy, and can only stay in power as long as it whips up hatred against India by citing Kashmir. That is why the generals started the Kargil war, and that is why they encouraged the hijacking of the India Airlines plane last December. That is why they continue the campaign against a multi-ethnic and religious state in Kashmir, and contribute to the murder of innocent Kashmiri Pandits. The end result of the generals' provocation would be another war with India over Kashmir. The problem is that the generals now control nuclear weapons they could unleash in such a war.

Mr. Speaker, the U.S. must send an unequivocal message that this continued provocation in Kashmir by the Pakistan military regime is unacceptable. At a minimum, the President should not visit Pakistan during his trip to South Asia in March. The State Department should declare Pakistan a terrorist state, and make it clear there will be no further contact with the Pakistani government until it stops its provocative actions in Kashmir and takes steps to restore democracy in Pakistan.

INTRODUCTION OF LEGISLATION TO IMPLEMENT THE EXECUTIVE ORDER ON FEDERAL WORKFORCE TRANSPORTATION IN THE NATIONAL CAPITAL REGION

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

Mr. WOLF. Mr. Speaker, today I am introducing, along with the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Virginia (Mr. DAVIS), a bill which will require the President to issue the Executive Order on Federal Workforce Transportation in the National Capital Region.

No single action will do more to reduce traffic congestion and improve the quality of life of the people who live in the Washington metropolitan area. This Federal order, which has been held at the White House for over 6 months, would help alleviate traffic congestion in Washington, D.C., Maryland, and Virginia for all people, those who work for the government and those who work in the private sector.

The order would reduce traffic by requiring all Federal agencies to provide a monthly transit benefit to their employees. Currently less than 20 percent of the Federal work force is eligible to receive transit benefits. This action would encourage Federal employees to use mass transit, and could take thousands of cars off the street every day. The order would expand the use of telecommuting and telework for Federal employees, which would also take cars off the road, give Federal employees the opportunity to telework, where they can have more choices and opportunities, and make it a better environment.

Lastly, the order would increase carpool benefits, shuttle service between mass transit points and agency worksites, and allow for alternative work schedules.

Mr. Speaker, I think we all agree that the Federal government has a responsibility to help reduce air pollution, and that motor vehicle traffic is the major source of pollution in this region. This Executive Order would take cars off the road, help clean up the air, and yet the White House is sitting on it.

Let me read exactly what the Executive Order says about air pollution. It says, ''In furtherance of the purposes of the Clean Air Act and the Federal Employees Clean Air Incentives Act, the Federal government, as the largest single employer in the Nation's Capital Region, has a responsibility to reduce the traffic congestion and motor vehicle-generated air pollution. . . .''

This Executive Order for the most part is an environmental document, and yet the Clinton-Gore White House is refusing to approve it.

Mr. Speaker, allow me to read from the implementation requirements, which state, ''For several years, there have been increasingly dire warnings about the negative consequences of traffic congestion and air pollution in the Capital region. Studies show that adverse impacts on the economy, quality of life, energy resources, environment, and public health.''

Why is the White House sitting on the Executive Order which they know will benefit the health of the people who live in the region, but also give Federal employees control over their own lives, and also take automobiles and cars off the streets of Maryland and Virginia and the District of Columbia so people can get back and forth to work and spend more time with their families?

It is a quality of life issue there. The simple fact that this order would reduce traffic congestion in our region is reason enough to sign it. Now we learn it will help with regard to the environment.

The document is important. The action is needed for now. Yet, this has been sitting on the President's desk for over 6 months. The bill will go in today. We will attempt to pass this bill. But I would hope and ask the White House to sign the Executive Order so we can give Federal employees this opportunity, give them opportunities to telework, but also take cars off the streets whereby we can have a better quality of life in this region for everyone who drives.

RECESS

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

Accordingly (at 1 o'clock and 8 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

O gracious God, we remember with compassion and empathy those members of our community who have suffered great loss and have walked through the valley of the shadow of death.

In our grief we look to Your spirit, O God, for healing and hope, for strength and meaning, for peace and assurance.

May the bounty of Your love and the majesty of your whole creation ever remind us of the wonderful gifts of faith and hope and love and may these gifts continue to live in our hearts and minds now and evermore. This is our earnest prayer. 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. TRAFICANT. 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. TRAFICANT. 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 Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE HONORABLE NEIL ABERCROMBIE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable NEIL ABERCROMBIE, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 3, 2000.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that a staffer in my Honolulu, Hawaii district office has been served with a trial subpoena for testimony, directed to me and issued by the U.S. District for the District of Hawaii.

In consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

NEIL ABERCROMBIE.

END THE MARRIAGE PENALTY

(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, nearly a half century ago, Albert Einstein said that the hardest thing to understand in the world is the income tax. Since then, our income tax system has not gotten better; it has gotten worse.

Today, American taxpayers, including myself, just cannot understand why married couples must pay more in taxes simply because they are married.

Mr. Speaker, in my home State the marriage tax penalty robs over 290,000 Nevadans every April 15. While I welcome the President's support for marriage penalty relief, his proposal simply does not go to the heart of the problem. His proposal fails to help all of America's hard-working couples.

The Republican plan will provide over the next decade $180 billion in marriage penalty relief to 25 million couples, including millions of middle-class Americans hit hardest by this unfair tax burden.

Mr. Speaker, one thing is clear to me: it is time that we right this wrong and provide real marriage penalty relief for America.

Mr. Speaker, I yield back this corrupt burden of our Internal Revenue Code.

ANNIVERSARY OF THE 1996 TELECOMMUNICATIONS ACT

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

Mr. CONYERS. Mr. Speaker, we all know that monopolies do not serve the public interest; they keep prices high, limit consumer choice, and fail to innovate. In 1996, in an effort to break up the entrenched local phone monopolies, Congress overwhelmingly passed the Telecommunications Act. I am happy to commemorate the 4-year anniversary of that Act.

The theory of the 1996 law is simple: in order to encourage local phone monopolies to open their local networks to competition, the Bells would be permitted to enter the long-distance market, but only when their local markets were open and competitive. Four years after its passage, there is substantial evidence that the 1996 act is working. But the local phone market is still not as competitive as we would like. There are competitive local carriers growing rapidly, both in terms of revenue and market capitalization; but they still compromise only 5 percent of the market. And worse still, the Bells even refuse to provide competitors with the necessary network access.

JOIN CONGRESSIONAL LIFE FORUM WEDNESDAY TO HEAR DR. JOSEPH BRUNER

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

Mr. PITTS. Mr. Speaker, I direct the Members' attention to this photograph of the little hand of Samuel Armas and the larger hand of his surgeon, Dr. Joseph Bruner.

Samuel Armas was still unborn when this was taken. He suffered from spina bifida, a disabling illness that affects one or two of every thousand babies.

Look at Samuel as Dr. Bruner finishes this prenatal operation procedure that will help Samuel after he is born. While still in the womb, before the doctor sews up his mother's womb, he sticks out his arm and his little hand grasps the finger of the surgeon, Dr. Bruner.

When this picture was taken, Samuel was 21 weeks old. What an example of the humanity of the little unborn child, as if he is saying thank you, I am okay.

Samuel was born on December 2, a healthy little baby boy. Thanks to Dr. Bruner, he has a chance to live a full and productive life. Mr. Speaker, life is precious.

The man who showed us this picture a couple of years ago, Dr. Bernard Nathanson, is coming back tomorrow at noon to speak to the Congressional Life Forum and Cannon Caucus. Everyone is welcome to attend.

INNOCENT UNTIL PROVEN GUILTY SHOULD BE GOOD ENOUGH FOR IRS

(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, in 1997, the IRS seized 10,000 properties. After Congress changed the law and shifted the burden of proof to the IRS, last year, the IRS seized only 161 properties; 161 from 10,000. But guess what, the IRS wants the law changed back. They say it is too costly. Unbelievable.

If the IRS had their way, last year 9,840 American families would have lost their homes and their businesses. Beam me up.

Listen. If innocent until proven guilty is good enough for mass murderers, it is good enough for Mom and Dad, and it is good enough for the IRS.

Mr. Speaker, I yield back the tears and whining over the IRS.

MARRIAGE TAX PENALTY

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

Mr. HUTCHINSON. Mr. Speaker, I think my colleagues on both sides of the aisle would agree that we may never have a perfect tax code, but it should at least be fair. That is the essence of any voluntary tax system.

How can we in this body make our tax system more fair? We can start by passing the marriage tax relief bill. Last year, nearly 50 million Americans, including more than 200,000 of my fellow Arkansans, paid extra taxes just because they were married. These folks do not pay just a little bit more in taxes; they paid an average of $1,400 apiece.

Our government is discriminating against married couples by forcing them to pay an extra fine of more than $1,000. This is not fair, and it should end.

Whether it is in a church or in a courtroom, couples have to usually pay some type of a fee for the marriage ceremony. But while it may cost money to get married, it should not cost money to be married.

I hope all of my colleagues will join me in standing up for married couples and in voting yes on the Marriage Tax Penalty Relief Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate is concluded on all motions to suspend the rules, but not before 6 p.m. today.

ABRAHAM LINCOLN BICENTENNIAL COMMISSION ACT

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1451) to establish the Abraham Lincoln Bicentennial Commission.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Abraham Lincoln Bicentennial Commission Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Abraham Lincoln, the 16th President, was one of the Nation's most prominent leaders, demonstrating true courage during the Civil War, one of the greatest crises in the Nation's history.

(2) Born of humble roots in Hardin County, Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a legacy of honesty, integrity, intelligence, and commitment to the United States.

(3) With the belief that all men were created equal, Abraham Lincoln led the effort to free all slaves in the United States.

(4) Abraham Lincoln had a generous heart, with malice toward none and with charity for all.

(5) Abraham Lincoln gave the ultimate sacrifice for the country Lincoln loved, dying from an assassin's bullet on April 15, 1865.

(6) All Americans could benefit from studying the life of Abraham Lincoln, for Lincoln's life is a model for accomplishing the ''American Dream'' through honesty, integrity, loyalty, and a lifetime of education.

(7) The year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln, and a commission should be established to study and recommend to Congress activities that are fitting and proper to celebrate that anniversary in a manner that appropriately honors Abraham Lincoln.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Abraham Lincoln Bicentennial Commission (referred to in this Act as the ''Commission'').

SEC. 4. DUTIES.

The Commission shall have the following duties:

(1) To study activities that may be carried out by the Federal Government to determine whether the activities are fitting and proper to honor Abraham Lincoln on the occasion of the bicentennial anniversary of Lincoln's birth, including—

(A) the minting of an Abraham Lincoln bicentennial penny;

(B) the issuance of an Abraham Lincoln bicentennial postage stamp;

(C) the convening of a joint meeting or joint session of Congress for ceremonies and activities relating to Abraham Lincoln;

(D) a redesignation of the Lincoln Memorial, or other activity with respect to the Memorial; and

(E) the acquisition and preservation of artifacts associated with Abraham Lincoln.

(2) To recommend to Congress the activities that the Commission considers most fitting and proper to honor Abraham Lincoln on such occasion, and the entity or entities in the Federal Government that the Commission considers most appropriate to carry out such activities.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members appointed as follows:

(1) Two members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President.

(2) One member, who shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Illinois.

(3) One member, who shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Indiana.

(4) One member, who shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Kentucky.

(5) Three members, at least one of whom shall be a Member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(6) Three members, at least one of whom shall be a Senator, appointed by the majority leader of the Senate.

(7) Two members, at least one of whom shall be a Member of the House of Representatives, appointed by the minority leader of the House of Representatives.

(8) Two members, at least one of whom shall be a Senator, appointed by the minority leader of the Senate.

(b) QUALIFIED CITIZEN.—A qualified citizen described in this subsection is a private citizen of the United States with—

(1) a demonstrated dedication to educating others about the importance of historical figures and events; and

(2) substantial knowledge and appreciation of Abraham Lincoln.

(c) TIME OF APPOINTMENT.—Each initial appointment of a member of the Commission shall be made before the expiration of the 120-day period beginning on the date of enactment of this Act.

(d) CONTINUATION OF MEMBERSHIP.—If a member of the Commission was appointed to the Commission as a Member of Congress, and ceases to be a Member of Congress, that member may continue to serve on the Commission for not longer than the 30-day period beginning on the date that member ceases to be a Member of Congress.

(e) TERMS.—Each member shall be appointed for the life of the Commission.

(f) VACANCIES.—A vacancy in the Commission shall not affect the powers of the Commission but shall be filled in the manner in which the original appointment was made.

(g) BASIC PAY.—Members shall serve on the Commission without pay.

(h) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(i) QUORUM.—Five members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(j) CHAIR.—The Commission shall select a Chair from among the members of the Commission.

(k) MEETINGS.—The Commission shall meet at the call of the Chair. Periodically, the Commission shall hold a meeting in Springfield, Illinois.

SEC. 6. DIRECTOR AND STAFF.

(a) DIRECTOR.—The Commission may appoint and fix the pay of a Director and such additional personnel as the Commission considers to be appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—

(1) DIRECTOR.—The Director of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and 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.

(2) STAFF.—The staff of the Commission shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

SEC. 7. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(c) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that department or agency shall furnish that information to the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

SEC. 8. REPORTS.

(a) INTERIM REPORTS.—The Commission may submit to Congress such interim reports as the Commission considers to be appropriate.

(b) FINAL REPORT.—The Commission shall submit a final report to Congress not later than the expiration of the 4-year period beginning on the date of the formation of the Commission. The final report shall contain—

(1) a detailed statement of the findings and conclusions of the Commission;

(2) the recommendations of the Commission; and

(3) any other information that the Commission considers to be appropriate.

SEC. 9. BUDGET ACT COMPLIANCE.

Any spending authority provided under this Act shall be effective only to such extent and in such amounts as are provided in appropriation Acts.

SEC. 10. TERMINATION.

The Commission shall terminate 120 days after submitting the final report of the Commission pursuant to section 8.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT).

GENERAL LEAVE

Mrs. BIGGERT. 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, H.R. 1451.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1451, the Abraham Lincoln Bicentennial Commission Act, as amended by the Senate. As my colleagues will recall, this is the second time the House has considered H.R. 1451, which creates a commission to honor the life of Abraham Lincoln. Last October, this body overwhelmingly passed this legislation by a vote of 411 to 2 and sent it to the Senate for consideration.

I am pleased to have the opportunity today to manage H.R. 1451 for the second time. I congratulate the gentleman from Illinois (Mr. LAHOOD), my good friend and colleague, for authoring this fine bill.

Mr. Speaker, in 2009, America will celebrate the 200th anniversary of the birth of our 16th and perhaps greatest President, Abraham Lincoln.

Abraham Lincoln was born on February 12, 1809, in Hardin County, Kentucky. He was the son of a Kentucky frontiersman and struggled throughout most of his younger years in both Kentucky and Illinois to earn a living and to learn.

Abraham Lincoln once claimed he had been educated by ''littles,'' a little now and a little then. Yet for a man without what we would call a formal education, Abraham Lincoln embodied every character trait that we aspire to attain.

It is because Abraham Lincoln possessed these traits that his name is synonymous with all that is great and good in America. His name has come to symbolize commitment, freedom, honesty, bravery and vision: freedom because it was Abraham Lincoln who led the successful effort to free all slaves in the United States; honesty because of his untarnished character and impeccable integrity, which earned him the nickname ''Honest Abe''; bravery because he fought for and eventually gave his life to advance the principles that guided our Founding Fathers, including that ''all men are created equal''; and he had the vision to preserve a ''more perfect union'' by guiding this country through its most divisive period, the Civil War. When that war was drawing to a conclusion, Lincoln sought to bind up the Nation's wounds rather than punish those who had seceded from the union.

Tragically, an assassin's bullet not only took Lincoln's life, but with it killed any chance for a magnanimous peace.

Let me take a moment to inform my colleagues of the changes the Senate has made to H.R. 1451. Under both the House- and Senate-passed bills, the commission will consist of 15 members, individuals who possess a substantial appreciation of Abraham Lincoln's life. However, as amended by the Senate, the individual who chairs the commission will be appointed by the members of the commission, not by the President.

In addition, the Senate amendments reduce the number of commissioners appointed by the President from nine to five. The number of commission members appointed by congressional leaders is increased from six to 10, and the leaders are provided more flexibility in making those appointments.

Finally, the Senate amendments provide that three, rather than six, of the President's appointments will be individuals recommended by the governors of Illinois, Indiana, and Kentucky, States in which Lincoln spent most of his life. I believe these are appropriate changes and urge all Members to concur with their adoption.

Mr. Speaker, I am proud to offer this legislation. I am also proud to be a cosponsor of the bill, and I encourage the support of all Members.

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

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

Mr. Speaker, this legislation before us today establishes a bicentennial commission to celebrate the life and accomplishments of this Nation's 16th President, Abraham Lincoln.

In many respects, Abraham Lincoln was an ordinary man who, throughout his life, did many extraordinary things. Mr. Lincoln was poor and struggled to educate himself. After completing his duties, he practiced law. He served in the military, holding the rank of captain during the Black Hawk War. Thereafter, he continued his public service by spending 8 years in the Illinois legislature. Then in 1836, he was elected to Congress and served two terms.

□ 1415

In 1832, when Abraham Lincoln was seeking his first seat in the Illinois General Assembly, he stated in his first political announcement, and I quote, ''Upon the subject of education, not presuming to dictate any plan or system respecting it, I can only say that I view it as a most important subject which we as a people can be engaged in. That every man receive at least a moderate education and thereby be enabled to read the histories of his own and other countries by which he may duly appreciate the value of our free institutions, appears to be an object vital importance.''

It is important that H.R. 1451 stipulates that the members of the commission be selected based on their demonstrated dedication to educating others about the importance of historical figures and events. It is through education that we learn about our pasts and prepare ourselves for our future. Abraham Lincoln made decisions and took actions that would forever change the course of America. The commission will be responsible for educating Americans, young and old, about the importance of the Lincoln legacy and contributions he made for a free and unified country.

In 1854, Lincoln took an unpopular stance and opposed the Kansas-Nebraska Act, which threatened to extend slavery to other States. Lincoln was elected president in 1860 when the United States was no longer united but was divided over slavery. Believing that secession was illegal, he was prepared to use force to defend the union and did so. The Civil War began in 1861 and would last 4 years costing the lives of over 500,000 Americans.

On November 16, 1863, in the midst of a war, on a battlefield near Gettysburg, Pennsylvania, President Lincoln not only acknowledged the sacrifice of thousands who had perished but presented his vision for the future of our Nation, conceived in liberty, where everyone is created equal. The speech known as the Gettysburg Address shaped the destiny of the United States of America; that government of the people and by the people should be for all the people, regardless of race or color. For this, Mr. Lincoln lost his life on the balcony of the Ford Theater in 1865 right here in Washington, D.C.

The Bicentennial Commission will recommend to Congress what activities and actions should be taken to celebrate the life of Abraham Lincoln. The commission's recommendations to this body should reflect how a man of humble roots rose to the office of the President of the United States of America.

The bicentennial anniversary of the birth of Abraham Lincoln presents the opportunity for Americans to recommit ourselves to the principles extolled by Abraham Lincoln; honesty, integrity, loyalty and the pursuit of education. I urge all Members of this body to support H.R. 1451.

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

Mrs. BIGGERT. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. LAHOOD), the author of this bill.

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

Mr. LAHOOD. Mr. Speaker, I want to thank the gentlewoman from Illinois (Mrs. BIGGERT) for yielding this time to me, and also thank the gentleman from Maryland (Mr. CUMMINGS) for his remarks here today, his remarks in the committee, and his remarks when we previously considered this bill last year. They were most eloquent about President Lincoln.

Mr. Speaker, I am here today to celebrate the life and legacy of President Abraham Lincoln by asking for my colleagues' support of H.R. 1451, the Abraham Lincoln Bicentennial Act of 1999. The bill, which has passed the Senate,

will establish a commission, the purpose of which would be to make recommendations to Congress for a national program to honor President Abraham Lincoln in the year 2009, the bicentennial celebration of his birth.

For decades historians have acknowledged President Lincoln as one of our country's greatest presidents. As our 16th President, Lincoln served the country during a most precarious era. While most of the country looked to divide, President Lincoln fought for unity and eventually saved the Union.

With the belief that all men are created equal, President Lincoln led the charge to end slavery in America. Without the determination and wisdom of President Lincoln, our country as we know it may not exist today.

President Lincoln also serves as a national symbol of the American Dream. Born of humble roots on February 12, 1809 in Hardin County, Kentucky, Abraham Lincoln rose to the Presidency through a legacy of honesty, integrity, intelligence, and commitment to the United States of America.

In 1909, America celebrated the centennial of President Lincoln's birth in a manner deserving of the accomplishments. Congress approved placing the image of President Lincoln on the first-class stamp for the first time, made President Lincoln's birth a national holiday, and passed legislation leading to the construction of the Lincoln Memorial here in Washington, D.C. Further, President Theodore Roosevelt approved placing the image of President Lincoln on the penny.

As in 1909, I am pleased that Congress will again honor President Lincoln in 2009 by establishing the Abraham Lincoln Bicentennial Commission. Through this commission, Congress will be able to demonstrate its appreciation for Abraham Lincoln's accomplishments and ultimate sacrifice for our country.

The commission will identify and recommend to Congress appropriate actions to carry out this mission. And through the recommendations of this commission and subsequent acts of Congress, the American people will benefit by learning about the life of President Lincoln.

As an Illinoisan, I am proud of the fact President Lincoln considered Illinois his home for virtually all his adult life. In one of his most famous acts, President Lincoln enacted the Emancipation Proclamation, which went into effect January 1, 1863. Abraham Lincoln is remembered for his vital role as the leader in preserving the Union and beginning the process that led to the end of slavery in the United States.

He is remembered for his character, his speeches, his letters, and as a man of humble origin whose determination, preservation, perseverance led him to the Nation's highest office.

I would also like to acknowledge the assistance of a man named Peter Kovler, who actually came to me with this idea of establishing the commission. And it was he, as a private citizen, because of his interest in Lincoln, that this idea was brought forth in the form of a bill which will become law.

I would also like to thank Chuck Schierer of my staff and Chris Guidry of my staff for their help in drafting this bill.

I also want to acknowledge the fact that I have spoken to the gentleman from Kentucky (Mr. LEWIS), and we both have agreed that the commission should strongly consider holding their first meeting in Kentucky, the birthplace of Abraham Lincoln, as the site of its inaugural meeting. And we hope that will be accomplished.

I ask all my colleagues to join me today in honoring the memory of President Abraham Lincoln by supporting the Abraham Lincoln Bicentennial Commission Act of 1999.

Mrs. BIGGERT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, I rise to join my colleague, the gentleman from Illinois (Mr. LAHOOD), and the entire Illinois delegation in supporting H.R. 1451 to create the Lincoln Bicentennial Commission.

As we near the 200th birthday of one of America's greatest presidents, it is important that we celebrate and commemorate his legacy. There can be no doubt that it was Abraham Lincoln's resolve that kept our Nation together during its most turbulent period. To forget or overlook that resolve and the sacrifices that President Lincoln and millions of others made, and many continue to make, would be wrong.

It is said that the 1700s were about creating a Nation, the 1800s were about preserving a Nation, and the 1900s about bringing a Nation together. Let us dedicate this next 100 years to building on the Lincoln legacy, to move our Nation forward as one people committed to freedom.

Lincoln said at Gettysburg that the world would not long remember and would soon forget what he and others were doing to preserve our Nation. Well, I say that we have not forgotten the sacrifices made and we will not take President Lincoln's legacy for granted. We thank him for his service and the example of the ends to which we must go to preserve this Nation and the rights of all citizens.

Happy birthday, Mr. Lincoln. I ask my colleagues for a favorable vote.

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

Mr. Speaker, when I look at what we are doing today, I think it is extremely important, and I certainly urge my colleagues to support this very important legislation; but I was considering something that Abraham Lincoln said that I think is just so telling about the man that we honor through this legislation. It is a quote I had not heard before, but I think it is one that perhaps all of us should give some serious consideration to.

He said, ''I desire to so conduct the affairs of this administration that if at the end, when I come to lay down the reins of power, I have lost every other friend on earth, I shall at least have one friend left and that friend shall be down inside of me.'' He really said something. The fact is that Abraham Lincoln stood for so much.

Mr. Speaker, I want to thank the gentleman from Illinois (Mr. LAHOOD) for his foresight in taking up the mantle of a constituent, which says a lot. I think a lot of times constituents think that they have little effect. But the fact is that here we are standing here today with this legislation because the gentleman took it upon himself to lift up the idea of a constituent. It goes to the same kind of thing, that one person can make a difference.

So with that, Mr. Speaker, I again urge our colleagues to support the legislation, and I want to thank the gentlewoman for her cooperation and certainly the ranking member and the chair of our committee and subcommittee.

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

Mrs. BIGGERT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me close by reading to my colleagues a portion of the sermon given by Phineas D. Gurley at President Lincoln's funeral at the White House. The sermon and its message are powerful. They express the essence of Abraham Lincoln's character and why we seek to honor him today with this legislation.

I quote Dr. Gurley. ''Probably no man since the days of Washington was ever so deeply and firmly embedded and enshrined in the very hearts of the people as Abraham Lincoln. Nor was it a mistaken confidence and love. He deserved it well, deserved it all. He merited it by his character, by his acts, and by the whole tenor and tone and spirit of his life. He was simple and sincere, plain and honest, truthful and just, benevolent and kind. His perceptions were quick and clear, his judgments were calm and accurate, and his purposes were good and pure beyond a question. Always and everywhere he aimed and endeavored to be right and to do right.''

Let us do right by our 16th president by passing this legislation today.

Again, Mr. Speaker, I commend the gentleman from Illinois (Mr. LAHOOD) for introducing the bill. I also thank the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform, and the gentleman from Florida (Mr. SCARBOROUGH), the chairman of the Subcommittee on Civil Service, for expediting its consideration, as well as the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from California (Mr. WAXMAN) for their strong support. I urge all Members to support H.R. 1451.

Mr. ROEMER. Mr. Speaker, I rise in strong support of H.R. 1451, The Abraham Lincoln Bicentennial Commission Act recognizing the bicentennial of his birth. As a proud Hoosier, I call attention to the fact that Abraham Lincoln spent several key years of his life, his most formative years, maturing from youth to manhood while living in the State of Indiana.

Therefore, it is most fitting that this bill gives the Governor of Indiana the authority to appoint two members of the commission. Growing up in Indiana was a considerable influence in the life and development of Abraham Lincoln. He received his first exposure to politics and the issues that would later dominate his life in public service while living in Indiana. One of his first jobs was at a general store and meat market, which was owned by William Jones, whose family owned slaves in violation of the Indiana State Constitution. This was Lincoln's first introduction to slavery.

Abraham Lincoln firmly held to the highest ethical standards throughout his political career, appropriately earning the nickname Honest Abe. His vigorous work ethic and strong sense of morality are shining examples of selfless devotion to public service. His memory continues to serve as a guiding light for the future. He was fiercely devoted to his family, and he put the interests of his country above his own, which tragically led to his assassination. The Gettysburg Address and Second Inaugural Speech live on as two of the most important and best written speeches in American history.

Mr. Speaker, Indiana takes pride in its contributions to the life of President Lincoln, and we look forward to the work of the Commission in honoring him and reminding Americans of his legacy. All Americans, regardless of their state, take great pride in Abraham Lincoln. I encourage my colleagues to support this legislation.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of H.R. 1451, the Abraham Lincoln Bicentennial Commission Act. First of all, I would like to thank Congresswoman JUDY BIGGERT of the Civil Service Subcommittee, who happens to represent Illinois, for speaking so eloquently on this important piece of legislation. Secondly, I commend Mr. LAHOOD, my colleague also from Illinois, for his sponsorship of this measure honoring President Abraham Lincoln. I also would like to mention Congressman RON LEWIS of Kentucky for his work on H.R. 1451, which ensured that President Lincoln's birthplace of Kentucky also had a legitimate role in this commission.

Mr. Speaker, in 9 years the United States will celebrate the bicentennial anniversary of Abraham Lincoln's birth. On this occasion we will certainly want to properly honor Abraham Lincoln for his immeasurable contributions to our Nation and to mankind. The Abraham Lincoln Bicentennial Commission, established by H.R. 1451, will study and recommend activities and programs through which we, as a nation, can best remember and honor Abraham Lincoln, and rededicate ourselves to the ideals for which he fought and died.

At this time, I also would like to express my appreciation to my colleague from Indiana, Congressman MARK SOUDER, for his efforts on behalf of our home State. Indiana is proud to be the boyhood home of Abraham Lincoln. From age 7 to age 21, he lived on the frontier in southern Indiana. During his years in Indiana, he acquired his education, grew to his full height, and most important, developed his strong character which served our Nation so well during the crisis of the Civil War.

I urge my colleagues to support H.R. 1451, and again thank all those involved for making this the exceptional piece of legislation that you see before you.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to again voice my support for the Abraham Lincoln Bicentennial Commission Act. It is very fitting that we are considering this legislation today because this Saturday, February 12, will mark the 191st birthday of one of the greatest Presidents to ever serve our Nation.

Lincoln occupied the White House through 4 of our country's darkest years and was faced with the prospect of uniting our country torn asunder by civil war. Through his leadership and perseverance, Mr. Speaker, the Union was preserved.

While it is impossible to overlook his contributions to America from the White House, there is much more to the story of Abraham Lincoln that endures in the hearts and minds of his countrymen. Lincoln was born to humble roots in a log cabin in Hodgenville, Kentucky, located in the Second District. He was largely self-educated, yet became one of our country's greatest statesman with his eloquent use of the English language. He clung to the highest ethical standards throughout his political career, earning the nickname Honest Abe. He was fiercely devoted to his family, and he put the interest of his country above his own, which ultimately led to his assassination. He was born into obscurity but earned the gratitude and love of every American.

Lincoln's story is one of America, and should serve as an inspiration to all of us. It is a story posterity needs to learn, and it is incumbent on the Federal Government to use all available resources to preserve his legacy.

Lincoln has always been one of my heroes of history. In fact, his portrait, along with many other likenesses, graces my Washington and District offices and serves as a reminder to me of my duty to my country and responsibility to those who have elected me to serve.

I urge my colleagues to support the Abraham Lincoln Bicentennial Commission Act. As Edwin Stanton said upon the President's death, ''Now he belongs to the ages.'' We have an opportunity today to make sure President Lincoln remains a man for the ages by passing this legislation.

Mr. Speaker, it is my hope that this commission will conduct its inaugural meeting in Hodgenville, Kentucky, the birthplace of Abraham Lincoln.

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

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1451.

The question was taken.

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

The yeas and nays were ordered.

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

□ 1430

POISON CONTROL CENTER ENHANCEMENT AND AWARENESS ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 632) to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

The Clerk read as follows:

S. 632

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 ''Poison Control Center Enhancement and Awareness Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Each year more than 2,000,000 poisonings are reported to poison control centers throughout the United States. More than 90 percent of these poisonings happen in the home. 53 percent of poisoning victims are children younger than 6 years of age.

(2) Poison control centers are a valuable national resource that provide life-saving and cost-effective public health services. For every dollar spent on poison control centers, $7 in medical costs are saved. The average cost of a poisoning exposure call is $32, while the average cost if other parts of the medical system are involved is $932. Over the last 2 decades, the instability and lack of funding has resulted in a steady decline in the number of poison control centers in the United States. Within just the last year, 2 poison control centers have been forced to close because of funding problems. A third poison control center is scheduled to close in April 1999. Currently, there are 73 such centers.

(3) Stabilizing the funding structure and increasing accessibility to poison control centers will increase the number of United States residents who have access to a certified poison control center, and reduce the inappropriate use of emergency medical services and other more costly health care services.

SEC. 3. DEFINITION.

In this Act, the term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 4. ESTABLISHMENT OF A NATIONAL TOLL-FREE NUMBER.

(a) IN GENERAL.—The Secretary shall provide coordination and assistance to regional poison control centers for the establishment of a nationwide toll-free phone number to be used to access such centers.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting the establishment or continued operation of any privately funded nationwide toll-free phone number used to provide advice and other assistance for poisonings or accidental exposures.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,000,000 for each of the fiscal years 2000 through 2004. Funds appropriated under this subsection shall not be used to fund any toll-free phone number described in subsection (b).

SEC. 5. ESTABLISHMENT OF NATIONWIDE MEDIA CAMPAIGN.

(a) IN GENERAL.—The Secretary shall establish a national media campaign to educate the public and health care providers about poison prevention and the availability of poison control resources in local communities and to conduct advertising campaigns concerning the nationwide toll-free number established under section 4.

(b) CONTRACT WITH ENTITY.—The Secretary may carry out subsection (a) by entering into contracts with 1 or more nationally recognized media firms for the development and distribution of monthly television, radio, and newspaper public service announcements.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $600,000 for each of the fiscal years 2000 through 2004.

SEC. 6. ESTABLISHMENT OF A GRANT PROGRAM.

(a) REGIONAL POISON CONTROL CENTERS.—The Secretary shall award grants to certified regional poison control centers for the purposes of achieving the financial stability of such centers, and for preventing and providing treatment recommendations for poisonings.

(b) OTHER IMPROVEMENTS.—The Secretary shall also use amounts received under this section to—

(1) develop standard education programs;

(2) develop standard patient management protocols for commonly encountered toxic exposures;

(3) improve and expand the poison control data collection systems;

(4) improve national toxic exposure surveillance; and

(5) expand the physician/medical toxicologist supervision of poison control centers.

(c) CERTIFICATION.—Except as provided in subsection (d), the Secretary may make a grant to a center under subsection (a) only if—

(1) the center has been certified by a professional organization in the field of poison control, and the Secretary has approved the organization as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning; or

(2) the center has been certified by a State government, and the Secretary has approved the State government as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning.

(d) WAIVER OF CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—The Secretary may grant a waiver of the certification requirement of subsection (c) with respect to a noncertified poison control center or a newly established center that applies for a grant under this section if such center can reasonably demonstrate that the center will obtain such a certification within a reasonable period of time as determined appropriate by the Secretary.

(2) RENEWAL.—The Secretary may only renew a waiver under paragraph (1) for a period of 3 years.

(e) SUPPLEMENT NOT SUPPLANT.—Amounts made available to a poison control center under this section shall be used to supplement and not supplant other Federal, State, or local funds provided for such center.

(f) MAINTENANCE OF EFFORT.—A poison control center, in utilizing the proceeds of a grant under this section, shall maintain the expenditures of the center for activities of the center at a level that is not less than the level of such expenditures maintained by the center for the fiscal year preceding the fiscal year for which the grant is received.

(g) MATCHING REQUIREMENT.—The Secretary may impose a matching requirement with respect to amounts provided under a grant under this section if the Secretary determines appropriate.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for each of the fiscal years 2000 through 2004.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from New York (Mr. TOWNS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 632.

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

There was no objection.

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

Mr. Speaker, I rise today to ask my colleagues to approve S. 632, the Poison Control Center Enhancement and Awareness Act.

This long-overdue legislation will provide a stable base of support for our Nation's threatened poison control centers and improve public education and awareness about these life-saving resources.

This Senate bill is the companion measure to the legislation that I introduced with my colleague and friend, the gentleman from New York (Mr. TOWNS), in the last session of Congress. I am pleased to note that our bill enjoys strong bipartisan support, it has more than 130 cosponsors; and that the Senate bill, this bill, was approved by unanimous consent under the leadership of our Ohio friend, Senator Mike DEWINE.

Poison control centers provide vital, very cost-effective services to the American public. Each year more than 2 million poisonings are reported to poison control centers throughout the United States. More than 90 percent of these poisonings occur in the home, and more than 50 percent of poisoning victims are children under the age of 16.

For every dollar spent on poison control center services, $7 in medical services are saved. But in spite of their obvious value, poison control centers are indeed in jeopardy.

Historically, these centers were typically funded by the private and public sector hospitals where they were located. The transition to managed care, however, has resulted in a gradual erosion of the funding. As this funding source has been drying up, poison control centers have only partially been able to replace the support by cobbling together other State and local and private funding.

The financial squeeze has forced many of the centers to curtail their poison prevention advisory services and their information and emergency activities and reduce the number of nurses, pharmacists, and physicians answering the emergency telephones. Currently, there are 73 centers. In 1978 there were 661.

The Poison Control Center Enhancement and Awareness Act will provide up to $28 million each year over the next 5 years to provide a stable source of funding for these centers, to establish a national toll-free poison control hotline, and to improve public education on poisoning prevention and poison center services.

The legislation is designed to ensure that these funds supplement, not supplant, other funding that the centers may be receiving and provides the Secretary of Health and Human Services with the authority to impose a matching requirement.

Further, to receive Federal funding, a center will have to be certified by the Secretary of Health and Human Services or an organizational expert in the field of poison control designated by the Secretary. I want to recognize especially Senator DEWINE's contribution and his leadership.

In addition to my colleague, the gentleman from New York (Mr. TOWNS), I would especially like to thank the gentleman from Virginia (Mr. BLILEY), chairman of the Committee on Commerce; the gentleman from Michigan (Mr. DINGELL), the ranking member; and the gentleman from Florida (Mr. BILIRAKIS), the chairman of the Subcommittee on Health and the Environment; and the gentleman from Ohio (Mr. BROWN), his ranking member, for their interest and leadership on this issue.

Mr. Speaker, there is no greater pain or nightmare to watch a loved one suffer for something that we could cure.

I can remember, as a new dad, buying those little gadgets and putting them on my cupboards in my kitchen to make sure that my daughter and my son would not be able to open those up and find the detergent and bleach and other things that might be in those cabinets. But despite that foresight, it is not 100 percent foolproof. And when these things happen, we have to make sure that every family across this great country has access to an 800 number where they can immediately reach out to someone who knows what to do when that tragedy might strike.

That is what this bill does, Mr. Speaker. It provides that access so our kids and our loved ones can live. I urge all of my colleagues to support this legislation. It is long overdue, and I look forward to its passage this evening.

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

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

Mr. Speaker, I rise today to join my colleague and friend, the gentleman from Michigan (Mr. UPTON), in supporting S. 632.

I also would like to thank the gentleman from Michigan (Mr. DINGELL), the ranking member of the full committee; and, of course, the gentleman from Florida (Mr. BILIRAKIS), the chairman of the subcommittee; and the gentleman from Virginia (Mr. BLILEY), the chairman of the full committee; and the gentleman from Ohio (Mr. BROWN),

who is the ranking member on the Subcommittee on Health and the Environment. I would like to thank all of them for their outstanding leadership, along with the gentleman from California (Mr. WAXMAN) and the gentleman from Illinois (Mr. RUSH).

The Poison Control Center Enhancement and Awareness Act, we introduced virtually identical legislation, H.R. 1221, in March of last year. The poison control centers provide cost savings, effective preventive services to the American public. For every dollar spent on a center's services, $7 in medical costs are saved.

Yet, we have seen a dramatic decrease in the number of centers. They have actually decreased them by 588 from 1978 to 1999, when we introduced 1221. That is hard to understand.

When we talk to the nurses, they want it. When we talk to the doctors, they want it. Anybody that is involved in health care is asking that we fund these poison control centers and that we do it now. Because they are so important in terms of saving the lives of so many people, especially our children.

This legislation would authorize appropriations for $28 million over the next 5 years, which provides a stable source of funding. The Secretary of Health and Human Services is also directed under the legislation to improve public education about poisonings and to provide correlation and assistance to regional poison control centers for the establishment of a nationwide toll-free phone number to access these centers. This kind of effort is critical if centers are to provide the maximum level of service to our most vulnerable population, the Nation's children.

Children are disproportionately impacted. For example, 60 percent of poisonings involved children under the age of 6.

In hearings that we held during the 104th Congress, in the House Government Operations Subcommittee on Human Resources, suggested that the unintentional injuries and deaths that result from poisonings could be mitigated if we had a stable source of funding for poison control centers.

In other words, if we would just say that we were going to be committed to it and put forth a certain amount rather than continuing to do a piecemeal kind of thing, we would be able to save a lot of lives because people would know where to turn.

S. 632 provides us with the opportunity today to ensure a stable source of funding. I urge my colleagues, including the 130 cosponsors of our bill, H.R. 1221, to join me in voting for this measure. It passed the Senate by unanimous consent. We should do no less today to guarantee that poison control centers have the financial security they need to provide our citizens with life-saving information about these centers.

Mr. Speaker, let me just again commend my colleague, the gentleman from Michigan (Mr. UPTON), for the outstanding job that he has done. Because when we walk the streets and we talk to people that have children and they talk about some of the incidents that have occurred and that they do not know where to turn, when we talk to physicians who are actually in the emergency rooms of these various hospitals who say that they look to these poison control centers to get information to be able to deal with the mother, or for a mother to be able to pick up the phone and call a center and for the center to tell her what to do on the phone, we are talking about saving money.

I cannot understand why we are so reluctant to do this in this day and age when we know that it is important that we cut costs. But we need to do it in a very reasonable fashion.

So I want to once again thank my colleague for having the foresight to say that this should be done. I think that we have to continue to work to make certain that we have that central number so that everybody knows that, once an incident occurs, that a person right away will know what to call by saying 1–800 and that mother would be able to be relieved of some of that tension that she might have if otherwise that information was not available.

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

Mr. UPTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, it is hard to think of an issue that the gentleman from New York (Mr. TOWNS) and I when we have tried to lead on an issue have not reached out to each other and sought some partisan support. And I again appreciate that friendship and hard work.

At the end of the day, at the end of this day, this Congress is going to follow through with what the Senate did and make sure that, in fact, these poison control centers are in place and that they are going to be funded.

There is an old movie that I remember, ''Ghostbusters.'' Remember that? ''Who are you going to call? Ghostbusters.'' I am not going to sing it. But when a parent has a problem, particularly a parent, but it could be anybody, there has got to be a number that they can call, whether it is their cell phone in their pocket or the phone in their kitchen. And this bill does that. Because they do not have time, they do not have a lot of time to react when someone might be writhing on the floor with some substance that they might have ingested and they have no idea what to do, particularly as a non-physician, as most of us in this body are.

This bill is going to save lives; and at the end of the day, it is going to save money too. I cannot think of a better promise to the American taxpayer, to the folks that we serve, as we have visited our day-care centers and we see those wonderful little kids that are playing. They cannot distinguish between a box of detergent and a box of cereal. They just know that it usually has got a pretty color.

We have got to make sure that, in fact, their lives are going to be saved when they do something that they really should not do if they had had some parental involvement during that tragic moment.

So again, Mr. Speaker, I ask my colleagues to support this legislation. I would hope that we can pass it without any objections at all.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to urge you to support S. 632, the Poison Center Enhancement and Awareness Act of 1997. This important legislation authorizes Congress to provide assistance to poison control, information and treatment centers nationwide through a grant-funding program that would be administered by the Centers for Disease Control and Prevention. The funding will be used to educate the public about the benefits of poison prevention and treatment, primarily through the ''Mr. Yuk'' campaign.

The federal government should support poison control and treatment centers because they provide immediate, around-the-clock toxicity assessments and treatment recommendations over the telephone for all types of poisoning, overdoses and drug interactions affecting people of all ages. On a daily basis, parents, grandparents, child-care providers, teachers and health care providers consult these centers. Most calls are safely managed over the phone and referrals are made to health care facilities as appropriate. More severe cases are followed up so progress can be assessed and additional recommendations provided as necessary.

The Illinois Poison Center (IPC), which is located in my congressional district, is the nation's oldest and Illinois' only remaining poison control, information and treatment center. Since 1953, it was operated by a local Chicago hospital. By 1996, however, the hospital was no longer able to maintain the center's operation, largely because of a lack of funding. Also by that time, the four other poison centers located in Illinois had closed. Eventually, the IPC's operations were assumed by the Metropolitan Chicago Healthcare Council and, at the request of others around the state, the center was expanded to serve the entire state.

Unfortunately, the IPC's existence, like that of other poison centers around the nation, is jeopardized because of a lack of stable funding. There remains, however, a great need to support these centers and their education and treatment efforts. Studies also show that 90 percent of all poisonings happen in the home, and 53 percent of these cases involve children under six years of age. Also, a study conducted by the U.S. Department of Health and Human Services found that for every dollar spent on a poison center saves $7 in unnecessary medical costs. In 1998 alone, more than 79 percent of all human exposures presented to the Illinois Poison Center were handled without a referral to a hospital emergency department or a private physician. This in turn saved more than $15 million in unnecessary emergency room and physician office visits.

Mr. BLILEY. Mr. Speaker, I rise in support of S. 632, The Poison Control Center Enhancement and Awareness Act. I ask my colleagues to consider that poisoning is the third most common form of unintentional death in

the United States. Every year, poisoning accounts for 13,000 deaths. It also leads to 285,000 hospitalizations and 1 million days of acute hospital care. The direct costs of poisoning are estimated at over $3 billion per year, which is more than our annual expenditures on gunshot wounds, burns and drownings combined.

S. 632 will provide a stable source of funding for poison control centers, establish a national toll-free poison control hotline, and improve public education on poisoning prevention and services. This assistance is needed because poison control centers have experienced a gradual erosion of funding as payments to hospitals (where they have typically been located) have been reduced. This financial squeeze has forced many centers to curtail their poison prevention advisory services and their information and emergency activities, and to reduce the number of nurses, pharmacists, and physicians answering the emergency telephones. Currently, there are 73 centers. In 1978, there were 661. And yet, such centers are very cost-effective. For every dollar spent on poison control center services, seven dollars in medical costs are saved.

Therefore, I encourage my colleagues to pass this bill, S. 632, which is being considered today under suspension of House rules. I join my Commerce Committee colleagues—Representatives UPTON, BILIRAKIS, and TOWNS—who are the original cosponsors of a very similar House Bill, in supporting its passage.

Mr. UPTON. 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 Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 632.

The question was taken.

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

The yeas and nays were ordered.

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

□ 1445

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE CARL B. ALBERT, FORMER MEMBER OF CONGRESS FROM THE STATE OF OKLAHOMA

Mr. WATKINS. Mr. Speaker, I offer a privileged resolution (H. Res. 418) and ask for its immediate consideration.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized at this time to offer this resolution.

The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 418

Resolved, That the House has learned with profound sorrow of the death of the Honorable Carl B. Albert, former Member of the House for 15 terms, and Speaker of the House of Representatives for the Ninety-second, Ninety-third and Ninety-fourth Congresses;

Resolved, That in the death of the Honorable Carl B. Albert the United States and the State of Oklahoma have lost a valued and eminent public servant and citizen.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Oklahoma (Mr. WATKINS) is recognized for 1 hour.

GENERAL LEAVE

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 418.

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

There was no objection.

Mr. WATKINS. Mr. Speaker, I yield 30 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), pending which I yield myself such time as I may consume.

Mr. Speaker, today I offer this resolution on behalf of myself and three fellow Oklahomans, the gentleman from Oklahoma (Mr. LUCAS), the gentleman from Oklahoma (Mr. ISTOOK), the gentleman from Oklahoma (Mr. WATTS), and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Mr. Speaker, I rise today with deep respect for and in honor of the life and service of my friend, Carl Albert of Oklahoma's Third Congressional District, a former Member and Speaker of this House.

It is also with great sadness that I record former Speaker Albert's passing last Friday evening, February 4, at the age of 91; but, let me quickly add though, 91 great and distinguished years. Only 21 Members remain in this House today who served with Mr. Albert prior to his retirement in 1977.

Carl Albert was an honorable man who was not tall in height, but was truly a giant of a man, whom I looked up to for his leadership to his country and his service to his fellow human beings.

Speaker Albert grew up in poverty in the small coal mining town of Bugtussle in Pittsburg County, and graduated from nearby McAlester High School, deep in the heart of my district of Southeastern Oklahoma, mainly called Little Dixie.

Through his intelligence, leadership and hard work, Carl Albert lifted himself from poverty to eventually hold the third highest office in the land, yes, Speaker of the House, and twice was a mere heartbeat away from the presidency.

My earliest memory of Carl Albert is his speech to my high school class in Bennington, Oklahoma during our eighth grade graduation ceremony. Even at that time, Mr. Albert was larger than life to me. He was a great orator, with amazing leadership qualities. His message to my classmates in the small poverty area of that southeastern Oklahoma town was that regardless of your circumstances as a young person, with hard work and perseverance you can rise up and make the most of your life and make a difference in the lives of others.

I remember Carl Albert as a great man of great humility, who did not seek power for power's sake. As Speaker, Carl Albert served as captain of the Congressional ship during some of our Nation's most difficult times, including the latter years, the closing years, of the divisive Vietnam War and President Nixon's impeachment proceedings and his resignation; and we all need to salute his steadfast leadership in this House during the civil rights movement of the 1960s.

During these times, Carl Albert never sought to advance his own agenda or to use these events for his own personal gain. Instead, he sought to unite our country, instead of divide it; and, as a result, we are a stronger and more united country today.

In 1977, Carl Albert stepped down after 6 years in the Speaker's Chair and returned to his home in the Bugtussle community in Pittsburg County, and, as his son David said to me last Saturday, began a new career as a grandpa.

Carl Albert always talked lovingly of his wife, Mary; his children, David and Mary Frances; and his four grandchildren, Katy, Michael, Carl David and Luke.

Carl Albert knew the value of family and friends and home. That is why it is no surprise to me that, even as a national and international leader, the Speaker and his wife Mary chose to retire to southeastern Oklahoma after 30 years in a Congressional career that saw him reach the pinnacle of power in this U.S. House.

1997 was also the year that I became a Member of this House succeeding the Speaker, Carl Albert. I also remember being introduced in 1977 as ''that young congressman who is replacing Carl Albert.'' As I said then, and still say today, I may have succeeded Carl Albert, but no one, no one, could ever replace him.

My wife, Lou, and I have firsthand experience and knowledge of the sacrifices that the Speaker and his family made during those years of service to this House; and our State and nation are very thankful for Carl Albert's service.

Mr. Speaker, in closing, I ask that the House pay honor and tribute to Carl Albert, known as ''the Little Giant from Little Dixie.'' His service to this State and Nation and his fellow human beings provide a legacy unequaled in Oklahoma history, a legacy that will live together as a symbol of one man who overcame great adversity early in his life and then dedicated the rest of that life to serving others, including a highly successful 30-year Congressional career.

Yes, Oklahoma and the United States lost a great leader in Carl Albert, but his deeds and his works and the spirit of his legacy will never be lost in the history of America.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support the resolution and to thank the gentleman from Oklahoma (Mr. WATKINS) for having the foresight to come with this resolution to pay tribute to this great American, former Speaker Carl Albert. I join the Nation as I represent District 30 of Texas to express sincere sorrow regarding his passing.

Speaker Albert passed away last Friday, February 4, after a distinguished career, during which he shepherded the Nation through some of the most difficult years. Beginning in the 80th Congress, Speaker Albert spent the next 30 years representing the citizens of the Third Congressional District of Oklahoma in the U.S. Congress, and helped create a new era of American opportunity, supporting civil rights and anti-poverty legislation.

Speaker Albert provided invaluable leadership to the House of Representatives as Majority Leader during the 87th through 91st Congresses, and Majority Whip during the 84th through the 87th Congresses. As leader of this legislative body during the 92nd through the 94th Congresses, Speaker Albert fostered a lasting legacy. He successfully steered the Nation through difficult times and ensured a fair forum for democratic discussion on issues ranging from the impeachment of President Nixon to the War in Vietnam.

He provided the Nation with stability and security while he was first in line to succeed the President of the United States in 1973 and separately in 1974. Both times he turned down the opportunity to go to the White House in order to continue to represent the people in the Third Congressional District of Oklahoma.

He personified great American values throughout his life. He rose from childhood poverty to become a Rhodes Scholar, winner of the Bronze Star, and a distinguished U.S. Congressman.

During a time when we sometimes let partisanship get the better of us, we have but to look to Carl Albert as a symbol of the most esteemed values of the U.S. Congress. I join the Nation in paying tribute to an extraordinary and exemplary citizen who was, during his lifetime, and continues to be, an inspiration to the greatest traditions of democratic representation.

I think it speaks well for the type of leadership he offered when we see the congressman that followed him in the Congress that he left in 1977, being elected as a Democrat and returning as a Republican, still representing the same people and upholding the same values as Mr. Albert upheld during his time of tenure. I want to thank the gentleman for being here today to represent the people as well as the Nation in the Third Congressional District of Oklahoma.

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

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

Mr. Speaker, I want to thank the gentlewoman for her kind remarks. Let me say I hope that my remarks are accepted in the way I have given them, from the depth of my heart, because Carl Albert was a mentor, he was a friend.

Yes, I probably disturbed a lot of people's thinking when I left being a Democrat. I came here as a Democrat, I have been an Independent, and also as a Republican now. I told people, I stretch my friends a long way.

But let me say, to my knowledge, Carl Albert never had an unkind word, and I appreciate the fact he was that kind of human being. I think it is a great tribute to him that for all those years that he served, with kindness, and the respect he had for people from all backgrounds. He really is looked up to for trying to serve his fellow human beings around the world.

Mr. Speaker, I yield such time as he may consume to my friend, the distinguished gentleman from the Sixth Congressional District of Oklahoma (Mr. LUCAS).

Mr. LUCAS of Oklahoma. Mr. Speaker, I thank the gentleman from the Third District for the honor and opportunity today to be here to discuss this most important person. I, too, respect the fine job that the gentleman does in carrying on that fine legislative tradition begun by Speaker Albert in the Third District of Oklahoma.

Let me say, Mr. Speaker, Speaker Carl Albert was an extraordinary man, coming from the humblest of roots in southeastern Oklahoma. He, much like the country he so diligently served, grew and evolved over the years to become a shining example of what Oklahoma has to offer.

The world he knew and the Congress he became a part of in 1947 were dramatically different from the Congress that he left 30 years later. From vacuum tubes to space travel, Speaker Albert's time here witnessed many changes; and throughout those years of change Speaker Albert represented his constituents with dignity and integrity, rising through the ranks to become a respected leader of this chamber.

With the death of Speaker Albert, Oklahoma has lost a valued son. I am pleased that the House is taking time to honor a man whom we all respect. He will be greatly missed.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me rise and thank the gentleman from Oklahoma (Mr. WATKINS). I hope that the gentleman takes it as a compliment when I refer to having served with the label of both parties, and I hope all of us can see that it is something that is bigger than all of us when we speak about a giant in history as we are speaking about Congressman Albert. So I thank the gentleman for the opportunity.

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

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

Mr. Speaker, I again want to thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for her remarks.

Let me state that the funeral for former Speaker Carl Albert will be tomorrow, Wednesday, February 9th at 2 o'clock in McAlester, Oklahoma, in Pittsburg County. Carl Albert grew up right outside of McAlester, in Bugtussle, a small settlement, very much in poverty, in very humbling surroundings.

Mr. Speaker, I think you were busy when I stated his son David told me Saturday when I called and expressed my sadness, ''You know, we are blessed, because daddy retired in '77 and came home and had 23 years for another career, being Pa-Pa.''

□ 1500

I think you are heading home, Mr. Speaker, at the end of this term; and I remember your remarks that you would prefer to get up each morning, and instead of hearing the term ''Mr. Congressman,'' you would rather hear the term ''pa-pa.'' Let me say as being a pa-pa myself I understand what you and Speaker Albert feel very, very much.

Mr. Speaker, I yield (such time as he may consume) to the gentleman from New York (Mr. GILMAN) .

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time.

Mr. Speaker, it is with deep regret that I join our colleagues in paying tribute to an outstanding former Member of this body, our former Speaker of the House, Carl Albert of Oklahoma. Speaker Albert began his second term as Speaker the same day that I first came to this body. Accordingly, in many ways, his style of leadership in the Speaker's chair left with me an indelible impression of the role of the Speaker in this Congress.

Carl Albert worked his way up to the Speaker's chair the old fashioned way. After 8 years of serving the people of his congressional district in Oklahoma, he served first as majority whip from 1955 to 1962 and then as majority leader from 1962 to 1971 and finally as Speaker of the House from that date until his retirement in 1977.

The then Speaker of the House, the legendary Sam Rayburn, was asked back in 1955 why he took Congressman Albert under his wing urging his colleagues to elect him whip. Mr. Sam's reply was, and I quote, ''I can tell big timber from small brush.''

Carl Albert's life story is a typical example of the American dream. Born the son of a poor coal miner in one of the most rural and backward parts of the Nation, Carl never experienced living in a home with running water or

electricity until he was 16 years of age. Nevertheless, he managed to graduate phi beta kappa from the University of Oklahoma and then went on to attend Oxford University in England under a Rhodes scholarship. Carl Albert served with distinction during World War II, being discharged as a lieutenant colonel in 1946.

Upon Carl's return to his hometown in Bugtussle, Oklahoma, the incumbent Congressman announced his retirement and Carl ran for that vacant seat and won both the primary and the runoff. He joined Congress at the same time as many other World War II veterans who came to make their mark on America, including John Kennedy and Richard Nixon.

Throughout his career in Congress, Carl Albert steered a middle course that brought him a great deal of criticism from both the extreme liberals and from the doctrinaire conservatives. But no one ever criticized his patriotism or his integrity.

Regrettably, the image many people may have of Carl Albert is that of his presiding at the 1968 Democratic National Convention. As we recall, the events of that convention over which Congressman Albert had no control left an indelible black eye for his party. In retrospect, however, Carl conducted himself with dignity and grace in a situation where others may have allowed their passions to overcome their good common sense.

Throughout our history, many Speakers of the House found themselves in the position of being one heartbeat away from the presidency. Carl Albert, however, is the only one who found himself in that position twice, the first time when Spiro Agnew resigned as Vice President of the United States and the position remained vacant for some months. The second time Carl Albert was one heartbeat away from the presidency when Richard Nixon found himself resigned from office, again leaving the vice presidency vacant.

According to James Cannon's biography of President Ford, it was President Nixon who actually offered the vice presidency to Carl Albert at the time of Agnew's resignation; and he stated, and I quote, ''No, Mr. President,'' Speaker Albert replied. ''I came to Washington to be a Congressman.'' According to this book, it was Speaker Albert who then proposed to President Nixon the name of Gerald Ford as the next Vice President of the United States.

Although the number of Members of this body who have personal memories of Speaker Albert have been dwindling, his legendary status as a superb leader is familiar to many of us. We all join in extending our condolences to his widow, the former Mary Sue Green Harmon, to his son and to his daughter, his brother, his sister, his four grandchildren, and all of the others who have come to love, to respect and appreciate this truly great American.

The name of Speaker Carl Albert will long live in memory as one of the outstanding legislative leaders of the second half of the 20th century.

Mr. WATKINS. Mr. Speaker, I thank the gentleman from New York for those wonderful remarks. I know Mr. Albert was a friend, and I know he cherished that friendship.

I would like to reflect on what the gentlewoman from Texas (Ms. JOHNSON) stated about him being such an extraordinary man. He had a hunger for knowledge. Yes, he was phi beta kappa and he was a Rhodes scholar from this small rural area from this one-room schoolhouse. But let me share with my colleagues something about such an extraordinary man.

It is my understanding, he could speak more than 10 languages; and let me say to my colleagues, he was studying on another language at the age of 91. That is the kind of extraordinary intellect, but yet common sense, that this man had who came out of poverty conditions. As Sam Rayburn said, a lot of giants come from that area; and let me say he was one that distinguished himself above all.

The gentleman from Oklahoma (Mr. WATTS), who had an uncle that lived in McAlester, Oklahoma, was deceased just a few months ago. I know that many times during the civil rights movement in those times, he turned and sought the advice of Wade Watts, the uncle of the gentleman from Oklahoma (Mr. WATTS). We also lost our friend Wade Watts just a few months ago to diabetes, primarily. And I know that leaders throughout our area, not only the State of Oklahoma, turned to Wade Watts as a tremendous counsel knowing he would never mislead us. I can assure my colleagues that Carl Albert relied a great deal on Wade Watts's advice and counsel.

I know my colleague from Oklahoma, (Mr. J.C. WATTS) definitely wants to share a few remarks with our Members.

Mr. Speaker, I grew up in a small community in the deep southeast part of the State of Oklahoma, and I will never forget Carl Albert's sense of humor. As I mentioned, Carl Albert was small in height, but he was a giant of a man whom I looked up to for his leadership and for his achievements. I will never forget how he told the story about coming to a small community where I lived and talked about just being a Congressman. And in this community, after he finished talking to this graduating class and being the great orator that he was, we were all motivated, when he finished up his speech, this long, lanky country boy who came out of the rafters down to where Speaker Albert was on the stage. He was all enthused and all excited about Mr. Albert's talk about being a Congressman. Mr. Albert had this young kid so motivated. Mr. Albert said I need to find out what I said. This tall, lanky country kid looked at Mr. Albert and said Mr. Congressman, it was not anything you said. He said, Mr. Congressman, I figured if a short man like you could make Congress, I should be able to make President.

Mr. Speaker, Carl Albert only stood about 5 feet 4, but he was one of the greatest orators, a dynamic motivator, and one whom I feel will go down in history, as one of the great leaders of our time.

I yield to the gentleman from New York (Mr. GILMAN) for such time as he may consume.

Mr. GILMAN. Mr. Speaker, it came to mind, I recall one incident during the State of the Union message, I am not certain who the President was, I think it was President Ford, when Carl Albert had just returned from a lengthy trip to China, flew all night and came to preside as the Speaker does at the State of the Union message. And I remember how he struggled to keep his eyes open, but he managed to do it most of the time. Once in a while his eyes closed. But my heart went out to him, because I know how he felt, traveling that distance and having to preside at the State of the Union message. But that was Carl Albert, always willing to fulfill his duties as the Speaker, and he fulfilled them well in all of the days he presided.

Mr. WATKINS. Again, Mr. Speaker, I thank the gentleman from New York, because I know they had a very close relationship. Carl Albert had a working relationship across the aisle, as the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) stated.

I was just reflecting on my colleague from Oklahoma (Mr. WATTS), who had an uncle that lived in McAlester. I was just reflecting on the fact that I know Speaker Carl Albert turned to Wade Watts on so many occasions for his advice and counsel during the civil rights movements; he was one of his number one advisors from back home during that time.

I yield to the gentleman from Oklahoma (Mr. WATTS).

Mr. WATTS of Oklahoma. Mr. Speaker, I appreciate my colleague from Oklahoma yielding. I am delighted to have seen so many people come to the floor this afternoon to honor former Speaker Carl Albert.

Mr. Speaker, I rise today to honor former Speaker Carl Albert who represented southeast Oklahoma, the district of the gentleman from Oklahoma (Mr. WATKINS), and served as the majority leader and also, as we know, Speaker of the House.

Born into humble beginnings in the hills of southeast Oklahoma, Speaker Albert proved that all things are possible through hard work and determination. Speaker Albert grew up actually about 40 miles from my hometown of Eufaula, Oklahoma, the son of a coal miner. Speaker Albert was inspired as a child to run for Congress when a Congressman came to speak to a small rural school in Bugtussle, Oklahoma. Little did anyone know that at that time he would rise to become Speaker of the United States

House of Representatives, an Oklahoma icon and a national treasure.

Speaker Albert did love public life, however; and he counted hundreds of other officials, Democratic and Republican, as his friends. I recall here, I believe about 3 or 4 years ago, he had President Bush come to Carl Albert Junior College and give the commencement address.

Mr. WATKINS. Mr. Speaker, if the gentleman will yield, he has had what seems to be all of the Presidents down to Carl Albert Junior College, and a lot of them may be at his funeral tomorrow.

Mr. WATTS of Oklahoma. Yes. Mr. Speaker, he was quite a fellow. During his tenure in this House, he also helped lead our Nation through several troubled times: as has been mentioned this afternoon, the assassination of President Kennedy, the fight for civil rights, the Vietnam War, the Watergate scandal that brought the resignation of President Nixon.

Speaker Albert's contributions to his home State of Oklahoma were numerous, but none was more important to our country than the statesman-like manner in which he presided over the Speaker's chair during the Watergate scandal. By his leadership and bipartisan approach, he is a man that truly deserves the title of statesman, a title he had earned well before the time of his death this past weekend.

☐ 1515

His legacy of dedicated leadership undoubtedly has and always will leave a lasting impression on our Nation's history. Former Speaker Albert is one of Oklahoma's greatest gifts to our Nation, and he will truly be remembered for his commitment to public service to Oklahoma and his country.

We all send our condolences to his family, and we are all delighted and proud, the gentleman from Oklahoma (Mr. WATKINS) and I and the Oklahoma delegation are quite proud to call former Speaker Albert an Oklahoman.

Mr. WATKINS. Mr. Speaker, I thank my colleague, the gentleman from Oklahoma, for his comments. As he indicated, actually between McAlester and Eufaula, the birthplace of the gentleman from Oklahoma (Mr. WATTS), is Bugtussle, so Carl Albert grew up between McAlester and Eufaula, in that small area.

I would like to note to a lot of people who are historians of this House that also in Oklahoma, in the name of Carl Albert, there is a Carl Albert Center for for Congressional Affairs there at the University of Oklahoma, his alma mater. I think without question it probably houses more documents concerning the activities and the operations of this House than anyplace in this great Nation, maybe with the exception of the Library of Congress across the street. But we have that at his alma mater. It is a great honor and distinction for him to have it there.

Also, he has a college in the Third Congressional District, the Carl Albert Junior College. It is so fitting, because he is a man who had a tremendous hunger for knowledge and great intellectual capacity, probably more so than any person that we have ever had in public service in Oklahoma.

Mrs. MINK of Hawaii. Mr. Speaker, I rise to express my sincere condolences to the family of my respected colleague, the Honorable Carl B. Albert, who passed away this past Friday. I join my fellow Members of the U.S. House of Representatives in paying tribute to former Speaker Carl Albert's service in the Congress and to our nation.

I served with Speaker Albert in the House from 1965 through 1976. During these 12 years, I witnessed his dedication to his constituents, his sense of fair play, and his concern for the well being of the poor and disadvantaged. He was a strong, effective Majority Leader and played an important role in the passage of civil rights and poverty legislation. As Speaker, from 1971–1976, Carl Albert presided over a tumultuous period when the Vietnam War and the Watergate scandal divided our country. Throughout this difficult period, Carl Albert was a principled and effective leader, vigilant to the demands of conflicting viewpoints and to the civil strife that accompanied these crises.

Carl Albert, who rose from poverty to high national office, demonstrated that talent, hard work, and perseverance could overcome the humblest beginnings. He knew that not everyone shared his ability to overcome adversity. His compassion and concern for the most vulnerable members of our society was a hallmark of his 30 years in Congress.

I vividly recall how, on July 13, 1975, he took the well as Speaker to call for a re-vote on a damaging amendment to an appropriations bill (H.R. 5901) that would have left the historic Title IX provision deeply weakened. I was the floor manager of that debate on Title IX but was called away because my daughter had been severely injured in an automobile accident in Ithaca. Speaker Albert called the House together the next day to express concern for my daughter's recovery and saved Title IX as well in a call for a re-vote. I will always remember Speaker Albert for this noble and inspiring action, as should all women today who have enjoyed equity in educational opportunity.

I join my colleagues in giving profound thanks for the life of Carl B. Albert. Aloha, Carl, and thank you for your legacy of service to our nation.

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

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

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

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 18 minutes p.m.), the House stood in recess until approximately 6 p.m.

☐ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 2 minutes p.m.

REAPPOINTMENT AS MEMBER OF BOARD OF FEDERAL JUDICIAL CENTER

The SPEAKER pro tempore. Without objection, and pursuant to 28 U.S.C. 629(b), the Chair announces the Speaker's reappointment of the following member on the part of the House to the Board of the Federal Judicial Center for a 5-year term:

Ms. Laurie E. Michel of Virginia.

There was no objection.

APPOINTMENT AS MEMBER TO BOARD OF DIRECTORS OF NATIONAL URBAN AIR TOXICS RESEARCH CENTER

The SPEAKER pro tempore. Without objection, and pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), the Chair announces the Speaker's appointment of the following member on the part of the House to the Board of Directors of the National Urban Air Toxics Research Center to fill the existing vacancy thereon:

Mr. Thomas F. Burks II, of Texas.

There was no objection.

COMMUNICATION FROM THE HON. W.J. ''BILLY'' TAUZIN, MEMBER OF CONGRESS

The SPEAKER laid before the House the following communication from the Honorable W.J. ''BILLY'' TAUZIN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2000.

Hon. DENNIS J. HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to rule VIII of the Rules of the House of Representatives, that a staffer in my Chalmette, Louisiana district office has been served with a subpoena duces tecum, directed to me and issued by the U.S. District for the Eastern District of Louisiana.

In consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

W.J. BILLY TAUZIN.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

will now put the question on each motion to suspend the rules, House Resolution 418, and the approval of the Journal, on which further proceedings were postponed earlier today, in the order in which that question was entertained.

Votes will be taken in the following order:

Concurring in the Senate amendment to H.R. 1451, by the yeas and nays;

Senate 632, by the yeas and nays;

House Resolution 418, by the yeas and nays; and

Approval of the journal, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

ABRAHAM LINCOLN BICENTENNIAL COMMISSION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill H.R. 1451.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and concur in the Senate amendment to the bill H.R. 1451, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 385, nays 9, not voting 40, as follows:

[Roll No. 8]

YEAS—385

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

NAYS—9

Chenoweth-Hage	Paul	Schaffer
Coble	Royce	Sensenbrenner
Hoekstra	Sanford	Tancredo

NOT VOTING—40

Ackerman	DeFazio	McCrery
Barr	DeMint	McIntosh
Brown (OH)	Dooley	McNulty
Capps	Gekas	Metcalf
Clayton	Gonzalez	Millender-McDonald
Coburn	Goodling	
Conyers	Hinojosa	Moakley
Cubin	Jefferson	Mollohan
Danner	Largent	Myrick
Deal	Lipinski	Nadler
Rogers	Scarborough	Taylor (NC)
Ros-Lehtinen	Serrano	Vento
Rush	Stupak	Young (AK)
Salmon	Tauscher	

☐ 1827

Mr. COBLE and Mr. HOEKSTRA changed their vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional question on which the Chair has postponed further proceedings.

POISON CONTROL CENTER ENHANCEMENT AND AWARENESS ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 632.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 632, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 16, not voting 40, as follows:

[Roll No. 9]

YEAS—378

Abercrombie	Boehner	Cook
Aderholt	Bonilla	Cooksey
Allen	Bonior	Costello
Andrews	Bono	Cox
Armey	Borski	Coyne
Baca	Boswell	Cramer
Bachus	Boucher	Crane
Baird	Boyd	Crowley
Baker	Brady (PA)	Cummings
Baldacci	Brady (TX)	Cunningham
Baldwin	Brown (FL)	Davis (FL)
Ballenger	Bryant	Davis (IL)
Barcia	Burr	Davis (VA)
Barrett (NE)	Burton	DeGette
Barrett (WI)	Buyer	Delahunt
Bartlett	Callahan	DeLauro
Barton	Calvert	DeLay
Bass	Camp	Deutsch
Bateman	Campbell	Diaz-Balart
Becerra	Canady	Dickey
Bentsen	Cannon	Dicks
Bereuter	Capuano	Dingell
Berkley	Cardin	Dixon
Berman	Carson	Doggett
Berry	Castle	Doyle
Biggert	Chabot	Dreier
Bilbray	Chambliss	Dunn
Bilirakis	Clay	Edwards
Bishop	Clement	Ehlers
Blagojevich	Clyburn	Ehrlich
Bliley	Collins	Emerson
Blumenauer	Combest	Engel
Blunt	Condit	English
Boehlert	Conyers	Eshoo

Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Sessions
Shadegg
Shaw
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
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
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 (FL)

NAYS—16

Archer
Chenoweth-Hage
Coble
Doolittle
Duncan
Herger
Hutchinson
Johnson, Sam
Paul
Ryan (WI)
Sanford
Schaffer
Sensenbrenner
Sununu
Thomas
Toomey

NOT VOTING—40

Ackerman
Barr
Brown (OH)
Capps
Clayton
Coburn
Cubin
Danner
Deal
DeFazio
DeMint
Dooley
Fattah
Gekas
Gonzalez
Goodling
Hinojosa
Jefferson
Largent
Lipinski
McCrery
McIntosh
McNulty
Millender-McDonald
Moakley
Mollohan
Myrick
Nadler
Petri
Rogers
Ros-Lehtinen
Rush
Salmon
Scarborough
Serrano
Stupak
Tauscher
Taylor (NC)
Vento
Young (AK)

□ 1837

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MILLENDER-MCDONALD. Mr. Speaker, I was not present today due to illness, therefore missing votes on H.R. 1451 and S. 632. Had I been present I would have voted "yea" on these rollcall votes.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE CARL B. ALBERT, FORMER MEMBER OF CONGRESS FROM THE STATE OF OKLAHOMA

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of agreeing to the resolution, House Resolution 418, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 44, as follows:

[Roll No. 10]

YEAS—390

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
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)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
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
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
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 (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
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
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson

Wise	Woolsey	Wynn
Wolf	Wu	Young (FL)

NOT VOTING—44

Ackerman	Gekas	Nadler
Barr	Gonzalez	Rogers
Brown (OH)	Goodling	Ros-Lehtinen
Capps	Hinojosa	Rush
Clayton	Jefferson	Salmon
Coburn	Largent	Scarborough
Conyers	Lipinski	Scott
Cubin	McCrery	Serrano
Danner	McIntosh	Spence
Deal	McNulty	Stupak
DeFazio	Millender-McDonald	Tauscher
DeMint	Moakley	Taylor (NC)
Doggett	Mollohan	Vento
Dooley	Myrick	Wicker
Fattah		Young (AK)

□ 1846

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CUBIN. Mr. Speaker, on February 8, 2000, I was unavoidably detained and missed rollcall vote numbers 8, 9, and 10. Had I been present, I would have voted ''yes'' on H.R. 1451, the Abraham Lincoln Bicentennial Commission Act; ''yes'' on S. 632, the Poison Control Center Enhancement and Awareness Act; and ''yes'' on H. Res. 418, honoring former Speaker Carl Albert.

□ 1845

JOURNAL

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the pending business is the question de novo 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.

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

PERSONAL EXPLANATION

Mr. CAMPBELL. Mr. Speaker, had I been able to attend the session of Congress last week, had I been present, I would have voted present on the quorum call; yes on House Concurrent Resolution 244; yes on H.R. 2130; yes on H.R. 764; yes on H.R. 1838; no on H.R. 2990, and yes on H.R. 2005.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE INSTALLMENT TAX CORRECTION ACT OF 2000

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

Mr. SWEENEY. Mr. Speaker, I would like to take this opportunity to thank my colleagues, the gentleman from California (Mr. HERGER) and the gentleman from Tennessee (Mr. TANNER), for joining me today as we introduce the very important piece of legislation, the Installment Tax Correction Act of 2000.

This is indeed important legislation, as I said, introduced earlier, which is intended to correct an egregious error committed as part of the tax reconciliation legislation passed last year.

This matter affects hundreds of thousands of small business owners throughout America, and makes it a high priority for this coming congressional legislative session. That is evidenced by the fact, Mr. Speaker, that over 70 of our colleagues have already joined as cosponsors in this legislation.

This legislation is intended to restore an important tax tool for small businesses, to allow small business owners to be able to transfer their businesses more correctly and equitably. Under the accrual method of accounting, owners of small businesses utilize installment payments to spread the capital gains tax burden of selling their business over a number of years, and are common for situations where the sellers continue to stay involved in the business.

In many instances, the current Section 536 adversely affects the sale of closely-held businesses. With many business sales, bank financing is either unavailable or not cost-effective, so often the seller will act as a bank for a portion of the total sales price and carry the note, receiving installment payments over a number of years.

Under Section 536, this is still possible, but the IRS requires the capital gains they realize on the sale to be reported in 1 year, rather than over the life of the note. Sadly, sales of businesses across the country have already been disrupted. Without the use of installment arrangements, small business owners who seek to sell or transfer their businesses have had to decrease their asking price. In many cases, the tax bill exceeds the first year's payment, and as a result, sellers cannot afford to pay, and often find themselves abandoning their sales entirely.

Mr. Speaker, many owners rely on the sale of their business to finance their retirement. Without the installment sales option, they have to postpone their retirement dreams. In fact, I know this firsthand. Immediately after we recessed last session of Congress, I received a number of calls from constituents complaining of this very effect.

Mr. Speaker, the loss of installment sales is not only detrimental to hundreds of thousands of small businesses in the country, or the tens of thousands of small businesses upon which my district is built, but it in fact has affected the real ability for those folks to transfer their businesses and move on with commerce.

In fact, Mr. Speaker, 90 percent of all businesses in my district are small businesses, including Mr. and Mrs. Long of Salt Point, New York, who currently feel the onerous effect of this provision.

Several months ago, Dorothy and George Long arranged for the sale of their resort, located in beautiful Lake George, New York. Unfortunately, they are now suffering the consequences of this provision in a real and immediate way.

Mr. and Mrs. Long were relying on this sale to finance their retirement, and are now faced with one of three options: one, they take a loan out in order to pay for the capital gains tax; or two, they break their contract and face a lawsuit; or three, they suffer the consequences of nonpayment of taxes. Talk about being put in between a rock and a hard place.

What my colleagues and I are proposing is a 556 fix. It is essential that we work together to stop the damage to our local economies, its effect on the hardworking people throughout America.

Mr. Speaker, I want to thank my colleagues here today for taking the first step with me towards fixing this inequity. I ask now that we move expeditiously so that the further damage that we have already caused on the small working businesspeople throughout America is mitigated.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana 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 Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN 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 California (Mr. HERGER) is recognized for 5 minutes.

(Mr. HERGER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. COLLINS) is recognized for 5 minutes.

(Mr. COLLINS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ALLOWING WHALE-HUNTING BY MAKAH INDIAN TRIBE WILL PROMOTE COMMERCIAL WHALING WORLDWIDE

The SPEAKER pro tempore (Mrs. CHENOWETH-HAGE). Under a previous

order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Madam Speaker, last year I filed an appeal, along with several co-plaintiffs, to overturn the decision made by U.S. District Court Judge Franklin Burgess to allow whaling by the Makah Indian tribe.

Today a three-judge panel from the Ninth Circuit United States Court of Appeals in Seattle heard the case, and I hope they will make the correct decision and stop the outdated and unnecessary practice of whaling by the Makahs.

Everyone who understands this issue knows that this is the first step toward returning to the terrible commercial exploitation of these marine mammals. In the papers filed by the Makahs with NOAA, they refused to deny that this was a move toward renewal of commercial whaling.

It is important to understand that the International Whaling Commission has never sanctioned the Makah whale hunt. Under the International Whaling Convention, of which the United States is signatory, it has only been legal to hunt whales for scientific or aboriginal subsistence purposes. The tribe clearly has no nutritional need to kill whales.

In the face of strong IWC, the International Whaling Commission, opposition to the original Makah proposal, the U.S. delegation ignored years of opposition to whale-killing and cut a deal with the Russian government in a backdoor effort to find a way to grant the Makah the right to kill whales.

The agreement is to allow the Makah tribe to kill four of the whales each year, that is, to allow the tribe, the Makah tribe to kill four whales each year from the Russian quota, under the artifice of cultural subsistence.

Before this back room deal, the United States has always opposed any whaling not based on true subsistence need. Cultural subsistence is a slippery slope to disaster. It will expand whale-hunting to any nation with an ocean coastline and any history of whale-killing. Much to the delight of the whaling interests in Norway and Japan, who have orchestrated and financed an international cultural subsistence movement, America's historic role as a foe of renewed whaling around the world has now been drastically undercut.

In fact, there are hundreds of ethnic groups, tribes, and bands around the world who have a history of hunting whales. To allow a cultural past as a qualification for hunting whales would drastically increase the number of whales killed worldwide. Almost all cultures on seacoasts engaged in some whale-hunting historically.

The treaty signed by the Makah tribe in 1885 only gives them the right to hunt in common with the citizens of the territory, now the citizens of the United States. This provision was to ensure equal rights, not special ones. The Makah tribal government should not be allowed to kill whales when it is illegal for anyone else in the United States to do so. Besides, it is just plain dead wrong. It is shameful that the current administration supports a proposal that flies in the face of the values, interests, and desires of the majority of U.S. citizens.

As I have been saying for years, allowing the Makah tribe to continue whaling will open the floodgates to commercial whaling worldwide. Just count on it. Whales do have commercial value, and there are interests just waiting to cash in, as they did in the glory days of worldwide commercial whaling, when the whales were hunted practically to extinction.

Now that we have allowed whaling to begin again, what can we say to Japan and Norway, whose whaling we have opposed for years but who definitely have aboriginal rights going back many centuries?

I support the Makah elders and others who oppose this hunt, and will continue to fight in the courts and in Congress to stop the spread of the barbaric practice of killing whales.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

(Mr. SOUDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SPEAKING ON BEHALF OF THE 11,000 MEN AND WOMEN IN UNIFORM ON FOOD STAMPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, I am on the floor tonight because we have approximately 11,000 men and women in uniform that are willing to die for this country on food stamps. Yes, Madam Speaker, we have passed legislation that will help increase their salaries, but still we have men and women in uniform on food stamps.

Members can see what I have before me is a Marine. He represents not only the Marine Corps, but every man and woman in uniform. Standing on his feet is his daughter Megan, who is 2 years old, and in his arms is a baby girl named Bridget.

I think about Megan and Bridget and all the children that are children of men and women in uniform, and the fact that when this Marine is deployed to go overseas to Bosnia for 6 months, there is no guarantee that he is going to come back. There is no guarantee that any of our men and women in uniform who are sent into harm's way will for sure come back.

I look at that little girl's face, and I am thinking, as she is looking at the camera when this photograph was made, how tragic it would be if the father did not come back. But almost as tragic is the fact that we have approximately 11,000 men and women in uniform that are on food stamps.

☐ 1900

These are men and women, like this Marine, that are willing to die for this country when called upon. And yet we can't find $59 million over a 10-year period of time to give men and women in uniform on food stamps a $500 tax credit. Madam Speaker, I think that is a shame. I think that is unacceptable.

Last year in the tax bill, we as a Congress passed tax credits for the steel industry, the timber industry, and for the electric industry. There are other tax credits that we as a Congress passed. Of course, the President vetoed the bill.

I am calling on my colleagues in the House tonight, both Democrat and Republican, to join me in saying to the leadership, both Republican and Democrat, this year we are going to pass some type of legislation. Mine just happens to be the only one; it is H.R. 1055. It is called the Military Family Food Stamp Tax Credit Act.

Madam Speaker, you went on the bill today. I thank you for that. I can tell you and my colleagues in this body that it is unacceptable that men and women in uniform are on food stamps. We need to do everything that we can to say to them that we are going to work and try to make sure that no one that serves this great Nation is on food stamps.

Madam Speaker, I am planning on coming down about one night every week and bring this to the attention of my colleagues; we have legislation that we can do something about men and women on food stamps.

Real quickly, Madam Speaker, as I end my time, from 1982 to 1990, our United States Army and Marine Corps forces were deployed 17 times. From 1990 to 1999, they had been deployed 149 times. Can you think about how many times men and women in uniform were called away from their family and their children?

Madam Speaker, I thank you for being one of the Members who have joined us in supporting this legislation.

H.R. 3573, THE KEEP OUR PROMISES ACT

The SPEAKER pro tempore (Mrs. CHENOWETH-HAGE). Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Madam Speaker, every year since coming to Congress in 1995, I have made a point to bring to our attention the sacrifices made by our veterans to defend our country. Each year, we call for our Nation to honor those who have served.

Yet each year, we continue to ignore the promises made to our veterans and military retirees concerning health care benefits. In my mind, it is impossible to honor someone while at the

same time refusing to honor commitments made to that person.

It is time to stop honoring our veterans with just words, ladies and gentlemen, instead let us honor them with action.

Retirees that entered the military prior to 1956 were promised that if they served 20 years, they would receive free health care for life for both themselves and their dependents. For those who signed up after 1956, they were told that they would receive free health care at military facilities or supplemental health insurance.

Today both groups are pushed out of the military health care system entirely and enrolled in Medicare, the same plan they would have received had they never served a day.

On September 28, I introduced the Keep Our Promises to America's Military Retirees Act, H.R. 3573, along with the gentleman from Mississippi (Mr. SHOWS), as a nonpartisan restoration of the health care benefit we owe our retirees.

A companion bill, S. 2003 is being introduced by the Senator from Georgia (Mr. COVERDELL) and the Senator from South Dakota (Mr. JOHNSON).

The pre-1956 retirees would be enrolled in the Federal Employees Health Benefit Plan at no cost, just like we told them, no matching premiums, no deductibles, no copays. The post-1956 retirees would be enrolled under the same rules as civilian Federal retirees.

As we consider this legislation, we need to be keenly aware that there is more at stake than just these benefits. Today's young people take note of the level of importance we place on military service.

If we renege on our promises to veterans, we have stated in a very loud voice that we hold their sacrifices in contempt.

Why should anyone sacrifice life, limb, career or temporary personal freedom, when their reward will be the contempt of those that they defend? They will not. And when the next challenge to national existence erupts, there will be few or none willing to carry America's banner.

As of the State of the Union address, there are 236 Members of the House who have signed onto this legislation. It is the fairest, most practical means of any available to redeem the promises we made to our retired veterans.

We have a clear-cut majority, very evenly split between our two parties, ready to bring this bill forward.

There are certainly cost issues that have to be addressed. I urge leaders on both side of the aisle to move quickly to bring this bill up before all appropriate committees of jurisdiction.

Madam Speaker, we have an unanticipated budget surplus. If we cannot restore the promises we made to these men and women now, we never will.

Madam Speaker, let us pay off our past due promises before we take on any new spending. It is now our turn to defend the lives of the men and women who spent a lifetime defending ours.

CREATION OF A BICENTENNIAL COMMISSION TO CELEBRATE ABRAHAM LINCOLN'S BIRTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Madam Speaker, today's agenda for the Congress was quite a small one. I think it is one item that we ought to pay close attention to, that is the creation of a bicentennial commission for Abraham Lincoln to celebrate Abraham Lincoln's birth.

Madam Speaker, I think it is very important that we pass the bill today. We are going to have a chance to take a look at the age of Lincoln, the man Lincoln and all the things surrounding Abraham Lincoln.

Our country owes a great debt to the wisdom and the courage of Abraham Lincoln. There are people who try ranking the greatest Presidents, always starting with Lincoln, then they debate who the second, third and fourth might be. But Lincoln and Washington are clearly ranked first. I think that the Lincoln discussion would lead us into some very profound considerations of issues that need to be discussed that normally are not discussed.

The President had a commission on race that was created for just one year, a very limited budget; and they unearthed a few important items and just got started and then they had to stop. I think a discussion of Abraham Lincoln, the Civil War, the considerations of what went into holding the Union together and why it is considered such a moral high point for America needs to be thoroughly discussed.

There was a time when people stood for great principles, and I often talk to young people of African American descent who are always looking for the negative side of things who want to declare that Abraham Lincoln did not really care about black people, Abraham Lincoln was not our friend, and you would have a chance to show them how ridiculous that was. The same people say that white folks never are concerned with the welfare of black folks or white people in power are never concerned with other people at all, that principles of Judeo-Christian heritage and all that is a big laugh.

We will have a chance to examine that. We will see how white people on one side had great principles and cared a great deal about fighting slavery, while others, of course, took advantage of it and enjoyed it; but there were some who had great principles and who were not themselves affected.

White people, who were not slaves, were the people who determined that America should not have slavery. It is important to understand that in the battle of Gettysburg, the crucial battle in the Civil War, almost no blacks participated.

They were not allowed in the army of either the Union or the Confederacy at that time so it was not their fault; but it was a battle that really decided the war and it was white people fighting white people on the basis of principle, principle on the basis of understanding, some understanding, that the Nation would never be able to be a great Nation if half are slave and half are free.

At one point there were States that declared themselves slave States and other States that were free States and there were bloody clashes among the border States, the free States versus the slave States and all that history has gotten lost and nobody needs to hear and understand that history more than young African Americans. All Americans need to hear it and understand it, but young African Americans need to understand there are principles that have been fought for and large numbers of people died for them who did not have a vested interest. They could have all made a deal and if they did not stand for principle, if the Judeo-Christian ethic was not in place in the hearts of so many, the status quo would have prevailed.

So I think we cast a very important vote today and I would just like to note that in passing.

The real big issue of the day, however, is the budget. The budget was released by the President yesterday and there was a big hearing in the Committee on the Budget today; and I think that that is an item that not only is the biggest item for this Congress but also it may be the biggest item for the next 10 years, for this decade. The way we handle this budget this year may set the tone for the whole century.

Consider the year 2000. We are about to discuss a budget of the last and only superpower in the world; and unquestionably, the United States of America is a superpower, an economic superpower, to begin with. We cannot debate it. We are an economic superpower as a result of an appreciation of science and technology and genius and the art of government. We have governed in a way to maximize the advantages of science and technology. Our systems have allowed us to emerge at this particular time as the richest nation ever in the history of the world, by any relative standards, any way we want to try to create a scenario.

Rome, at the height of its greatness, was just a village compared to the wealth and might of the United States of America at this point in history. So our budget is a budget for a people, a nation, that is at the very center of the globe in terms of power and decisionmaking. Our budget is a budget for people who probably are at the center of the universe.

I also happened to read today that some of the leading scientists have reached agreement and have concluded that there is no other life anywhere in the universe. There cannot be any life similar to the life on Earth. They may continue to debate that and theories of physics and theories of the universe

have changed over time but right now all the evidence points to the fact that in this whole universe, which is so much larger than we ever imagined, with all kinds of galaxies and black holes and billions of stars, overwhelming in this great thing that exists there are no other living creatures, certainly nothing approaching mankind.

So we are not just at the heart of the globe but this Nation, the United States of America, at this point in history, is at the heart of a whole universe. The way we make decisions, and what we do can greatly determine the course of where mankind in the universe goes. That is an awesome, awesome thought, and I think that we trivialize where we are. We play it down.

In the State of the Union address, the President certainly was broad and encompassing in terms of the agenda for America; and also it addressed some issues in terms of the entire globe but it was really not looking at the fact that we are at the center of the universe and this is the beginning of the 21st Century and that not only is this Nation the last superpower, well governed with a tremendous economy but also all of that put together has created an enormous amount of wealth.

The amount of wealth that the government is able to make decisions about is just a tiny part of the total wealth of America.

□ 1915

But that tiny portion of the wealth that becomes revenue and comes under the decision-making powers of the Congress and the White House, that amount itself is still an enormous amount of money. We are talking about a budget past a trillion dollars; and more important than the budget that has passed a trillion dollars, we are talking about a budget surplus over the next 10 years which will be, by very conservative estimates, $1.9 trillion.

Over the next 10 years, the surplus, after we factor out Social Security surplus, the Social Security surplus will be in a locked box. Put that aside. In addition to the Social Security surplus, we have a $1.9 trillion anticipated surplus of revenue above expenditure.

That is an awesome position to be in, to be able to look, as a Nation, at a situation where money is not the problem. The problem is our capacity to make decisions about investments, our capacity to act in the most humane and compassionate way, at the same time we act in a most practical way.

The Romans, at one point in history, they did not earn it through science and technology and good government; they earned it through their savage conquests. Their savage conquests produced a lot of wealth. They had so much booty and treasure they brought in from the rest of the world until the Romans decided at one point that we are all so rich until every man in Rome shall not pay taxes, we shall give every man in Rome a certain amount of money every year. The government will give them a big amount of money because the treasury is so full.

That turned out to be an unwise way to invest their wealth because all of the surrounding countryside moved into Rome; all of the people in the surrounding countryside heard about the goodies in Rome. They began to move in, and of course the Romans were overwhelmed by having to pay out more and more money, and they had to bring that to a stop.

The great Roman empire would do it for a long, long time. They thought it would go on forever. Maybe there is a God, and he does look down on Earth. There are periods where certain people, he smiles upon and chooses them to try to lead us and create the kind of Earth, the kind of world below heaven that he would like to have. The Romans might have been selected for that purpose. They failed.

Before the Romans, there were the Greeks. Maybe God was smiling on them and hoping that they would do it. Maybe this God does not like to get involved. The joy of God is to watch us and see what mankind individually does or mankind collectively does. Maybe he smiled on Greece, the great age of Greece being celebrated now on public television.

The Greeks were great people in every way: in science, in literature, in architecture, militarily. They defeated opponents who had many more soldiers and far greater resources militarily. The great Greeks, the people we know so very well: Socrates, Plato, Aristotle, all three came right together. Aeschelus, Sophocles, Euripides, the great dramatist, and on and on it goes in medicine, architecture. There is a Greek related to the beginnings of western civilization, the great Greeks, and do it for a long time.

Then they got fascinated with military conquests under Alexander who had studied under Aristotle and understood some very important things that Aristotle taught him. Alexander started his conquests. The great secret of Alexander's ability to keep conquering was that the people that he conquered he looked upon as human beings, he absorbed them into the Greek culture. He tried to. He did not have to occupy the places that he conquered because the people became allies and friends.

But as his ego mounted, as his conquests increased and his ego rose, he forgot the secret of his success and became a cruel and inhuman tyrant, and eventually he spread out the Greek resources and Greek empire in such a way that, upon his death, things began to fall apart. So Greece failed.

Rome failed to live up to the possibilities of mankind, to spread their great civilization throughout the world. Greece failed.

Before that was Egypt. Egypt, we are still now digging up new tombs. Egypt, Nubia, as you move toward black Africa, they are discovering more and more pyramids, more and more tombs. They are discovering that Egypt's Egyptians were as black as they were brown.

As they dig up these tombs, they find new and more splendiferous treasures, gold and jewels and all kinds of things that evidently Egypt was, at that time, a place of unparalleled wealth. They had an organized society. Something was wrong, though, because the society chose to focus on death more than life. One can imagine how many millions died creating those pyramids and tombs and creating the treasures that went into those tombs.

They had an obsession with death. They had an elitist culture. They had people who, despite their great wealth, had no vision. Egypt failed too.

So here we are, the United States of America, unprecedented in terms of wealth and power. The great advantage we have perhaps over Egypt and Rome and Greece is that we have a modern democracy. Greece had a democracy. They did not have television. They did not have the Internet. One could not click on and give one's opinions. There is a whole lot that we have now that they did not have.

They did not have an ability to make wealth multiply as rapidly as Bill Gates is able to multiply his wealth or Ted Turner is able to multiply his wealth. They did not have this great contradiction where there were people in one part of the world who still do not have running water and who live on a dollar a day, and there are other people in the Fortune 500 who have millions and millions of dollars, more money than they will ever be able to spend.

The United Nations has put out a report and calculated that one could provide enough decent water, one could provide vaccinations and medical care for children, one could provide an elementary education, one could provide a way for youngsters to get a start in life with educational opportunity, one could provide a package for the poor and downtrodden of the world for $40 billion a year. All of the developing countries, all of the dirt-poor countries like Haiti, like the countries in Africa whose life is bleeding away from disease. All of those things could be brought under control with $40 billion of expenditure per year.

We have just proposed a budget of more than a trillion dollars just for the United States of America. We anticipate a surplus of $1.9 trillion over a 10-year period.

Bill Gates, according to estimates, is worth at least $40 billion. That is several months ago. They talked about $40 billion, one man whose net worth is $40 billion, and because it increases geometrically, it is far beyond that probably now. That estimate was made a few months ago.

So with all of that, we approach the budget for the year 2001 that is going to be debated and discussed here in the Congress and here in Washington. We are the dawn of a digital age. America

is leading the world very rapidly at an ever-escalating speed into what I call a cyber-civilization.

What drives the wealth of Bill Gates and new millionaires, the new billionaires is a cyber-civilization. It is the age of the ''e,'' the age of the dot.

If one watched the Super Bowl, one knows what I mean. Most of us watched the Super Bowl. It is not something which is elitist, esoteric. The ''dot'' is here. The ''dot'' is here because the great United States of America invested in the kind of science that produced the Internet.

It was the people of the United States through their military that created the Internet, just as the people of the United States through the military created radio, mass broadcasting, and television. If one looks at the history of all these great developments, they belong to the people. They would not exist if it had not been for a government that chose to make investments. Yes, they chose for military reasons. The Navy wanted to develop radio. For military reasons, we developed the Internet. The defense system needed to meet certain needs.

Whatever the reason, American taxpayers' dollars invested well, created the possibilities for the great cyber-civilization which we are contemplating now.

Now, what does all this have to do with the figures and the numbers, the priorities and the proposals released by President Clinton today as we start the budgeting process? The President released his budget. The President is a Democrat, so the Republicans in Congress in the majority received it with a statement that it is dead on arrival. That is the way the budget was treated last year, the year before. When we had the Republican Presidents, the Democrats in the Congress used to say the same thing.

We need to get away from that cliche, ''dead on arrival.'' Nevertheless, that is the way we start, dead on arrival. That means we are going to have a great debate.

I am trying to take a few minutes to appeal to my colleagues to get beyond the trivial, to get beyond the immediate and the myopic approach. We all are held very closely to reality.

We all know as Congresspersons that, when we go back to our districts, people expect us to have our feet on the ground. They do not want to know about the possibilities of a cyber-civilization. They do not want to know about the fact that we are at a point where the Romans first once stood and the Greeks once stood and the Egyptians. We are now the pivotal Nation, what President Clinton called in his inauguration address a few years ago, we are the indispensable Nation.

Once Rome was the indispensable nation. Once Greece was the indispensable nation. Once Egypt was the indispensable nation. Now the United States is the indispensable nation to determine the future of the world. Is that too ambitious a vision to project? I do not think so.

There was a time just a few years ago when people were predicting that the little island of Japan, because it was moving so rapidly in technology and overtaking the other industrial nations, that we would all be trailing in the wake of Japanese economic power.

There was a time when we looked at Europe and the wonderful and very much appreciated unifying factor there, the uniting of Europe, where, instead of wasting their resources and their genius on war, now they are uniting in economics and politics that they would surely be leading the world, and we would be following in their shadow.

But history has not developed that way. The fact that we are at the point that we are now is more than just luck. Some great decisions have been made, some immediate decisions in 1993 made by the Democrats on the floor of this House and in the Senate, and some long-term decisions made in terms of the investment in items which not only include the Internet, radio, television, but also the science that produced wonder drugs. We keep people alive longer, they are able to produce more scientific miracles. Wisdom, the longer one lives the greater the wisdom in general, and one is able to take advantage of that.

Just an item like that on the side, wonder drugs and the things that have helped people function throughout their lives for longer periods, all of it comes together, all of it is American, all of is part of what we have created by maximizing freedom and allowing all flowers to bloom, allowing the innovations and the ideas to come up from the bottom. All of this has led us to the point where we now have the prospects of a $1.9 trillion surplus over a 10-year period.

□ 1930

And we have a President who has proposed a budget of more than $1 trillion.

The Congressional Black Caucus has asked me to serve on the committee to develop an alternative budget, and I welcome the opportunity. In previous years I have helped to develop an alternative budget and found it to be an exhilarating experience, to take the President's figures, to take the parameters that are set by the White House and set by the majority party and to try to operate within those parameters.

Last year the Republicans were so parliamentary cruel that they banned other budgets from being offered on the floor. I hope that they will become more civilized and that we will go back to the tradition of the House of having alternative budgets offered by various groups. Let the Blue Dogs offer their budget, let the conservative Republicans offer their budget, let the moderate Republicans offer their budget, let the Congressional Black Caucus offer its budget, and the Hispanic caucus, and let us see what the alternatives are.

We would like to combine with people who are not just African American but people who care about others; what I call the caring majority. There is in America a caring majority. The caring majority is made up partially of people who are suffering from oppressive policies, who are suffering from the blindness of leadership, who are suffering from the blunders of leadership, from people who are not necessarily cruel but who do not understand what it means to force a welfare mother to go to work instead of taking care of a young child.

We have a whole bureaucracy related out there to putting that welfare mother to work and complicating the life of both the mother and the child because they like the idea of people going to work. In the process of creating the order to go to work, they have to create a decent day care center. And a day care center will not exist unless we have funding for that. But we do not provide decent funding for the day care centers, so we have inadequate salaries and people in day care centers who are going to be a negative influence on the children because they do not know what they are doing and they are bitter about their low wages.

We create bureaucracies and take away a child from the one most beneficial thing that they have: a parent. That is the kind of blunder that a lot of decent people fall into. That is the kind of reasoning that seems to be straight and logical but which is very, very crooked and harmful.

So we have the opportunity to seriously debate these parts of the budget and reach some conclusions that we should spend money in a way which allows what Thomas Jefferson stated in the Declaration of Independence to become a reality; that people really have not just the right to pursue happiness but the opportunity to pursue happiness. The right to the pursuit of happiness is important. Do not interfere with that, but let us also in the great America of the year 2000 create opportunities to pursue happiness.

We have had great debates over the past few years about race-based legislation; race-based programs. Some people have sweated, turned all kinds of colors at the thought of doing anything that is race based. I have said that if we are talking about race-based programs in the abstract, yes. But if we are talking about programs to compensate for the fact that for 232 years one group of people were held in a cruel bondage, where no wealth could be created, where laws were made which made it illegal to teach them to read, where all kinds of cruel things were done and now the descendants of those folks are behind the mainstream, it is not really race based, it is justice based to talk about scholarships just for African Americans, to talk about policies which force the end of gerrymandering which creates districts that keep African Americans out of power so they cannot help themselves, and on and on it goes. So the so-

called race-based phenomenon is offered as a first step towards some kind of justice.

Reparations is something we do not want to talk about in connection with American slavery. The Abraham Lincoln Bicentennial Commission will probably rule out any discussion of reparations for the descendants of African American slaves, rule it out of order. Oh, yes, we can discuss reparations for the Japanese who were interned during World War II in America, and we did discuss that and we did pass some legislation. I certainly, along with other members of the black caucus, welcomed that legislation and supported that legislation. We supported recognition that a government has responsibility, a present government has a responsibility for what past governments have done.

The Japanese day in and day out are fighting that notion. They refuse to apologize for what they did to the Chinese. They refuse to apologize for what they did to the Koreans. But let us applaud the fact that the Swiss have finally owned up to the fact that they swindled desperate people out of billions of dollars. The Swiss have finally said that, yes, we did take the money from the Jews fleeing the Germans, we did put their money away and refuse to allow anybody to claim it later, refused to come forward, so we will pay. The Germans are now creating a $5 billion fund, reparations for all those people they forced into slave labor in the industries. And maybe they have some kind of compensation for all those who died that they can pinpoint.

I do not want to get into details. I do not know the details. I just know that the concept of reparations, that a present government has a responsibility for what past governments did; that the people of a present Nation have a responsibility and should bear some responsibility for what the people did in the past. That has been established everywhere.

What does this have to do with the budget the President sent to Congress today? Throughout this budget there are opportunities to do things which would greatly facilitate the correction of some of the injustices that were done to the forefathers of African Americans. There are great opportunities in this budget to go forward and create programs which not only help the descendants of slaves but also help all poor people.

Yes, we have had this great debate. We have lost it. Those of us who wanted reparations, those of us who said we needed to have affirmative action, we basically lost ground. We have lost ground in the Supreme Court. The Voting Rights Act is being diluted. We have lost ground in the universities. They have ruled out giving scholarships on the basis of race. We have lost ground. Let us switch the concepts. If we have lost ground on the basis of reparations and the need to correct past injustices, let us talk about opportunity. Let us go for an opportunity budget.

In the President's budget we should create maximum opportunities not only for the descendants of slaves but for all people who are disadvantaged; for immigrants who came here from dirt poor countries who have problems assimilating, for other people who in some way have been disadvantaged, for the Native Americans who were driven off their land and treated cruelly. They fell for the trap of segregation and separated themselves out and have not been able to get a foothold in the power structure and, therefore, are suffering more than any other group probably of disadvantaged people in America.

Let us have an opportunity program which looks upon every child that is born. Let us not focus so much on what happens in the womb, let us focus on what happens after the child gets here. Let us say we will guaranty an opportunity that every child born in America will have an opportunity to get an education which maximizes their God-given talents; that no child shall be hungry from the time he is born until the time he gets to be 18 years of age or 21 years of age, finishing college; that every child should have an opportunity to go to a school which is a school that physically is better than his home. It does not threaten his health because at the school there is a coal burning furnace spewing fumes into the air which may ruin his lungs and create a situation where asthmatic conditions develop in that child.

Let us not send a kid to school which is so crowded that it forces him to eat lunch at 10 o'clock in the morning, which ruins his digestive system and his whole attitude toward eating because he just had breakfast. Because of the bureaucracy of the school and the fact they have so many kids to feed, in a cafeteria that was built for one-third of the number that they have to feed, they have to have three lunch periods and they have to start early. The children who eat lunch early at 10 o'clock are forced to eat lunch before their breakfast is digested. The children who eat lunch late are hungry, unusually hungry, and their systems are damaged. Let us not have an America that allows that.

Let us have an America that with a $1.9 trillion projection over a 10-year period decides to invest heavily in opportunity in various ways. Opportunity may involve health care or opportunity may involve housing. There are very few housing programs any more that are being driven by Federal initiative. We are barely hanging on to the programs that were created by the New Deal and by the Great Society. So we need to create decent housing for every child born; an opportunity not to have to live in a cold house that makes it difficult to sleep at night for a child or creates the possibility of many more illnesses so they will miss many more days of school and also develop many kinds of childhood illnesses which create difficulties later as an adult. On and on it goes. An opportunity to be free of that.

Why not look at the budget in the year 2000 as being an opportunity to get rid of all those impediments to children; an opportunity budget as we go into the great cyber civilization.

The cyber civilization needs brainpower. Brainpower drives America right now. Those nerds, those kids that everybody made jokes about in high school and in college, they now are in command. They are in command. They are the ones who drive the computers and the Internet and the e-commerce. It is not a passing phenomenon. We are going to need more and more of them. The projection is that right now we have 300,000 vacancies that are going unfilled in information technology? These are cyber technicians, people who can create the Internet; programmers, people who can merge a sense of the culture with what is possible in the digital world and come out with a product that is very useful and also very profitable. All of these developments require brainpower. We know that.

If brainpower drives the future, then let us invest in activities which create more brainpower. So the opportunity approach is not only the ethical approach, not only the moral approach, the opportunity approach is the most practical approach. If we want to keep America great, if we want to keep this economy going, if we want our military to remain the greatest military, the most effective military in the world, we have to have recruits that go into that military who are exposed to the digital revolution, who have come in understanding a great deal and can be trained to use our high-tech weapons.

There is no sector in American public life that is not affected by the digital revolution.

Madam Speaker, I began by saying that two great things happened today. One was that we voted to create a bicentennial commission in honor of Abraham Lincoln, and that commission and all the activity surrounding that is very beneficial to the American Nation as we examine where we are at the beginning of the 21st century.

☐ 1945

I also said today we launched the most important budget in the history of the United States of America. I also said I think it is most unfortunate that we are casually launching this budget and trivializing the significance of this particular moment in history, that we are downplaying the fact that we have a $1.9 trillion budget surplus progression over a 10-year period.

We are trivializing the fact that this budget will definitely not have a deficit if we are going to have a budget that is certainly balanced, and we can do that without having to cut large numbers of programs.

The challenge before us is, when we have this kind of opportunity, when this kind of wealth exists unparalleled

in the history of the world, when we stand at the pinnacle of the rudder system that guides the world, and maybe we are the gyroscope that guides the entire universe at this point, that great responsibility will be taken seriously enough to utilize this budget for the sake of the entire world, starting with our own people who need health care, who need a greater investment in education and opportunity.

Why be too cautious? Why be cavalier? Why be uncaring? If we are cautious, cavalier, and uncaring at this moment in history, we may lose our opportunity, the way the Romans lost theirs and the way the Greeks lost theirs and the Egyptians and maybe the way the British Empire lost its opportunity to provide leadership that would create a heaven on Earth, a place where all human beings have an opportunity and a right to pursue happiness. It is possible.

The United Nations has said, as I repeat, that, with $40 billion expenditure per year, you could end most of the greatest hardships of the world, you could vaccinate children all over the world, you could provide a primary school of education, you could provide decent water for everybody in the world. It may be that they are off by a few billion dollars, but the fact that they have come up with a quantification of what the world needs is a great beginning.

I salute Ted Turner, the great American billionaire, when he decided that he would devote a billion dollars to helping people throughout the world. That is the kind of action that individual Americans with wealth can take, and we are probably going to see more of that. Let us applaud that.

I salute Bill Gates and his magnificent set of foundation projects, one of which is a billion dollar grant to the United Negro College Fund. The United Negro College Fund has been given a billion dollars to provide scholarships for students over a 10-year period. For college students, they are going to pay the entire college expense for 4 years. These students who are fortunate enough to be chosen will have their college expenses paid for 4 years. That is Bill Gates, the billionaire. There are other billionaires and other millionaires who have various kinds of projects of their own.

That is American. This is very American. Never in the history of the world have we had this kind of foundation approach to the utilization of wealth by individuals. I do not think the Greeks had any foundations or the Egyptians or the Romans. There is no evidence that they had centers of philanthropic operation run by ordinary citizens.

The governments did have certain programs, but probably the Greeks failed because they did not educate enough Greeks. It was an elitist process. The academy that was run by Aristotle probably only took the elite. Probably the Egyptians failed because the priest and the whole religious society of an elitist ran the culture and eventually ran the whole nation.

On and on it goes. Let us not make that mistake. We have a great democracy now. Let us invest in education so that the maximum number of people will be able to be fully developed and make their contribution.

The greatest natural resource in the universe is the human mind. That is not just a flowery phrase. It is reality. With the human mind, you open up vast caverns of possibilities and scientific miracles that have produced the technology and the medicine and the kinds of things that are happening in today's world. It all came out of human minds.

If you put to work twice as many human minds in 10 years as you have working now in the area of science and math and agriculture, producing music, drama, the kinds of things that create a culture, we take advantage of the opportunities that are created by technology and science. Because the human being is molded a certain way.

One of the problems with the Romans is that even while they were building vast architectural empires, they invented concrete, they were the geniuses in military strategies, at the same time the Romans had the coliseums. If you have ever been to Rome and been to the Coliseum, a fascinating thing to behold is that underneath the main arena are all these pits where the animals were kept, big animals, like lions and tigers. They were kept there because they are what they threw the Christians to. And Christians were not the only ones sent to the lions.

The Romans sat in these huge coliseums while watching animals eat people and watching gladiators kill each other. They were a culture out of sync with compassion and humanity. Even though they had the greatest military inventions and strategies and created Roman law and logic, the breadth of the Roman empire was so impressive they liked to watch people get eaten by animals.

That lack of development, that cruelty streak, whatever you want to call it, probably played a great role in the fall of the Roman Empire, the lack of compassion, the inability to make use of all their great wealth for everybody.

So we would like not to be an American people who watch the Super Bowl in millions. We would like not to be an American people who find that phoney wrestling on television is the most popular cable television programs, phony wrestling, watching people do crazy things to each other, knowing very well it is all staged.

Our culture, our minds are being shaped by that. Where might we be in 10 or 20 years if more of that keeps going on? Our science, our genius, our government all may not be able to save us if our culture is watching phony people throw each other around in the ring. That is our entertainment. Our minds may get affected and shrink as a result. I am laughing, but I really do not think it is funny.

If we enjoy that kind of cruelty, we may institutionalize cruelty. And we have to some degree institutionalized cruelty. We have vast expenditures by the Federal Government and by State and local governments in a prison system which now is the largest in the world. No industrialized nation has more people in prison than the United States of America.

Is that where we want our wealth to go, to build more prisons? We build a prison and keep a person in prison for no less than about $20,000 a year. The price to keep a man in prison costs a minimum of $20,000 per year.

In the New York City school system, people complain about the fact that we spend $8,000 a year per child for an education. But yet, we are willing to send that same child to prison and spend $20,000 a year. That is the kind of thinking that probably led to the downfall of the Roman Empire.

I am talking about the President's budget today. You might wonder why I am not reciting figures. You are going to hear a lot of figures. You are going to hear a lot of numbers.

Let us take time out to salute President Clinton for the fact that he has placed a great deal of emphasis in his budget on education, not enough, in my opinion. But where else in Washington, where else in the world will you find more emphasis being placed on education? Where else in the context of the American government systems, the States, the cities.

There are cities like New York City that have surpluses and had a surplus a year ago of $2 billion. The amount of revenue collected was $2 billion greater than expenditures. And yet New York City would not spend a single penny to remove the coal burning furnaces in its schools.

There are more than 200 schools in New York City that have coal burning furnaces. New York City spent several million dollars on an asthma project to educate school kids and their parents about asthma to try to do something about an asthma epidemic. Asthma is growing as a problem in New York City. And in the course of that asthma project, which got high visibility for city hall and the mayor, they did not mention a single time that the city, the Board of Education, was responsible for 200 coal burning furnaces spewing pollutants into the air very close to where young children were being educated.

If a child is sent to school from a house that burns oil or gas and the school is burning coal, that means that at school he is placed in jeopardy in a way that he is not placed in jeopardy at home. Going to school becomes harmful to children who at an early age are put into a school that is burning coal.

When I bought my first house, it was a coal burning furnace. We got a bargain. I could not afford it otherwise. And we tried very hard with filters and we worked very hard to keep it clean.

But no matter how hard you work, those tiny particles of coal dust get into the air and eventually in the lungs of young children.

We were glad when we could convert to gas, I assure you. Coal is used for many purposes but it should not be in a situation where children are being exposed day in and day out to the fumes and the dust that comes from coal.

But in New York City, we had $2 billion and not a single penny was spent to get rid of a single coal burning furnace. In New York City, $2 billion and not a single penny was spent to build a new school.

The mayor squirreled all that away. That is the kind of cruel and blind decision-making that we do not want to be guilty of in this budget.

The President has proposed, and I want to salute him for this breakthrough, the President has proposed in the area of school construction we go beyond what has been proposed in past years. He has proposed for the past few years that the only Federal involvement in school construction would be limited to a $25 billion program where the Federal Government would participate in the program where localities and States could borrow up to $25 billion across the country, the total would come to that much, and the Federal Government would pay the interest on the bonds.

And if that whole program went into motion and the whole program was utilized, the Federal Government would be paying $3.7 billion in interest and, therefore, its contribution to school construction in the entire country would be $3.7 billion.

Now, the General Accounting Office has said that in 1995 we needed $110 billion to repair and build schools in order to keep up with the population at that time. Without projecting additional children who would be going to school and therefore needing more classrooms, $110 billion was needed in 1995.

Bob Chase, who is the President of the National Education Association, made a speech at the Democratic Caucus retreat this weekend where he said that now we need $300 billion in order to stay even, that in order to have a decent school and classroom for every child that is going to school, you need to bring it up to $300 billion.

But the President is proposing, and he is way out ahead of everybody else, the Republicans propose zero, the President is proposing $3.7 billion to pay the interest. We need at least the amount that the General Accounting Office projected in 1995, more like $110 billion dollars.

I have a bill which, based on the General Accounting Office progression in 1995, proposes that we spend $110 billion for school construction, repair and modernization over the next 10 years. The President has at least gone beyond his $25 billion borrowing scheme and made a breakthrough in thinking in this administration and he has announced a new school construction initiative where $1.3 billion will be directly appropriated, directly appropriated, not borrowed, no interest, no principal, the Government of the United States will directly appropriate $1.3 billion for emergency school repairs.

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Mr. President, we thank you for that great breakthrough in logic. We thank you for joining the commonsense Americans.

We have made a first step. In fact, I sent out a ''Dear Colleague'' to all the Members saying we are winning. We are winning. This is a great step over where we were 2 years ago. We are winning because the commonsense logic of the American people is beginning to prevail.

The American people in survey after survey have indicated education should be the highest priority. When you ask them in great detail to tell you what items within the education budget need the most help, they say fixing schools. School repair, construction, renovation, security, all of those items relate to infrastructure, and rank highest in the minds of the American people according to several key polls.

Why do I single out school construction? Why do I walk around with this hat as a symbol, a trademark, to keep it in people's minds when we are talking about it? Why do you care about education and care about schools?

I have been on the Committee on Education and the Workforce now for my 18th year. I care about education. I asked to be placed on the Committee on Education and the Workforce when I came here, Education and Labor it was called then, because I saw education and jobs, education and employment, as being inextricably interwoven. You cannot separate them. If I was going to do anything about the high unemployment in my district, about the opportunity for the poor people, I needed to be on the Committee on Education and the Workforce. So education has been the one thing that I have considered most important in my life for a long time.

Why do I single out school construction among all the other items that relate to improving education? Because school construction, the physical infrastructure, they are so dilapidated, so rundown, such obvious symbols of a lack of commitment in certain areas. Not just the big cities, but even when you get outside of the big cities, you have schools in the suburbs with trailers all over the place, indicating that the commitment to build schools is not there, that the trailers were put there instead.

They are supposed to be temporary. Some places have had trailers for 20 years now. The trailers do not have indoor toilets. When the weather is bad you, you have to go out to the real building for that. Trailers are not symbols of education commitment to children.

So why do I see the physical infrastructure as being so important? If I am an intellectual, why do I not care about the books, the curriculum, the standards? Why do I not care about testing? Why do I not care about whole school reform?

I care about it all. It is all very important. I think it is dangerous to try to separate out any one part and say we do not need it all. We need it all. But there is such a thing as a core need, a kingpin need, a critical need, which, if it is not addressed, all of the attention to other needs is folly.

For example, let us consider school reform and investment in education as we would approach a patient that is very ill in a hospital. The patient is delivered to the doctors in the hospital and they are told that this man has heart congestion. Because of the heart condition, if something is not done about the heart very rapidly, very quickly, he is going to die. But he also has infected feet. He also has strange sores growing all over his skin. He also has some damage to one of his internal organs. Which shall the doctors address first if they care about keeping the man alive?

The school systems are no different. In order to keep the patient alive, you have to address the heart congestion first. If the heart stops beating, none of the other illnesses matter. If the heart stops beating, trying to cure the infected foot is a waste of time. If the heart stops beating, trying to cure the damaged organ internally is a waste of time.

If you do not address the school buildings, the infrastructure, which provides the place for the library and the laboratory, the physical symbol of commitment, if you do not address that, then the children will pass judgment immediately. Walking into a dilapidated school with a sagging roof, water dripping through the roof on the top floors, window panes out, coal burning furnaces. I went to one school, I had a town meeting, 7 o'clock in the evening, and under the chairs in the auditorium where we were holding the town meeting, mice were playing. No extermination was taking place, no effective cleaning services were taking place in that school.

What does that tell the children? What does that tell the teachers? It tells the children and teachers that there is a lack of commitment by the people that make decisions about the budgets to provide a decent education to those children.

We have gone from blaming the children, change the curriculum standards, test the children, blame the children, now we have come down to blaming the teachers. This is the year of blaming the teachers. We have dealt with curriculum standards out there. We tried to institute national testing. Some of us fought that. We said ''do not test the kids until you have more resources so they have a chance to learn before you test them.''

Now we have gone to focus on the teachers. If only the teachers were better prepared, if only more teachers were certified, if only more teachers understood what they are doing, then we could reform the school system.

Not for one moment will I disagree that we need quality teachers. We need systems that provide certified teachers, qualified teachers, right across the board.

In my district, one-third of the schools in my district, where the poorest children live, half the teachers are not certified. Each school has at least 50 percent not certified teachers, 50 percent unqualified teachers, because they have been given a chance, in some cases, 9 or 10 years, to get certified, and some have not wanted to care.

Recently the United Federation of Teachers, the teachers union, said to the uncertified teachers, if you want to go back to school, we will pay your tuition. We will make it possible for you to get certified.

They were shocked to find that the majority of the people they were addressing turned it down. When they turned it down, they said to the union people, ''This school system needs our bodies. We cannot be replaced. We are not worried about losing our jobs. You need our bodies.''

Mr. Speaker, I want to end by saying that at the heart of education reform, education investment, which should be the heart of this year's budget, should be $110 billion over a 10-year period for construction, because that is the way we show our commitment for education as we go into the 21st century as the leaders of the world and as the leaders on this whole globe. We ought to take this budget seriously. We ought to make the decisions that will carry our Nation forward, and not make the error that the Romans, Greeks, and Egyptians made when they were at the pinnacle of power and had the world in their hands.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6, MARRIAGE TAX PENALTY RELIEF ACT OF 2000

Mr. DREIER (during the special order of Mr. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 106–495) on the resolution (H. Res. 419) providing for consideration of the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals, which was referred to the House Calendar and ordered to be printed.

DEALING WITH THE BUDGET SURPLUS AND THE NATIONAL DEBT

The SPEAKER pro tempore (Mr. GANSKE). Under a previous order of the House, the gentleman from Wisconsin (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Wisconsin. Mr. Speaker, I would like to bring to your attention a very important issue facing the American public, something that we dealt with today in the Committee on the Budget and something I talked about with the constituents I represent in the First Congressional District of Wisconsin throughout the past 2 months during the Christmas recess, and that is this: What are we going to do about our Social Security surplus, what are we going to do about our non-Social Security surplus, and what are we going to do about our national debt? These are the issues that are driving our Federal budget process now. In doing so, the President, as he is required by the Constitution, sent the budget that he is proposing to pass into law to Congress yesterday.

This morning we had a hearing in the Committee on the Budget where the President's budget director outlined the budget. I would like to share a few of those details with the viewing public tonight and my colleagues.

First, we finally have agreement, we have progress on the fact that all Social Security money should go to Social Security in paying off the debt we owe to the program.

If you recall, Mr. Speaker, last year in this well, before the Nation and before Congress, the President in his State of the Union address said he wanted to dedicate 62 percent of the Social Security trust fund to Social Security, thereby spending 38 percent on other government programs.

Last year this Congress said no, that is not enough. I actually authored the Social Security lockbox bill with the gentleman from Ohio (Mr. KASICH) which requires that from now on, if you are going to pay Social Security taxes, it goes to Social Security; that 100 percent of the Social Security taxes we pay, 100 percent of the Social Security surpluses actually go to the program, go to the trust fund and go to pay off our national debt so we can create more solvency in the Social Security trust fund.

So there was a difference last year. Congress was for protecting 100 percent of the Social Security trust fund last year; the President was for protecting 62 percent of the Social Security trust fund.

Now we have good news. The President has finally come around and agreed that, finally, for the first time in 30 years, we should pass legislation to protect 100 percent of the Social Security trust fund. I am very encouraged by this news.

However, I am a little concerned at what Jack Lew, the OMB Director, the President's chief budget writer, said this morning, and that was this: They support the idea of putting 100 percent of the Social Security surpluses back into Social Security and paying off our debt, but they are not in support of legislation to ensure that this happens. That is a little odd, I think. So I would like to see this administration walk the walk and not just talk the talk.

But then what happens when we look at the non-Social Security surpluses? Today in America people are overpaying their taxes. They are overpaying their taxes in two very fundamental ways: They are overpaying their taxes with Social Security taxes. That spending of the surplus has occurred for years. We have actually raided that fund for 30 years, this government has, to spend on other government programs.

For the first time in 30 years, last year this Congress stopped the raid on the Social Security trust fund. I am seeking to pass our lockbox legislation which will make sure we never go back to the days of raiding the Social Security trust fund.

But on the other side of the Federal Government ledger book, the non-Social Security part, millions of American taxpayers, hard-working families, are overpaying their income taxes. So we now have a non-Social Security surplus approaching $2 trillion over the next 10 years. That is astounding.

We were looking at deficits as far as the eye could see just a few years ago. Now we have the opportunity, now we have the good fortune, based on good discipline in spending and based on a great economy, to have a $4 trillion surplus; $2 trillion for Social Security, $2 trillion from an overpayment of income taxes.

Here is what the President is proposing to do. He is finally agreeing with Congress that we take the $2 trillion from the Social Security surplus and apply that back to Social Security, towards shoring up the program and paying off our National debt, which consequently is some money we owe back to Social Security.

But on this non-Social Security part, the income tax overpayment, the President in this budget is proposing to spend $1.3 trillion of that surplus. He is proposing to spend 70 percent of the non-Social Security surplus on new government programs in Washington.

Specifically, as we analyzed this budget in the Committee on the Budget as we did so this morning, the President is calling forth creation of 84 new Federal spending programs to be launched this year by the Federal Government, to be paid for by the income tax overpayments of the American taxpayer.

Now, Mr. Speaker, I held over 60 town hall meetings in the district I serve in southern Wisconsin, the First Congressional District, where I posed a lot of questions to my constituents to ask them about this. They said that if they are given a choice between tax reduction and debt reduction with this money, they were evenly split. But if they were given a choice between spending their income tax overpayments on new spending in Washington or reducing our national debt further

and reducing our tax burden on families, they would clearly side with reducing taxes and reducing the national debt.

Mr. Speaker, this budget will probably fall to a similar fate as last year's budget, which was a vote of 422 opposed and 2 in favor of the President's budget.

Mr. Speaker, I urge this administration to come back to the table, save these surpluses for paying down our national debt, shoring up Social Security and giving people their money back if they still overpay their taxes, instead of using it to spend $1.3 trillion on the creation of 84 new Federal Government programs.

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HEALTH CARE REFORM STILL MAJOR ISSUE FOR AMERICANS

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, I am going to probably not take all of my allotted hour tonight, probably about half an hour or so. Any colleagues that may be following should have notice of that.

This weekend in Parade Magazine, February 6, 2000, on page 15, there is a cartoon. I do not have it blown up like I have made charts of many cartoons in the past as I have spoken here on patient protection legislation, so let me describe what this cartoon shows. It shows a doctor sitting at his desk holding a sheet of paper. There is a patient, a man, sitting in the chair in front of the desk. The doctor is saying, ''Your HMO won't cover any illness contracted in the 20th century.''

Well, Mr. Speaker, it is a truism that in order for something to be funny, in order for there to be a joke to be effective or a cartoon to be effective, the public has to understand what the punch line is and what the issue is. And the issue, of course, is that HMOs have not treated many people around this country fairly. They have come up with rules and regulations in byzantine and bizarre ways to deny necessary, medically necessary care for their patients. So of course when we see a cartoon like this where a physician is telling a patient sitting in front of him, ''Your HMO won't cover any illness contracted in the 20th century,'' it fits right in with what we think of as an unfairness of treatment by HMOs, along with the turn of the century, the new millennium.

I think that this cartoon and the jokes that we will frequently hear about HMOs indicate where the public is in their opinion on health maintenance organizations and whether they get treated fairly and whether, in fact, they think Congress ought to finally get something done to pass patient protection legislation.

I have been coming to the well of this House of Representatives for 5 years now. I started out with a bill that I had called the Patient Right to Know Act that would have banned gag clauses in HMO contracts that prevent physicians from telling patients all of their treatment options. I mean, the situation is such that some HMOs have tried to prevent physicians from telling a patient all of their treatment options because one of them might be an expensive one; and they have required physicians, for instance, to phone the HMO to get an authorization before they can even tell a patient what the treatment options are.

Before I came to Congress, I was a physician. It would be like me examining a lady with a lump in her breast knowing that there are three treatment options, and then because this HMO has this gag clause in a contract, having to excuse myself, go out into the hallway, get on the telephone and ask some bureaucrat at some HMO whether I can tell the patient about all three of her treatment options. I mean this issue has been here in Congress for too long, and the public feels that way.

I have here a survey done by Kaiser Family Foundation, the Harvard School of Public Health called National Survey on Health Care and the 2000 Elections, January 19, 2000. They were surveying a number of issues, but they said on patient rights, more consensus emerged on the issue of patient rights, even though, after nearly 2 years of debate, voters have decided that a Patients' Bill of Rights could increase the cost of their premiums. We will talk about that later, because the costs have been greatly overestimated by the managed care industry, and there are several studies that show that a cost increase in a person's premiums would be very modest, probably in the range of several dollars per month. That would then mean that one's insurance would actually mean something if one got sick.

Mr. Speaker, to go on of what the findings in the survey showed, about two-thirds of registered voters, of health care voters, because they divided this up into voters that were concerned about different issues, and education and health care, by the way, were way at the top of this survey, two-thirds of registered voters think health insurance premiums for people like them would go up if patient protections were enacted, but very few think their premiums would go up very much. And I say to my colleagues, they are right.

Now, 72 percent of registered voters favor patients' rights legislation versus only 17 percent that oppose it. In contrast to other health issues, there is more consensus between Democratic and Republican registered voters on patients' rights with 75 percent of Democratic registered voters and 68 percent, more than two-thirds, more than two out of three of Republican registered voters favoring patient protection legislation.

It goes on to say, one reason there may be greater consensus on patient rights is that many registered voters view patient protection legislation as a plus for them personally. Mr. Speaker, 45 percent say that it would make them better off, and only 7 percent say it would make them worse off. Mr. Speaker, 37 percent say they would not be much affected, but among health care voters, 52 percent say it would make them better off. As in past Kaiser-Harvard surveys, support for patients' rights does not fall when people believe health insurance premiums will go up.

Well, Mr. Speaker, maybe it is because the presidential candidates have looked at this issue; they are being asked about it constantly. Maybe it is because some of them have been told by all of the people that they are talking to around the country right now about what they feel about this. Maybe it is because they have looked at the polls. I do not know exactly why. But, Mr. Speaker, all of our major presidential candidates, whether we are talking about Democrats or Republicans, believe that we ought to pass patient protection legislation.

Let me just read to my colleagues a few of the statements from both Democrats and Republicans on this issue. One of these people will be our next President. Here is what Bill Bradley says: ''Health care decisions should be made by doctors and their patients, not an insurance company bureaucrat. A patient who feels that an HMO has denied needed care should have the right to an independent appeals process and should have the right to sue if harmed by an HMO decision. I support the Patients' Bill of Rights and I would push for a consumer right to know which would ensure that HMOs reveal important details of a plan that affect the care you receive.'' Democrat running for President.

How about a Republican running for President. Here is what the Republican who won the New Hampshire primary, Senator JOHN MCCAIN, has said on HMO reform. When asked whether patients should have the right to sue, the most contentious issue, Senator MCCAIN says yes. ''Once a patient has exhausted all options to obtain appropriate medical care that has been denied by an HMO, including going through a free and fair internal and external appeals process, that patient should have the right to seek redress in the courts. The right to sue should be limited to actual economic damages and capped noneconomic damages under terms that do not foster frivolous lawsuits.''

What does AL GORE, Vice President GORE, say about this? He says, ''I believe that we must pass a strong enforceable Patients' Bill of Rights to ensure that people insured by HMOs get the health care they need when they need it. For many people, the decisions HMOs make can be the difference between life and death, and no one should

have to worry about an HMO at a time when they are worried about their immediate survival. That is why I am calling for improved patient care by granting patients the right to an independent appeal when they are denied treatment, access to specialists, guaranteed coverage of emergency room treatment and the right to hold health maintenance organizations accountable for their actions.''

What does Governor George Bush say on the issue of patient protections? By the way, I believe all of these statements are in an AARP infomercial that has been broadcast around the country. Here is what Governor Bush says about this. Governor Bush has a lot of experience on this, because several years ago Texas passed a strong patient protection piece of legislation, several pieces of legislation, and here is what he says: ''I believe patients need access to a speedy and impartial forum to resolve disputes over health care coverage. Texas has a law that gives patients the right to seek legal action if they have been harmed. I allowed it to become law because we have a strong independent review process and other protections designed to encourage quick out-of-court resolutions instead of costly litigation. The process is working in Texas,'' Governor Bush says. He goes on and says, ''I would support similar protections at the Federal level, provided they do not supercede the patient protection laws Texas and many other States already have on the books.''

Well, Mr. Speaker, the bill that was passed here in the House last year, the bipartisan consensus Managed Care Reform Act of 1999 written by the gentleman from Georgia (Mr. NORWOOD), the gentleman from Michigan (Mr. DINGELL), and myself, passing this House by a wide vote margin of 275 to 151, was modeled after the Texas law. Last week I gave a similar Special Order on this and I pointed out the many, many similarities between the bill that passed the House and what is currently in place in Texas.

As Governor Bush has told me personally and spoken on this vigorously, that bill is working. The HMO industry did not fall apart when it was passed. There were 30 HMOs in Texas; today there are over 50. There has not been a plethora of lawsuits; in fact, there have only been about four filed. We know that the filings are an accurate index of how well that law is working, because Texas has a 2-year state of limitation on filings.

So if there were any cases out there, we would know about it. But there have not been because they have a dispute resolution mechanism, an independent review panel, and because the HMOs know that if they do not follow the law, they are going to be liable; and of those cases, those few cases that have been filed in Texas, most of them have been because the HMOs did not follow the law. So they should be liable, especially if a patient goes out and commits suicide, as is one of those cases, because the HMO made an incorrect determination on medical necessity. They did not follow the Texas law.

I could go on and talk about others who have endorsed this, but I think for a minute we ought to talk about what is going on here in Congress now. Because a bill passed the Senate a year or so ago and as I mentioned, we passed a strong bipartisan bill here in the House of Representatives a couple of months ago. So once we have a bill that passes the Senate and a bill that passes the House, if they are not the same, then they go to what is called a conference committee.

Unfortunately, it looks as if the conference committee has been stacked against coming up with a strong, good piece of legislation that could have the support of the House of Representatives that was already voted on for strong legislation, and a bill that could get the President's signature. Why do I say that? Well, let me read from the Daily Monitor, Congressional Quarterly from Friday, February 4. It says, ''Although the House in October passed the patients' right portion of the overall managed care bill by 275 to 151 with 68 Republicans voting yes, House Speaker DENNIS HASTERT stacked the conference committee with foes of that measure. Only one Republican on that conference committee from the House voted for the bill that passed the House with 275 votes, and that one person voted for all of the alternatives.''

Well, I think that we are seeing here a foot-dragging, at least an appearance from naming of the conferees that there really is not a commitment to take the clear message that the House gave in that vote, but also in several motions to instruct for our conferees to stand up for the bill that passed this House of Representatives with a strong bipartisan vote.

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I mean, that vote only came after we had to jump over many hurdles during that debate that were put up by the opponents to passing patient protection legislation.

I think that House Republicans in particular fear that Democrats could leverage voter anger over this perceived foot-dragging in an election year. So we are seeing statements now coming out about, well, we should get a bill out, bring it back to the House, bring it back to the Senate from the conference.

But I just have a bit of recommendation for my Republican colleagues. If they bring back a bill that is not a strong bill, that plays games with the fine details, that does not address the issue of medical necessity, which continues to allow for Federal employee plans, the ability for HMOs to define ''medical necessity'' in any way that they want to, a bill that does not have a strong enforcement provision to make sure that HMOs follow the rules, then it cannot pass. That conference report cannot pass the House. We cannot get it to the President, and we are at a stalemate.

The gentleman from Georgia (Mr. NORWOOD) who wrote that bill, along with me on the Republican side, we stand ready and available to our leadership to help in terms of getting a strong piece of legislation that is a real piece of patient protection legislation to the House. I have made that offer to the Speaker on several occasions. We will continue to work to try to make sure that a bill that comes out of conference, that comes to the floor of the House, is worthy of the name ''patient protection legislation.''

Let me just point out a couple of areas where we could see some real problems. The patient protection bill was married to a bill on patient access to deal with the uninsured. I certainly think that we ought to deal with trying to decrease the number of uninsured. I think there are components in that access bill which could gain bipartisan support. I mean, moving to 100 percent deductibility for health insurance for individuals and making that effective January 1, 2000, would be one of those things that would get broad bipartisan support. I am certainly in favor of that.

Currently this year individuals who purchase their health insurance only have a 60 percent deduction, as versus a business getting a 100 percent deduction for health insurance for their employees. I do not think that is fair. We ought to fix that now. That is one of the items that could be the basis for a bipartisan agreement on access.

But there are some provisions in that other bill that got married to the patient protection bill which are really big problems. Let me give an example. The Congressional Budget Office just did a study on what are called association health plans, or are otherwise known as multiple employer welfare association plans, MEWAs; AHAs, MEWAs, all these acronyms.

What these are, an association health plan is where an organization, for instance, could offer a health plan to its members and be included under Federal law but be absolved from State insurance regulation for the health plan.

Multiple employer welfare associations are basically the same thing. Years ago when Congress first passed the Employee Retirement Income Security Act, ERISA, the piece of legislation which pulled insurance oversight away from the States and basically left nothing in its place for quality control, which is why we have this problem with HMOs as offered by employers today, years ago when that bill passed there was a loose definition of ''associations.''

We saw a number of bogus associations offer health plans. They were undercapitalized. In some cases they were simply fraudulent. They went bankrupt. People ran away with the profits, and a whole bunch of people,

hundreds of thousands of people, were left without insurance.

So Congress came back in the early 1980s and they tightened up the definition. They said, you can only offer an employer plan if you are a labor union or if you are an employer; an employer, not a grouping of employers or associations. Congress had to learn the hard way. A lot of people had to learn the hard way what the problem was. But some people now want to expand that definition again. I think the Clinton administration is correct on this, that it is not a good idea.

Let me give some reasons why. There was a study of association health plans just done by the Congressional Budget Office. This analysis by the CBO found that most small employers and workers would actually pay higher premiums if a preemption from State law for association health plans is brought back in this conference report, if it were enacted.

The report reveals that association health plans would save costs by skimming the healthy from the existing State-regulated small group market, thus making coverage more expensive for those who are left in that State coverage; i.e., the sick.

Specifically, this Congressional Budget Office report said that association health plans would not significantly reduce the number of uninsured. This is why a lot of people have said, well, we need to do association health plans that would decrease the number of uninsured.

But the Congressional Budget Office has looked at this and said, not so. Contrary to opponents' claims that AHPs would cover up to 8.5 million uninsured, the Congressional Budget Office estimated that coverage would only increase by 330,000 individuals, but also noted that the overall number of individuals insured would be lower, ''Because some of those who gained coverage through association health plans would have otherwise obtained coverage in the individual market.''

Then the CBO goes on to say, ''Four in five workers would be worse off under association health plans and health marts.'' According to the CBO report, 20 million employees and dependents of small employers would experience a rate increase under association health plans, while only 4.6 million would see a rate reduction.

Those do not sound like particularly great numbers to me. We are going to reduce the rate for about 4.5 million, but we are going to increase the premiums for 20 million. Does that make sense? Is that something we should be putting into a bill where we are trying to reduce the number of uninsured?

The CBO says, ''In addition, 10,000 of the sickest individuals would lose coverage if association health plans were enacted. Association health plans would save money primarily by cherry-picking.'' What does that mean? The CBO estimated that nearly two-thirds of the cost savings for association health plans would result from attracting healthier members from the existing insurance pool.

I come from one of the largest insurance centers in the United States, Des Moines, Iowa. I think it has more insurance companies than Hartford, Connecticut. I can say something about how insurance works. It works by making sure there is a large enough pool of the insured so we can spread out the risk, the cost of the risk.

But what association health plans would do is they would pull the healthy out of that larger market. Sure, the premiums might be lower for that group, but it would leave a sicker group behind. As the CBO said, we could see many, many people lose their insurance, because with that sicker pool, now the cost of premiums would go up dramatically. We would have a smaller pool but a sicker pool. Therefore, in order to not go bankrupt, the insurers who are covering that group that is left behind would have to raise their premiums a lot.

The CBO report goes on, ''Association health plans would eliminate benefits to cut costs.'' Think about that, association health plans would eliminate benefits to cut costs. Contrary to proponents claims that association health plans could offer generous benefits while lowering insurance costs, the Congressional Budget Office found that dropping State-mandated benefits would be the second major method the AHPs would use to reduce costs; i.e., cherry-picking. But they estimated that ''One-third of cost savings would come from eliminating benefits.''

Then the CBO went on to say, ''Association health plans would not reduce overhead costs. Contrary to claims that association health plans could reduce overhead by 30 percent, CBO assumed that cost savings arising from the group purchasing feature of association health plans and health marts would be negligible.'' They found no substantial evidence that joining a purchasing coop produced lower insurance costs for firms.

The CBO correctly points out that States with aggressive insurance reforms would see the most damage. The CBO report indicates that States with strict insurance reforms like Massachusetts, New Jersey, New York, would be most attractive to the association health plans.

The report concludes that ''In States with more tightly compressed premiums, where the most cross-subsidization occurs, low-cost firms would face the greatest potential difference in price between traditional and association health mart plans.''

I mean, Mr. Speaker, if my colleagues want a full report, the report called ''Increasing Small Firm Health Insurance Coverage Through Association Health Plans and Health Marts,'' the study that I am talking about, it is available on the CBO web site www.cbo.gov, g-o-v.

I would recommend to my colleagues that they look this up, because it is very possible that we could see a conference report come back that has this provision in it that could actually increase the number of uninsured, rather than decrease it, and could undermine State efforts at providing insurance coverage.

I have here a letter from my Governor. I just got this. This is from Governor Vilsack of the State of Iowa. It is addressed to all of the Iowa Congressmen and Senators.

''Gentlemen, it has come to my attention that conferees from the U.S. House of Representatives and the U.S. Senate will soon meet to consider the patient protection bills passed by each Chamber last year. I have been advised that the House version of this legislation contains provisions that would exempt multiple employer welfare arrangements and association health plans from a variety of State laws.''

Okay, that is the provision that was in the access bill that was married to the patient protection bill. So it does not deal as expressly with patient protection, but it is being folded into the patient protection legislation.

The Governor goes on to say, ''I would like to express my concern about these proposals for the following reasons.'' And I happen to believe, Mr. Speaker, that just about every Governor in this country will write a similar letter to us, whether they are Republican or Democrat, on this issue.

My Governor says, ''It is my view that the MEWA AHP provisions would render State small employer health insurance reforms unworkable by allowing groups to opt in and out of State regulation based on their medical needs. Furthermore, these provisions would lead to a siphoning of healthy workers from the State-regulated health insurance market, which would then become a dumping ground for high-cost groups. As premiums rise for those remaining in the State-regulated market, more small firms would drop out of health insurance coverage, and the number of uninsured in our State and across the Nation would increase. This seems contrary to efforts in our State to try to reduce the number of uninsured individuals.''

Governor Vilsack goes on: ''The legislation could also mean a Federal takeover of health insurance regulation by preempting traditional State regulatory authority.'' Let me just repeat this: ''The legislation could also mean a Federal takeover of health insurance regulation by preempting traditional State regulatory authority.''

I am a Republican. How many times have I heard my colleagues from my side of the aisle say, ''Hey, we need to devolve power back to the States.'' The States are the places where we ought to be doing insurance.

□ 2045

There is a bill that passed a long time ago called the McCarran-Ferguson Act, which basically says that insurance regulation should be done at the State level.

I would like to know how many of my Republican colleagues want to repeal the McCarran-Ferguson Act and take it over by the Federal Government. I am one of those Republicans who believe that the role of the Federal Government should be limited; that we should not be taking this over.

This was part of the original problem with the ERISA bill. We exempted oversight by the States and so we have had a lot of abuses.

The governor goes on to say, States would be powerless to enforce their insurance rules with regard to these federally-licensed health plans or to resolve problems for their residents quickly. Moreover, States could no longer move quickly to prevent the insolvency of a failing association health plan, or seize assets to assure payment of enrollees and local health care providers.

We are getting right back to what I was talking about before. Past experience has shown that some of these plans have gone insolvent.

Traditionally the State takes over to make sure that people are not left uninsured, but if they are under the Federal purview, what happens to those people whose plans then go bankrupt?

Governor Vilsack then goes on, ''For all those reasons,'' listen to this my colleagues, ''for all those reasons, the National Governors' Association, the Republican Governors' Association, the National Conference of State Legislatures, the National Association of Insurance Commissioners have opposed those provisions.''

My governor finishes by saying, ''I add my voice to theirs in asking you to reconsider such provisions so that we do not run the risk of increasing the number of uninsured in Iowa and in the country.

''Furthermore, I think it is important and necessary for States to be able to continue to regulate this important industry as we have successfully done for a number of years.

''Iowa has a reputation for a balanced regulation and it would be difficult to maintain that balance with these federally-imposed requirements. Sincerely, Tom Vilsack, governor of Iowa.''

I would again reiterate that I think that most of the Members are going to receive a similarly worded letter from their governors, whether they be Democrat or Republican, on this issue. So if the conference bill comes back to us with these association health plans or these multiple employer welfare associations, people need to think very, very seriously, if they are really serious about decreasing the number of uninsured, whether they can support a bill that would have this type of provision in it.

Now, another issue that is going to be very important is on the issue of medical necessity and who at the end gets to determine medical necessity. The bill that we passed here in the House basically says that that independent peer panel, if there is a dispute and a patient has gone through the internal appeals process through their HMO and is unhappy with the decision by the HMO, that the patient can take that denial to an independent peer panel, a group of doctors not paid for by the HMO or a part of the HMO, and get an independent review.

The House version says that unless you have a specific exclusion of coverage in the contract, for instance the HMO contract that you have specifically says we will not provide a bone marrow transplant, that unless there is a specific exclusion then that independent panel determines the medical necessity of the treatment, not the health plan.

Unfortunately, we have a situation with the bill from the other side of the capitol that does not address this issue. In fact, it is worse than the status quo. It would basically say that HMOs can define medical care in any way they want to.

What does that mean? Well, under Federal law now you have some HMOs that are saying we define medical necessity as the cheapest, least expensive care, quote/unquote.

For all of us who are concerned about health care costs, you might initially think, well, what would be wrong with that? Well, I can say what is wrong with that. As a plastic and reconstructive surgeon, I took care of a lot of kids who had cleft lips and palates. They were born with a deformity in the roof of their mouth, a big hole in the roof of their mouth, and they cannot eat without food coming out of their nose and they cannot speak properly.

The commonly accepted, standard treatment for that is a surgical repair to bring those tissues together and to recreate a roof of the mouth so that, A, they do not have food going up into their nose and coming out and, B, so that they can learn to speak properly or have the best chance to do that.

Under this definition that some HMOs have come up with, i.e., the cheapest, least expensive care, they could justify the treatment for a child with that birth defect as a piece of plastic, like an upper denture; we are just going to give him an upper denture to put in the roof of his mouth. That is a travesty, but that could exactly happen and people have lost their lives on the basis of decisions that HMOs have made on medical necessity where they have ignored their physician's advice and denied needed treatment.

Many times I have stood up here and told the story about a little boy from Atlanta, Georgia, who when he was 6 months old, in the middle of the night, had a temperature of 104, and his mother thought he needed to go to the emergency room and she phoned a 1–800 number for an HMO and was told, well, you can only take him to one emergency room. That is all we are going to authorize.

It was 60-some miles away. After they had passed several hospitals where the little boy could have been treated, he had an arrest, a cardiac arrest, before he got to the hospital. Partly as a result of that loss of circulation to his hands and his feet, he developed gangrene in both hands and both feet and they both had to be amputated.

That HMO made a medical decision and said we will let you go to the emergency room but only this one a long way away. If you go to any other ones, you have to pay for it yourself, and mom and dad were not medical professionals; they did not know how sick little Jimmy was until his eyes rolled back in his head and he stopped breathing en route to the hospital.

In my opinion, when an HMO makes a medical decision like that they ought to be legally responsible for that. Under current Federal law, if it is a health plan that you get through your employer, in that type of situation the health plan would be liable only for the costs of the amputations. I do not think that is justice.

Furthermore, none of the leading contenders for President, whether they be Republican or Democrat, think that that is justice. How can one defend a health maintenance organization that is making life and death decisions and say they should have a legal shield from their medical malpractice?

As a physician, I have never argued that physicians should be free of liability from their malpractice and I do not know of any physicians who do that, who make that argument. That is why we carry malpractice insurance. I do not know of any auto maker that has a legal liability shield like that. I do not know of any of our airplane manufacturers or airlines. I do not know of any business in this country that has that kind of legal immunity and, yet, because of a 25-year-old Federal law, HMOs that deny medically necessary care and provide that insurance through an employer they are not liable. They are only liable for the cost of care denied, and if the patient has died then they are liable for nothing.

I just don't think that that is fair. I do not think that one can justify that. I think one would be laughed out of any room in this country. That is why I find it very hard to understand how some colleagues of mine can oppose restoring responsibility.

I am a Republican. I have argued on this floor many times that people ought to be responsible for their actions. Many of my Republican colleagues have made the same comments. If somebody is a cocaine or a drug dealer, they ought to be liable for that. They ought to spend time in jail. If somebody commits murder, I bet an awful lot of my Republican colleagues would say if they are guilty of first degree murder they should get the death penalty. I know that when we passed the welfare reform bill, our thoughts were that if one is an able- bodied person and they get help and they have a period of time to get some training,

then it is their responsibility to get a job.

Responsibility has been a big word on this Republican side. But where do I see that type of responsibility being applied to HMOs? If it is not addressed by the conference committee, then that bill will not pass this House and we will end up with a big goose egg, a big zero, for addressing this major problem.

I started out this talk by saying I have been working on this for 4 years, 5 years. So has the gentleman from Georgia (Mr. Norwood), and many others on both the Republican and the Democratic sides. In the meantime, a lot of patients have been denied necessary care; a lot of patients who have ended up like that little boy from Atlanta, Georgia, with some significant deficits, if not loss of their life, as has been outlined by major magazines such as Time Magazine on feature cover stories.

It really is time, Mr. Speaker, that we addressed this issue; that we do not load up a conference report with bad ideas; that we take the bill that passed this House, a bill that could be signed into law tomorrow by President Clinton, a bill that tomorrow could be giving people around this country a fair shake by their HMOs. We ought to do it soon, and I sincerely hope that the motives of the members of the conference committee are to actually accomplish a piece of legislation and are not simply a face-saving measure because they know that this is an election year and the public is demanding that Congress take action.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today on account of illness.

Ms. MILLENDER-MCDONALD (at the request of Mr. GEPHARDT) for today and the balance of the week on account of illness.

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. METCALF) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, today and February 9.

Mr. HERGER, for 5 minutes, today.

Mr. COLLINS, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, February 9 and 15.

Mr. SCARBOROUGH, for 5 minutes, February 9 and 10.

Mr. METCALF, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. NORWOOD, for 5 minutes, today and February 14 and 15.

Mr. NETHERCUTT, for 5 minutes, February 9.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. RYAN of Wisconsin, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1503. An Act to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2003; to the Committee on Government Reform; in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. GANSKE. Mr. Speaker, pursuant to House Resolution 418, I move that the House do now adjourn in memory of the late Hon. Carl B. Albert.

The motion was agreed to; accordingly (at 8 o'clock and 57 minutes p.m.), pursuant to House Resolution 418, the House adjourned until tomorrow, Wednesday, February 9, 2000, at 10 a.m., in memory of the late Hon. Carl B. Albert.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6062. A communication from the President of the United States, transmitting a request to make available appropriations for the Federal Emergency Management Agency's Disaster relief program; (H. Doc. No. 106–193); to the Committee on Appropriations and ordered to be printed.

6063. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting the final report on the results of the Department of Defense demonstration project for uniform funding of morale, welfare, and recreation (MWR) activities; to the Committee on Armed Services.

6064. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Rules of Practice and Procedure (RIN: 2550–AA04) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6065. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids and Sanitizers [Docket No. 98F–1201] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6066. A letter from the Director, Regulations Policy and Management, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 99F–1421] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6067. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Title V Operating Permit Deferrals for Area Sources: National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; Ethylene Oxide Commercial Sterilization and Fumigation Operations; Perchloroethylene Dry Cleaning Facilities; Halogenated Solvent Cleaning Machines; and Secondary Lead Smelting [AD-FRL–6508–7] (RIN: 2060–A158) received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6068. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste [FRL–6505–6] (RIN: 2050–AE66) received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6069. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL–6505–8] received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6070. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Part 70 Operating Permits Program; State of Missouri [MO 090–1090; 6508–4] received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6071. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Indiana Volatile Organic Compound Rules [IN114–1a; FRL–6500–9] received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6072. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District, El Dorado County Air Pollution Control District, Yolo-Solano Air Quality Management District, and Ventura County Air Pollution Control District [CA 031–0202; FRL–6508–5] received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6073. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Kern County Air Pollution Control District [CA172–0203, FRL–6513–9] received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6074. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of VOCs from Paper, Fabric, Vinyl, and Other Plastic Parts Coating [MD090–3041; FRL–6506–9] received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6075. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Operating Permits Programs, Approval Under Section 112(1); State of Nebraska [NE 071–1071a; FRL–6521–6] received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6076. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Adoption of Rule Governing Any Credible Evidence [TN–146–9934a; TN–156–9935a; FRL–6520–2] received January 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6077. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Comprehensive Guideline for Procurement of Products Containing Recovered Materials [SWH–FRL–6524–2] received January 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6078. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—State of Alabama; Underground Injection Control (UIC) Program Revision; Approval of Alabama's Class II UIC Program Revision [FRL–6516–7] received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6079. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Adequacy of State Permit Programs Under RCRA Subtitle D. [FRL–6521–4] received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6080. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Amendments to the Test Procedures for Heavy-Duty Engines, and Light-Duty Vehicles and Trucks and Amendments to the Emission Standard Provisions for Gaseous Fueled Vehicles and Engines [FRL–6523–7] received January 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6081. A communication from the President of the United States, transmitting the first report on the status of the ratification of World Intellectual Property Organization Copyright Treaty, the World Intellectual Property Organization Performances and Phonograms Treatyand related matters; to the Committee on International Relations.

6082. A letter from the Acting Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting the Department of Treasury's Commercial Activities Inventory in accordance with the Federal Activities Inventory Reform (FAIR) Act of 1998; to the Committee on Government Reform.

6083. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting the Department of Defense inventory of non-inherently governmental functions as required by Section 2 of the Federal Activities Inventory Reform (FAIR) Act of 1998; to the Committee on Government Reform.

6084. A letter from the Director, Retirement and Insurance Service, Office of Insurance Programs, Insurance Policy and Information Division, Office of Personnel Management, transmitting the Office's final rule—Federal Employees' Group Life Insurance Program: Life Insurance Improvements (RIN: 3206–AI64) received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6085. A letter from the the Assistant Secretary (Civil Works), the Department of the Army, transmitting the authorization of a deep draft navigation and ecosystem restoration project for Oakland Harbor, California; (H. Doc. No. 106–191); to the Committee on Transportation and Infrastructure and ordered to be printed.

6086. A letter from the the Assistant Secretary (Civil Works), the Department of the Army, transmitting notification that the Secretary of the Army supports the authorization and plans to implement the flood damage reduction project along the Rio Grande de Manati at Barceloneta, Puerto Rico; (H. Doc. No. 106–192); to the Committee on Transportation and Infrastructure and ordered to be printed.

6087. A letter from the Assistant Secretary (Civil Works), Department of the Army, transmitting Volume II of the Annual Report on Civil Works Activities for Fiscal Year 1998; to the Committee on Transportation and Infrastructure.

6088. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy BONDS Allocations 2000 [Rev. Pro. 2000–10] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 419. Resolution providing for consideration of the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals (Rept. 106–495). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DAVIS of Virginia:

H.R. 3582. A bill to restrict the use of mandatory minimum personnel experience and educational requirements in the procurement of information technology goods or services unless sufficiently justified; to the Committee on Government Reform.

By Mr. LINDER (for himself, Mr. CHAMBLISS, Mr. BISHOP, Mr. NORWOOD, Mr. COLLINS, and Mr. ISAKSON):

H.R. 3583. A bill to amend the Clean Air Act to exempt mass transit projects from the conformity determinations required under section 176(c) of that Act, and for other purposes; to the Committee on Commerce.

By Mr. BACA:

H.R. 3584. A bill to amend title 10 and 14, United States Code, to provide for the use of gold in the metal content of the Medal of Honor; to the Committee on Armed Services.

By Mr. BASS:

H.R. 3585. A bill to require the Attorney General and the Secretary of the Treasury to operate the land border port of entry located in Pittsburg, New Hampshire, as a full-time port of entry; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALLAHAN:

H.R. 3586. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the responsibility, efficiency, and performance of the Federal Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Government Reform, 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. CAMPBELL:

H.R. 3587. A bill to amend title 10, United States Code, to direct the Secretary of Defense to establish procedures to allow persons desiring to report an instance of suspected child abuse occurring on a military installation to submit such a report anonymously and to ensure that if such a report is not made anonymously the identity of the person making the report will not be disclosed without written authorization of that person; to the Committee on Armed Services.

By Mr. CAMPBELL (for himself and Mr. ISTOOK):

H.R. 3588. A bill to amend the Occupational Safety and Health Act of 1970 to provide that the Act will not apply to employment performed in a workplace located in the employee's residence unless the employment involves hazardous materials or the workplace was created so that that Act would not apply to the workplace; to the Committee on Education and the Workforce.

By Mr. COLLINS (for himself and Mr. TRAFICANT):

H.R. 3589. A bill to direct the Director of the Federal Emergency Management Agency to require, as a condition of any financial assistance provided on a non-emergency basis by the Agency for a construction project, that the steel, iron, and manufactured products used in the project be produced in the United States; to the Committee on Transportation and Infrastructure.

By Mr. FOLEY (for himself and Mr. SHAW):

H.R. 3590. A bill to amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commerical facility, that an opportunity be provided to correct alleged violations; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself, Ms. DUNN, Mr. ARMEY, Mr. DELAY, Mr. WATTS of Oklahoma, Mr. ADERHOLT, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BEREUTER, Mrs. BIGGERT, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLILEY, Mr. BLUMENAUER, Mr. BLUNT, Mr. BOEHLERT, Mr. BONILLA, Mrs. BONO, Mr. BOYD, Mr. BRADY of Texas, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANADY of Florida, Mr. CANNON, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH-HAGE, Mr. COBLE, Mr. COBURN, Mr. COLLINS, Mr. CONDIT, Mr. COOK, Mr. COOKSEY, Mr. COX, Mrs. CUBIN, Mr. CUNNINGHAM, Ms. DANNER, Mr. DAVIS of Virginia, Mr. DEMINT, Mr. DEAL of Georgia, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Mr. EHLERS, Mr. EHRLICH, Mrs. EMERSON, Mr. ENGLISH, Mr.

EVERETT, Mr. EWING, Mr. FLETCHER, Mrs. FOWLER, Mr. FORBES, Mr. FOLEY, Mr. FRANKS of New Jersey, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GEKAS, Mr. GILCHREST, Mr. GILMAN, Mr. GILLMOR, Mr. GOODE, Mr. GOODLING, Mr. GOODLATTE, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GREEN of Wisconsin, Mr. GUTKNECHT, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL of Montana, Mr. HOBSON, Mr. HOEKSTRA, Mr. HORN, Mr. HOSTETTLER, Mr. HOUGHTON, Mr. HULSHOF, Mr. HUNTER, Mr. HYDE, Mr. ISAKSON, Mr. ISTOOK, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Ms. KAPTUR, Mr. KASICH, Mrs. KELLY, Mr. KING, Mr. KINGSTON, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KUYKENDALL, Mr. LAHOOD, Mr. LATOURETTE, Mr. LANTOS, Mr. LARGENT, Mr. LATHAM, Mr. LAZIO, Mr. LEACH, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LIPINSKI, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCKEON, Mr. MANZULLO, Mr. METCALF, Mr. MICA, Mr. MILLER of Florida, Mr. GARY MILLER of California, Mr. MORAN of Kansas, Mrs. MORELLA, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NORWOOD, Mrs. NORTHUP, Mr. OSE, Mr. OXLEY, Mr. PACKARD, Mr. PEASE, Mr. PETRI, Mr. PETERSON of Pennsylvania, Mr. PHELPS, Mr. PITTS, Mr. POMBO, Mr. PORTER, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. REGULA, Mr. REYNOLDS, Mr. RILEY, Mr. ROGERS, Mr. ROGAN, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mrs. ROUKEMA, Mr. ROYCE, Mr. SALMON, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SCHAFFER, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mr. TALENT, Mr. TANCREDO, Mr. TAUZIN, Mr. TIAHRT, Mr. TERRY, Mr. THOMAS, Mr. THORNBERRY, Mr. THUNE, Mr. TOOMEY, Mr. TRAFICANT, Mr. UPTON, Mr. VITTER, Mr. WALDEN of Oregon, Mr. WALSH, Mr. WAMP, Mr. WATKINS, Mr. WELLER, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WICKER, Mrs. WILSON, Mr. WOLF, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, and Mr. HILLEARY):

H.R. 3591. A bill to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation; to the Committee on Banking and Financial Services.

By Mr. GREEN of Wisconsin:

H.R. 3592. A bill to establish the permanent Joint Committee for Review of Administrative Rules to review rules of Federal agencies and to amend chapter 8 of title 5 of the United States Code; to the Committee on Rules, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington:

H.R. 3593. A bill to amend the Agricultural Trade Act of 1978 to increase the amount of funds available for certain agricultural trade programs; to the Committee on Agriculture.

By Mr. HERGER (for himself, Mr. SWEENEY, Mr. TANNER, Mr. COLLINS, Mr. MATSUI, Mr. FOLEY, Ms. DUNN, Mr. RAMSTAD, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. HOUGHTON, Mr. NUSSLE, Mr. LEWIS of Kentucky, Mr. CAMP, Mr. SHAW, Mr. SAM JOHNSON of Texas, Mr. HAYWORTH, Mr. MCCRERY, Mr. WATKINS, Mr. MCINNIS, Mr. CRANE, Mr. WELLER, Mr. ARMEY, Mr. DELAY, Mr. BLUNT, Mr. YOUNG of Alaska, Mrs. NORTHUP, Mr. WALDEN of Oregon, Mr. FRANKS of New Jersey, Mr. GOODE, Mr. MANZULLO, Mr. EWING, Mrs. MCCARTHY of New York, Mr. TANCREDO, Mr. CAMPBELL, Mr. REYES, Mr. OSE, Mr. MCHUGH, Mr. PAUL, Mr. KUYKENDALL, Mr. BARTLETT of Maryland, Mr. HILL of Montana, Mr. TERRY, Mr. LATHAM, Mr. ISAKSON, Mr. ALLEN, Mr. BACHUS, Mr. KINGSTON, Mr. BURR of North Carolina, Mr. HOBSON, Mr. LATOURETTE, Mr. COOK, Mr. ABERCROMBIE, Mr. FORBES, Mr. SENSENBRENNER, Mr. MOORE, Mr. SISISKY, Mr. FROST, Mr. COMBEST, Mr. ISTOOK, Mr. SKELTON, Mr. TOOMEY, Mr. SCARBOROUGH, Mr. THOMPSON of California, Mr. SMITH of Texas, Mrs. KELLY, Mrs. BONO, Mr. BURTON of Indiana, Mr. SESSIONS, Mr. KOLBE, Mr. GEKAS, Mr. RYAN of Wisconsin, Mr. DEAL of Georgia, Mr. STENHOLM, Mr. TALENT, Mr. REGULA, Mr. CARDIN, and Mr. THUNE):

H.R. 3594. A bill to repeal the modification of the installment method; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (by request):

H.R. 3595. A bill to increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes; to the Committee on Resources.

By Ms. NORTON:

H.R. 3596. A bill to authorize an annual Federal contribution to the District of Columbia for the costs incurred by the District in providing public safety services for demonstrations and other activities which occur in the District of Columbia because the District is the seat of the Federal Government; to the Committee on Government Reform.

By Mr. ROGAN:

H.R. 3597. A bill to amend title 18, United States Code, to increase the penalties for possessing or using a firearm in the commission of a felony crime of violence or drug trafficking crime, and to require juveniles age 14 or older who so possess or use a firearm to be tried as adults; to the Committee on the Judiciary.

H.R. 3598. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for businesses which provide free public Internet access; to the Committee on Ways and Means.

By Mr. SMITH of Michigan:

H.R. 3599. A bill to amend title II of the Social Security Act to eliminate the earnings test; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. WAXMAN, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Ms. ESHOO, Mr. LANTOS, Mr. BECERRA, and Ms. WOOLSEY):

H.R. 3600. A bill to amend title XXI of the Social Security Act to prevent conflicts of interest in the use of administrative vendors in the administration of State Children's Health Insurance Plans; to the Committee on Commerce.

By Mr. STUPAK:

H.R. 3601. A bill to direct the Secretary of the Army to convey the lighthouse located at Ontonagon, Michigan, to the Ontonagon County Historical Society, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 3602. A bill to amend the Internal Revenue Code of 1986 to allow distilled spirits to be produced in dwelling houses, other connected structures, and certain other premises; to the Committee on Ways and Means.

By Mr. WOLF (for himself, Mr. DAVIS of Virginia, and Mrs. MORELLA):

H.R. 3603. A bill to expand Federal employee communting options and to reduce the traffic congestion resulting from current Federal employee commuting patterns, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LEACH:

H.J. Res. 87. A joint resolution proposing an amendment to the Constitution of the United States regarding regulations on the amounts of expenditures of personal funds made by candidates for election for public office; to the Committee on the Judiciary.

By Mrs. THURMAN (for herself, Mr. CANADY of Florida, Mr. SNYDER, Mr. BILBRAY, Mr. MATSUI, Mrs. JOHNSON of Connecticut, Ms. HOOLEY of Oregon, Mrs. CHRISTENSEN, Mr. TANNER, Mr. NETHERCUTT, Mrs. NORTHUP, Mr. SHIMKUS, Mr. MOAKLEY, Mr. SANDERS, Mrs. NAPOLITANO, Ms. PELOSI, Mr. BROWN of Ohio, Mrs. LOWEY, Mr. STARK, Mr. FOLEY, Mr. RAMSTAD, Mr. BARRETT of Wisconsin, Mr. COBURN, Mr. SHAYS, Mr. COOK, Mr. FRANKS of New Jersey, Mr. GOSS, Mr. DUNCAN, Mr. POMEROY, Mr. HINCHEY, Mr. KLECZKA, and Mr. BAKER):

H. Con. Res. 247. Concurrent resolution expressing the sense of Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day; to the Committee on Commerce.

By Mr. LANTOS (for himself, Mr. HORN, Mr. GEJDENSON, Mr. CROWLEY, Mrs. MORELLA, Mr. WEINER, Mr. WEXLER, Mr. ACKERMAN, Mr. PALLONE, Mr. GUTIERREZ, and Ms. SCHAKOWSKY):

H. Res. 417. A resolution expressing the sense of the House of Representatives concerning the participation of the extremist FPO in the government of Austria; to the Committee on International Relations.

By Mr. WATKINS:

H. Res. 418. A resolution expressing the condolences of the House on the death of the Honorable Carl B. Albert, former Speaker of the House of Representatives; considered and agreed to.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WEXLER introduced a bill (H.R. 3604) to provide for the liquidation or reliquidation of certain entries in accordance with a final decision of the Department of Commerce under the Tariff Act of 1930; which was referred to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 175: Mr. DEMINT.

H.R. 363: Mr. BILBRAY and Mr. SMITH of Washington.

H.R. 380: Mr. NETHERCUTT and Mr. LARGENT.

H.R. 460: Mr. REYES.

H.R. 488: Ms. STABENOW.
H.R. 568: Mr. OWENS.
H.R. 623: Mr. LAHOOD and Mr. SHIMKUS.
H.R. 731: Ms. JACKSON-LEE of Texas.
H.R. 792: Mr. MICA and Mr. TOOMEY.
H.R. 826: Mr. GILMAN.
H.R. 827: Mr. WATT of North Carolina, Ms. ROYBAL-ALLARD, and Mrs. CLAYTON.
H.R. 860: Mr. SMITH of New Jersey.
H.R. 923: Ms. BERKLEY, Mr. LAMPSON, Ms. MILLENDER-MCDONALD, and Mr. BORSKI.
H.R. 937: Mr. BARTLETT of Maryland and Ms. MCKINNEY.
H.R. 1046: Mr. SANDLIN.
H.R. 1055: Mrs. CHENOWETH-HAGE, Ms. ESHOO, Mr. BURR of North Carolina, Mr. CHABOT, Mr. SCHAFFER, Mr. CANNON, and Mr. BACHUS.
H.R. 1082: Ms. KAPTUR.
H.R. 1095: Mrs. MINK of Hawaii.
H.R. 1111: Mr. SHERMAN, Mr. BORSKI, and Mr. POMEROY.
H.R. 1115: Mr. BOYD.
H.R. 1187: Mr. KOLBE, Mr. BERRY, Mr. HORN, Mr. PETERSON of Minnesota, Mr. WYNN, and Mr. KANJORSKI.
H.R. 1221: Mr. RUSH, Mr. FRANKS of New Jersey, Mr. LAZIO, and Mr. BORSKI.
H.R. 1322: Mr. KOLBE, Mr. BAKER, and Mr. ISTOOK.
H.R. 1325: Mr. ABERCROMBIE and Mr. COMBEST.
H.R. 1329: Ms. BERKLEY.
H.R. 1342: Mr. JACKSON of Illinois.
H.R. 1367: Ms. RIVERS.
H.R. 1388: Mr. FRANKS of New Jersey, Mr. CALVERT, Mr. FOLEY, Mr. CANADY of Florida, Ms. SLAUGHTER, and Mr. COOKSEY.
H.R. 1456: Mr. BISHOP.
H.R. 1461: Mr. LATOURETTE.
H.R. 1532: Mr. SANDERS.
H.R. 1592: Mr. WYNN and Mr. COOK.
H.R. 1598: Mr. GIBBONS and Mrs. NORTHUP.
H.R. 1621: Mr. ENGEL, Mr. TERRY, Mr. PASTOR, Mr. TOWNS, Mr. WYNN, and Mr. BLAGOJEVICH.
H.R. 1650: Mr. GIBBONS, Mrs. MEEK of Florida, Mr. MICA, Mr. NETHERCUTT, and Mr. THOMAS.
H.R. 1686: Mr. FOLEY.
H.R. 1708: Mr. COX.
H.R. 1747: Mrs. MORELLA.
H.R. 1760: Mr. ISAKSON.
H.R. 1775: Mr. LANTOS.
H.R. 1816: Ms. BERKLEY, Mr. BONILLA, and Mr. LIPINSKI.
H.R. 1839: Mr. GUTKNECHT.
H.R. 1870: Mr. TAYLOR of Mississippi, Mr. HILLEARY, and Mr. BOEHLERT.
H.R. 1890: Mr. MARTINEZ.
H.R. 1967: Mr. BURR of North Carolina.
H.R. 1997: Mrs. MORELLA.
H.R. 2059: Mr. STABENOW, Ms. HOOLEY of Oregon, Mr. MCINTYRE, and Mr. LATOURETTE.
H.R. 2100: Mr. SHAYS and Mr. HOLDEN.
H.R. 2102: Mr. MARTINEZ.
H.R. 2136: Mr. NORWOOD.
H.R. 2244: Ms. PRYCE of Ohio and Mr. HALL of Texas.
H.R. 2263: Mr. STUPAK.
H.R. 2342: Mr. SKEEN.
H.R. 2366: Mr. CHABOT, Mr. TANCREDO, Mr. WATT of North Carolina, and Mrs. MYRICK.
H.R. 2372: Mrs. CUBIN.
H.R. 2382: Mrs. CHRISTENSEN, Mr. BURTON of Indiana, Mr. LARGENT, and Mr. COOK.
H.R. 2420: Mr. WEYGAND, Mr. HULSHOF, Mr. KANJORSKI, Mr. STENHOLM, Ms. JACKSON-LEE of Texas, Mr. SUNUNU, and Mr. EWING.
H.R. 2451: Mr. WELDON of Pennsylvania.
H.R. 2457: Mr. LAFALCE, Mr. MATSUI, Mr. OWENS, Mr. OBERSTAR, Mr. CROWLEY, and Mr. BORSKI.
H.R. 2498: Mr. LEVIN.
H.R. 2573: Mr. MASCARA.
H.R. 2623: Mrs. TAUSCHER.
H.R. 2641: Mr. PICKERING.
H.R. 2655: Mr. UPTON.
H.R. 2660: Mr. SNYDER, Ms. BROWN of Florida, Mr. NORWOOD, Ms. CARSON, Mr. DEFAZIO, and Mr. FOLEY.
H.R. 2696: Mr. GILMAN.
H.R. 2738: Mr. FILNER, Mr. OBERSTAR, Mr. VISCLOSKY, Mr. RANGEL, Mr. DEFAZIO, Mr. STARK, and Ms. SCHAKOWSKY.
H.R. 2749: Mr. NUSSLE and Mr. EHRLICH.
H.R. 2776: Mr. LEACH and Ms. WOOLSEY.
H.R. 2842: Mr. BERMAN and Ms. MCKINNEY.
H.R. 2883: Mr. INSLEE, Mr. EHLERS, Mr. BLAGOJEVICH, and Mr. FRANK of Massachusetts.
H.R. 2899: Mr. FILNER, Mr. GUTIERREZ, Mr. STARK, Mr. CAPUANO, Mr. BLAGOJEVICH, Ms. PELOSI, and Mr. SHAYS.
H.R. 2906: Mr. UDALL if Colorado and Mr. GUTIERREZ.
H.R. 2916: Mr. WYNN, Mrs. JONES of Ohio, Mr. OWENS, Mr. GEORGE MILLER of California.
H.R. 2917: Mr. WYNN.
H.R. 2985: Mr. OXLEY.
H.R. 3003: Mr. CUNNINGHAM and Mr. BRADY of Pennsylvania.
H.R. 3011: Mr. VITTER.
H.R. 3043: Mrs. KELLY.
H.R. 3100: Mr. KUCINICH and Mr. MINGE.
H.R. 3103: Mr. BENTSEN.
H.R. 3143: Mr. BOEHLERT.
H.R. 3193: Mrs. CLAYTON, Mr. MEEHAN, Ms. STABENOW, Mrs. MCCARTHY of New York, and Mr. MURTHA.
H.R. 3221: Mr. MCHUGH, Mr. PITTS, and Mr. Gekas.
H.R. 3224: Mr. GREEN of Texas, Mr. HILLIARD, Mr. FORBES, Mrs. MYRICK, and Mr. KUCINICH.
H.R. 3235: Mr. LATOURETTE, Mr. ETHERIDGE and Mr. FILNER.
H.R. 3252: Mr. GARY MILLER of California.
H.R. 3295: Mrs. TAUSCHER, Mrs. MORELLA, and Mr. ENGEL.
H.R. 3308: Mrs. JONES of Ohio, Mr. VITTER, and Mr. BAKER.
H.R. 3315: Mr. STUPAK, Mr. BACA, Mrs. CLAYTON, Mr. SANDERS, Ms. KOLBE, and Ms. MCKINNEY.
H.R. 3374: Mrs. ROUKEMA and Mr. BEREUTER.
H.R. 3390: Mr. FOLEY.
H.R. 3392: Mr. CUNNINGHAM, Ms. KAPTUR, Mr. TRAFICANT, and Mr. MALONEY of Connecticut.
H.R. 3399: Mr. STUMP and Mr. HILLEARY.
H.R. 3405: Mr. ENGLISH, Mr. TOWNS, Mr. STEARNS, Mr. PALLONE, Mr. HOEFFEL, Mr. WEINER, Mr. BROWN of Ohio, and Mr. HOYER.
H.R. 3449: Mr. BASS and Mr. ENGLISH.
H.R. 3485: Mr. HOEFFEL.
H.R. 3518: Mr. GEKAS, Mr. SUNUNU, and Mr. SMITH of Texas.
H.R. 3525: Mr. SIMPSON, Mr. PETRI, Mr. COX, Mr. CUNNINGHAM, Mr. STENHOLM, Mr. MILLER of Florida, Mr. ISTOOK, and Mr. LATOURETTE.
H.R. 3539: Mr. KOLBE and Mr. ARMEY.
H.R. 3540: Mr. ENGEL, Mr. GILCHREST, Mr. GILMAN, Mr. MASCARA, and Mr. KING.
H.R. 3543: Mr. FATTAH and Mr. FRANKS of New Jersey.
H.R. 3544: Mr. WALSH, Mr. WOLF, and Mr. DAVIS of Virginia.
H.R. 3552: Mrs. MEEK of Florida, Mr. LATOURETTE, and Ms. KAPTUR.
H.R. 3557: Mr. TALENT, Mr. BUYER, Mr. KLECZKA, Mr. BURTON of Indiana, Mrs. FOWLER, Mr. MASCARA, Mr. FOLEY, Mr. HASTERT, Ms. KAPTUR, Mr. LEACH, Mr. ARMEY, and Mr. DEMINT.
H.R. 3570: Mr. ENGLISH.
H.R. 3573: Mr. ALLEN, Mr. BECERRA, Mr. BURR of North Carolina, Mr. CANNON, Mrs. CAPPS, Ms. CARSON, Mr. CONYERS, Mr. CRAMER, Mr. DAVIS of Virginia, Mr. DEAL of Georgia, Mrs. FOWLER, Mr. GEJDENSON, Mr. GILMAN, Mr. HAYES, Mrs. KELLY, Mr. KUYKENDALL, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MCINTOSH, Mr. MORAN of Kansas, Mr. NETHERCUTT, Mr. PETERSON of Minnesota, Mr. PHELPS, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. STEARNS, Mr. TALENT, and Mrs. WILSON.
H.R. 3575: Mr. SANDERS.
H.J. Res. 64: Mr. DOOLEY of California and Mr. VITTER.
H.J. Res. 77: Mr. BARR of Georgia.
H.J. Res. 86: Ms. STABENOW, Mr. DAVIS of Illinois, Mrs. THURMAN, Mr. SANFORD, Mr. BALDACCI, Mr. PASTOR, Mr. KOLBE, and Mr. BECERRA.
H. Con. Res. 62: Mr. BILBRAY and Mrs. LOWEY.
H. Con. Res. 63: Mrs. NORTHUP.
H. Con. Res. 76: Mr. PETERSON of Minnesota, Ms. BROWN of Florida, Mr. GALLEGLY, and Mr. ROTHMAN.
H. Con. Res. 115: Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. FARR of California, and Mr. MASCARA.
H. Con. Res. 119: Mr. SKELTON, Mr. GUTKNECHT, and Mr. KENNEDY of Rhode Island.
H. Con. Res. 134: Ms. ROS-LEHTINEN and Mr. BERRY.
H. Con. Res. 215: Mr. BARTLETT of Maryland.
H. Con. Res. 220: Mr. GILCHREST, Mr. MORAN of Virginia, Mr. COX, and Mr. MEEKS of New York.
H. Con. Res. 238: Mr. FILNER, Mr. OWENS, Ms. LOFGREN, Mr. EVANS, and Mrs. MORELLA.
H. Res. 416: Ms. ROYBAL-ALLARD and Mrs. JONES of Ohio.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2086

OFFERED BY MR. HOEFFEL

AMENDMENT NO. 2: Page 2, line 13, insert ''It is important that access to information technology be available to all citizens, including elderly Americans and Americans with disabilities.'' after ''responsible and accessible.''.

At the end of the bill, insert the following new section:

SEC. 10. STUDY OF ACCESSIBILITY TO INFORMATION TECHNOLOGY.

Section 204 of the High-Performance Computing Act of 1991 (15 U.S.C. 5524) is amended—

(1) by redesignating subsection (d), as amended by section 3(d) and (e) of this Act, as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) STUDY OF ACCESSIBILITY TO INFORMATION TECHNOLOGY.—

''(1) STUDY.—Not later than 90 days after the date of enactment of the Networking and Information Technology Research and Development Act, the Secretary of Commerce, in consultation with the National Institute on Disability and Rehabilitation Research, shall enter into an arrangement with the National Research Council of the National Academy of Sciences for that Council to conduct a study of accessibility to information technologies by individuals who are elderly, individuals who are elderly with a disability, and individuals with disabilities.

''(2) SUBJECTS.—The study shall address—

''(A) current barriers to access to information technologies by individuals who are elderly, individuals who are elderly with a disability, and individuals with disabilities;

''(B) research and development needed to remove those barriers;

''(C) Federal legislative, policy, or regulatory changes needed to remove those barriers; and

''(D) other matters that the National Research Council determines to be relevant to access to information technologies by individuals who are elderly, individuals who are elderly with a disability, and individuals with disabilities.

''(3) TRANSMITTAL TO CONGRESS.—The Secretary of Commerce shall transmit to the Congress within 2 years of the date of enactment of the Networking and Information Technology Research and Development Act a report setting forth the findings, conclusions, and recommendations of the National Research Council.

''(4) FEDERAL AGENCY COOPERATION.—Federal agencies shall cooperate fully with the National Research Council in its activities in carrying out the study under this subsection.

''(5) AVAILABILITY OF FUNDS.—There are authorized to be appropriated to the Secretary of Commerce $900,000 for the study described in this subsection.''.

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

Vol. 146 WASHINGTON, TUESDAY, FEBRUARY 8, 2000 *No. 10*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, whose mercies are new every morning and whose presence sustains us through the day, we seek to glorify You in all that we do and say. You provide us strength for this day, guidance for our decisions, vision for the way, courage in adversity, help from above, unfailing empathy, and unlimited love. You never leave us nor forsake us, nor do You ask of us more than You will provide the resources to accomplish. Here are our minds; take Your thoughts through them. Here are our hearts; express Your love and encourage us through them. Here are our voices; speak Your truth through them.

We dedicate this day to discern and do Your will. We trust in You, dear God, and ask You to continue to bless America through the leadership of the women and men of this Senate. Help them as they grapple with problems and grasp Your potential for the crucial issues before them today. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE DEWINE, a Senator from the State of Ohio, 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 PRESIDENT pro tempore. The Senator from Ohio is recognized.

SCHEDULE

Mr. DEWINE. Mr. President, on behalf of Majority Leader LOTT, I make the following announcements:

Today, the Senate will be in a period of morning business until 10:30 a.m. Following morning business, it is hoped that consent will be given to begin consideration of S. 1287, the nuclear waste disposal bill. However, if no agreement can be made, cloture on the committee amendment will be scheduled to occur at 2:15 p.m.

By previous consent, the Senate will recess from 12:30 to 2:15 so the weekly party conferences may meet. Senators can expect votes in relation to the nuclear waste bill throughout today's session of the Senate.

I thank my colleagues for their attention.

MEASURE PLACED ON CALENDAR—S. 2036

Mr. DEWINE. Mr. President, I understand there is a bill at the desk due its second reading.

The PRESIDENT pro tempore. The clerk will read the title of the bill.

The legislative clerk read as follows:

A bill (S. 2036) to make permanent the moratorium on the imposition of taxes on the Internet.

Mr. DEWINE. I object to further proceedings on this bill at this time.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. DEWINE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROCEEDING ON THE NUCLEAR WASTE BILL

Mr. REID. Mr. President, I am sorry I was not here when the Senate opened; I wanted to make an announcement.

Senator BRYAN, Senator BINGAMAN, and I are waiting to see the next document prepared on the nuclear waste issue. As soon as that is done, we will be in a position to make the determination as to how we think we should proceed.

I have been in conversation with the minority leader and the majority leader and they know that all of us—Senators MURKOWSKI, BINGAMAN, REID, and BRYAN—are trying to work something out so that we have a document from which we can all take a position. Again I repeat, until that is done, we are going to have to continue waiting until we can determine how to proceed on this issue.

I spoke with Senator MURKOWSKI on several occasions. He and his staff and that of Senator BINGAMAN, the chairman and ranking member of the committee, are coming up with a document that Senator BRYAN and I can review. We hope that is going to be within a matter of hours.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEWINE) The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each. Also under the previous order, the time until 10 a.m. shall be under the control of the Senator from Illinois.

The Senator from Illinois is recognized.

THE PRESIDENT'S BUDGET MESSAGE

Mr. DURBIN. Mr. President, yesterday, the President of the United States announced his budget message, which is also the last budget message of the Clinton administration. When you consider the history of this administration, beginning with deep deficits, and we are now at a point in our history where we have had the longest economic expansion in the history of the United States, it is an entirely different budget message.

I still recall when only a few years ago one of our colleagues, the chairman of the Senate Judiciary Committee, ORRIN HATCH, came to the floor to say to the assembled Senators that we had reached such a desperate point in American history that we had to amend the Constitution of the United States to put in place what was known as the balanced budget amendment, so that Federal courts would have the authority to stop Congress from spending. It was a desperate move, supported by Democrats and Republicans alike. We had so many years of red ink and so many deficits that many people thought there was no way it was going to get better, short of creating a new constitutional force—the force of the Federal judiciary—to stop the Congress from spending and to require the kind of fiscal discipline for which American families were asking.

What a difference 3 years later. We have debated, over the last year or so, what we are going to do with the surplus, not with the deficit. We are no longer walking around in sack cloth and ashes through the Halls of Congress saying another torrent of red ink is about to hit us. We are talking about an economy that continues to grow, with employment growing—unemployment, I think, last year was the lowest in 30 years in our Nation. People are buying businesses, building homes, and inflation is being held in check. It is a great period in our history for most families across the Nation. The President's budget message now says to us, since we have turned that corner, since we are no longer talking about deep deficits but, rather, a different era in Government spending, as well as our economy, let us look at it in a more positive fashion.

I want to submit for the RECORD the following:

In 1992, the deficit was a record $290 billion. The Congressional Budget Office projected that it would grow to $455 billion by this year. Instead of a $455 billion deficit, we have a projected $167 billion surplus—the third surplus in a row. Almost from the moment we started our debate on the balanced budget amendment, we started generating surpluses in this Government. Those who said we had to amend the Constitution clearly—if they look back—now understand that it wasn't necessary. This represents $622 billion less savings, drained by the Government in 1 year alone. So rather than having a deficit of $455 billion, borrowing from the American people, as well as foreign sources, to pay it off, we have the surplus.

We also have something that I don't think anyone would have ever imagined. We have had the largest paydown of debt in the history of the United States—$297 billion. In 1998 and 1999, the debt held by the public was reduced by $140 billion. It is projected that the Government will pay down an additional $157 billion in debt held by the public this year.

What does that mean? In taxes, each day we collect $1 billion from individuals, families, and businesses. That billion dollars is collected not to provide for any new educational opportunities or health care but to pay interest on the debt of the Government. About half of that is the publicly owned debt. Think of it—$1 billion in taxes is collected every day to pay interest on old debt. So as we pay down this debt, which we are currently doing, we are reducing the need for this money to be collected from families and businesses to pay down interest. This will bring the total debt paydown to $297 billion. It is the largest 3-year debt paydown in American history.

In contrast, under the two previous Presidents, the debt held by the public quadrupled—400 percent and more. Under this President, we are seeing the debt coming down. And we are seeing the smallest Government in over three decades. Government spending has declined from 22.2 percent of the economy in 1992 to 18.7 percent of the economy in 1999—the lowest share in 33 years.

If you take any rational measurement and look at the size of our economy and the percentage we spend on the Government, it has come down dramatically under the Clinton administration. To a great extent, that accounts for the savings about which we are talking. At the same time, the Government has made important investments, including nearly doubling investments in education and training.

Mr. SCHUMER. Will the Senator yield?

Mr. DURBIN. Yes.

Mr. SCHUMER. Before the Senator moves on to the investment part, I think the points the Senator from Illinois is making are astounding. To me, particularly our friends in the business community, and all of the American people, ought to look at what the Senator from Illinois has said—deficits, biggest paydown ever—the usual criteria that conservatives use for how big and encroaching Government is, smaller than it has been in three decades, smaller under Bill Clinton than under Ronald Reagan.

To reiterate, because the facts are astounding, Government spending as a share of the economy went from 21.6 percent in 1980 to 22.2 percent in 1992. Under President Clinton, it has gone from 22.2 percent to 18.7 percent, which is lower than it has been under any year in 30 years and under Ronald Reagan. Taxes and the number of jobs in the Federal Government are lower than anytime since 1966.

If you went to the business leaders and asked them what the Senator from Illinois is talking about, they would say no. The message sent to the business community in the budget of this last year of the Clinton Presidency is that the fiscally responsible party is the Democrats; we believe in investment. I know what the Senator is talking about. But we also believe in tightening the belt of Government. No one has done a better job of that than the President between 1993 and the present.

I thank the Senator for yielding. I just wanted to underscore that point.

Mr. DURBIN. I thank the Senator from New York.

Of course, we have our images—the Republican image and the Democratic image. We try to paint each other's image. In this situation, though, the Senator from New York makes the point: Just look at the facts. Don't look at the rhetoric or listen to the rhetoric. Don't look at all the things that are said in political campaigns but look at the facts. The facts show we are bringing down the debt at a faster rate than at anytime in our history.

I think more Americans—and particularly business people—are interested in seeing the debt of this Nation reduced than some grandiose plan for a tax cut that benefits the wealthiest people in this country. They would rather see us take the fiscally responsible, disciplined approach of bringing down their debt because they know that reduces the burden on our children.

Let me speak for a second about the tax burden for typical families in America. That is another thing that is often said. Of course, taxes are out of hand. But listen to this. At the same time all of these good things are happening to our fiscal house, the typical American family will shoulder the lowest Federal tax burden since 1978. It is amazing to them that their tax revenues are increasing because, frankly, people are making more money. You see it all the time for the middle-income and lower-income families—the lowest tax burden in over 20 years. That is something that is important to maintain.

I think it is responsible for the President to come forward and say: if we are

going to have tax cuts, let us target them to these middle- and lower-income families. Let's look at things such as a long-term care tax credit because the largest growing segment of our population in America is those over the age of 85. Roughly half of them will need some specialized medical assistance for problems they are going to face. Their children and grandchildren need help in paying for that. The President's long-term care tax credit is a step in that direction.

I would like to ask my colleague from New York if he would yield. He has a proposal embodied in the President's budget that tries to help families pay for college education expenses, another one of the President's targeted tax cuts.

Would the Senator from New York be willing to explain that?

Mr. SCHUMER. I thank the Senator for asking me. Yes.

What we are trying to do overall, as the Senator from Illinois has stated in his proposal the President is trying to do and we are supporting, is not a huge across-the-board tax cut, which generally benefits the wealthiest people, the people who need it the least, but, rather, targeted tax cuts for the middle class.

The Senator has correctly pointed out, for instance, long-term care. My parents are 76 and 71 years of age. Thank God—knock on wood—they are in decent health. But they were debating the other week whether to pay a massive amount of money down now, which is hard for them to afford, so they will get long-term care if, God forbid, they become ill in later life.

The proposal I have been championing—I am delighted and grateful that the President has put it in his proposal—another burden that middle-class families have is waking up at 2 a.m. in the morning worrying about young families who have kids who are about to go to a clinic.

We all know that college is a necessity these days if you want your children and grandchildren to have a better life. Yet it is so expensive. Tuition has gone up more than any other portion of the family budget—over 250 percent since 1980. Even for a family that is making $50,000 or $60,000 a year, people are often neglected by the Government, and neglected by the kind of grandiose tax plans we have seen from the other side. College tuition bills bring shivers down their spine.

What we are saying, at the very least, is that Uncle Sam ought not take his cut. If you are going to pay for tuition, which is good for your children but also good for America—you ought to be allowed to deduct that, or take a tax cut, whichever you prefer. This for the first time brings relief to middle-class families who really do not need the Government day to day but who are worried about the big financial nugget such as long-term care and such as paying for college tuition. Our proposal would benefit them in ways they have never seen.

This is again a theme of the budget—not a broad, across-the-board tax cut that will benefit the top 5 percent, at most, and give a few crumbs to the struggling middle class but, rather, target that part of the middle class. There is no better target than college tuition.

I thank the Senator for asking me to extrapolate on that point.

Mr. DURBIN. I thank the Senator from New York, because I think when we talk about tax cuts, most Americans will, of course, applaud the idea of tax cuts, but they want to have responsible, targeted tax cuts to address specific problems, as the Senator from New York addressed with his suggestion about deducting college education expenses and the long-term care concerns of virtually every family across America.

We are also talking about increasing the earned-income tax credit under the President's budget. What is that all about? If you are a working person in a low-income situation with a family, we want to give you a helping hand. We want to reward work. We want to strengthen families. That is what the earned-income tax credit is about.

Let me mention two or three other points, and then I will yield the floor to my colleague from Washington, who is also here to speak on the President's budget.

The benefits of fiscal discipline for our economy have been enormous. This budget continues the idea of fiscal discipline leading to a stronger economy with targeted investments and the things Americans hold dear—targeted tax cuts to help families in difficult circumstances.

Interest rates are lower than they would have been otherwise because we have reduced the debt of this Nation, helping to fuel 7 consecutive years of double-digit investment growth for the first time in our Nation's history.

When I first came to Congress under President Reagan in 1982 and 1983, virtually every problem in America was blamed on Jimmy Carter. It was said that the Carter administration had left such a terrible legacy that America was just deep in the mire and would never be able to get out. I thought that was a reasonable thing to say for a while. But the Republicans continued to say it year after year. Pretty soon we were 5 or 6 years into the Reagan administration, and they were still blaming Jimmy Carter. I wonder what the Republican Party will say now about the record under the Clinton administration.

This President can't take credit, nor does he try, for all of the economic goodness in this country. But certainly his leadership has provided a role, with the Congress, with the Federal Reserve, and brought us to this position in our history.

We have seen this dramatic increase in our Nation's economic growth of a 4.7 annual growth rate from 1981 to 1992, and now a 12.1 percent real annual increase in investment in business equipment and software since 1993. Unemployment is the lowest in a generation—4.0 percent. We are also seeing the longest economic expansion in our Nation's history.

The bottom line is this. We believe the President's budget—the one he comes forward with now, this positive message of continued economic growth—says keep the fiscal discipline for a strong economy and make strategic investments, not in big government but smart government.

Take a look at the President's budget over a 10-year period of time. You will find that he is slightly below the funding for current services. That means, if you apply the rate of inflation for every single year to last year's budget, just keeping up with inflation at the end of 10 years, the President's proposal for defense and nondefense spending is less than the increase for the rate of inflation. He is asking for not big government but smart government investments in education, health care—things families hold dear—and attractive, targeted tax cuts that American families applaud from Illinois and across the Nation.

Mr. DASCHLE. Mr. President, will the Senator yield?

Mr. DURBIN. I am happy to yield to the minority leader.

Mr. DASCHLE. I didn't have the opportunity to hear the initial comments of the Senator, but I appreciate very much his calling attention to many of these issues. What an appropriate time to do it as we consider the budget. The budget was just released yesterday.

Did the Senator from Illinois make comment that we actually have a lower percentage of Government spending as a percentage of GDP than at any time in the Reagan administration or, for that matter, any time in modern days? Did the Senator state that?

Mr. DURBIN. That is exactly right. The Senator from South Dakota, the minority leader, has made the point. I think it is one that bears repeating. Those who argue that we are ''growing'' the Government at the expense of family needs across America just don't have the facts straight.

Our gross domestic product, the sum total of goods and services in this country, continues to show a decline in the percentage spent on Government.

Mr. DASCHLE. Did the Senator from Illinois also make the point earlier that we actually don't go into the non-Social Security surplus with this budget, that we keep approximate current services, but we dedicate many of these new investments to areas that directly affect working families? Did the Senator make that comment?

Mr. DURBIN. The Senate minority leader is correct. I think it is a sharp contrast to some of the rhetoric we hear on the Presidential campaign trail from the Republican candidates. Some have suggested again this theory of massive tax cuts that go way beyond our ability to pay without raiding the

Social Security trust fund. I think that has become an accepted premise for all budgets on Capitol Hill, Republican and Democrat alike: We are going to say the Social Security trust fund is not going to be raided; we will set it aside. We hear candidates on the campaign trail calling for tax cuts that require raiding the Social Security trust fund.

The President does not. He says we will hold to that basic principle. I think in so doing, he is standing for principles Americans believe in: Protect Social Security and make certain we bring down the debt incurred by Social Security as a way of forcing fiscal discipline in the process.

Mr. DASCHLE. I appreciate the answer from the Senator from Illinois.

The debt, under this budget, would be completely retired by the year 2013; Medicare solvency would be extended to the year 2025; Social Security solvency would be extended through the year 2050; we broaden health care coverage; all of these plus maintain the kind of commitment we have begun to make in areas such as investments in education and in increased law enforcement activity that have made a real difference in this country.

Did the Senator from Illinois talk about those things as well?

Mr. DURBIN. The Senator from South Dakota has been on Capitol Hill a few years longer than I have. I cannot recall a budget such as this budget, one that is so positive, that looks to the future with such optimism, a budget based on reality and on fiscal discipline.

Many politicians on Capitol Hill throw charges around about irresponsible people, favoring increased taxes, big government spending and new programs. This budget says to America, we can continue this economic expansion if we are careful, if we make sure we bring down this debt and do it in a responsible way, with a targeted investment, so America can grow, so our families are healthy, so our children are educated.

I believe the Senator from South Dakota has made that point again. I hope during the course of this debate on the budget our friends across the aisle will be as honest with this side as we will be with their side. We should accept the premise that we are not going to raid Social Security, that we are going to reduce the publicly held debt of this Nation to zero by 2015 while making sure Social Security and Medicare are strong for years to come.

Often our friends on the Republican side of the aisle do not want to mention the word ''Medicare.'' Yet for tens of millions of Americans, Medicare is crucial. We need to make it part of this debate as well.

Mr. DASCHLE. I appreciate very much the leadership of the Senator from Illinois in bringing Members to the floor for a colloquy of this import as we consider the extraordinary implications of this budget.

I was disappointed this morning to read in one of the newspapers some of our Republican colleagues have already pronounced this budget dead on arrival. What is there not to like about this budget? This is a budget that protects the Social Security surplus, a budget that ensures we protect the non-Social Security surplus for other commitments we may want to make in tax cuts or in dedicated investments, a budget that ensures the solvency of the Social Security trust fund through the year 2050 and Medicare through 2025, a budget that understands, as the Senator from Illinois said, there is a prudent middle-center approach that recognizes the importance of ensuring the tremendous strides we have made in reining in Government and doing what we must to make the efficiency of the Government our task. All this is in this budget, and we are told it is dead on arrival.

I am somewhat stunned and disappointed that some of our colleagues, who I am sure have not thought through the implications of their statement, would comment without a more careful consideration of the extraordinary impact that this budget could have if we pursued it this year.

I thank the Senator from Illinois.

Mr. DURBIN. I close by saying the old cliche, ''If it ain't broke, don't fix it,'' applies to this situation. Our economy isn't broken; it is strong. This budget will continue our economic growth as a nation. In this budget I can say to my children and grandchildren: We are doing the right thing. We are reducing the debt of the Nation so that your burden is reduced as well. We are providing for Social Security so that this Senator and many others, when it comes time for retirement, will have Social Security to turn to. A strong Medicare will be there as well. We are going to invest in our future in terms of education, health care, the things Americans value, and provide tax cuts targeted for middle- and low-income families to deal with long-term care expenses as well as college education expenses and the other burdens they face.

I challenge my friends on the other side of the aisle, in the true spirit of this deliberative body, to come forward with a better budget. Let's debate it on the floor. I am prepared to say at this moment that the principles behind the President's budget are principles I endorse. They are principles I think most of the American families endorse.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask the Senator from South Dakota a question. In his questions to the Senator from Illinois, he has pointed out the core of this budget is balance. It is a balanced budget in the traditional sense that we are not spending more than we bring in. In fact, we are doing the opposite, by paying down the debt. However, it is also balanced in terms of the needs of the American people.

The No. 1 priority we have is to save Social Security by buying down the debt; second, target tax cuts for middle-class people who need help. They don't need help day to day. People are doing fine making $40,000, $50,000, or $60,000 a year, but they do need help with the big financial notes such as college tuition costs and long-term care.

Finally, spend in a careful way in areas where we have to, such as education, where everyone knows we have to do better. I know the Senator from Washington, Mrs. MURRAY, has been a leader on this issue. I am sure we will hear from her.

I ask the Senator from South Dakota, our minority leader, in his years of experience, has he seen a budget as balanced as this, that cares for the American people in a thoughtful, rational way, that is built on a platform of prudent Government responsibility?

Mr. DASCHLE. In answer to the Senator from New York, I have to say no. What a contrast from the 1980s when we made the huge cuts in taxes and then ran up the huge trillions of dollars in a deficit we are still trying to pay off today. What a remarkable contrast this is. This recognizes the importance of fiscal responsibility. First and foremost, it says we have made some tremendous strides in our budgetary and fiscal policy in the last 7 years. This will build on it.

It is no accident today that we are seeing the economic achievement in this country with the fiscal and monetary policy. This says we want to build on that, we want to continue in this coming decade what we have pursued in the last decade: We have the lowest number of Federal employees since 1962, with the lowest percentage of spending for GDP since 1967. We recognize we can do a lot more with a lot less. We recognize we can still target tax cuts to the middle class. We recognize the importance of education by providing the largest single Head Start expansion in history in this budget.

How remarkable it is in this budget we are able to keep our current services at below the cost of inflation in the coming year and still provide the largest Head Start expansion in history or deal with child care by providing low-income families with more affordable child care than they ever had in any other budget.

You can look all the way down the list of opportunities this budget presents: Helping working families with greater EITC, helping working families with greater opportunities for college through deductibility, helping working families by providing safer communities. This is a budget of which we can be proud. It builds on what we have already done. Are there going to be naysayers? Of course. There always are. We have overcome them for 7 years. We will have to do it again.

But it is here. I ask my colleagues to look at it. My colleague from New York asked exactly the right question:

Is this a balanced budget? By any definition of that word, this is a balanced budget.

Mr. SCHUMER. I thank the Senator from South Dakota and yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I wonder if my leader, Senator DASCHLE, will engage in just a bit more of a colloquy at this point?

Mr. DASCHLE. I will be happy to.

Mrs. BOXER. I have been on budget committees for years, 6 years in the House and now, since I came to the Senate, it is a total of 13 years. This is a remarkable moment in history, as my friend has pointed out. I wanted to talk to him about why we are where we are.

It has been very difficult for quite a while, back to the days of the burgeoning deficits that started under President Reagan and escalated under President Bush and only were brought under control with the Clinton-Gore team. Finally, we now can do something for the American people, do something they need. Now we can do something they need in education. We talked about Senator MURRAY's push to reduce class size. We see in this budget the ability to do that. We see in this budget $1 billion for afterschool care, for which we have struggled mightily, which means millions of kids are going to have that. We see the targeted tax breaks.

So my question to my friend is, we are at this point and we are at this point for a reason. It was hard to get here. Fiscal responsibility does bring rewards. We tell that to our children: Save for the time you need to spend; be careful with your resources. We have done that. I wonder if my friend can recall the key vote, back in 1993, when, without one Republican vote, we were able to get through a budget which has led to these kinds of surpluses and the surpluses, in turn, are giving us the ability to pay down the debt, save Social Security, save Medicare, and make these targeted tax cuts and investments? Could he recall for us what it was like to get that through?

The PRESIDING OFFICER. The Chair will advise the Senator from California, under the previous order she has a minute and a half remaining.

Mr. DASCHLE. Mr. President, I ask the colloquy be taken off my leader time, if I could.

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

Mrs. BOXER. I am done with my remarks. I want to get my friend to evoke for us how hard it was to get to this particular point in which we find ourselves.

Mr. DASCHLE. It was so hard that there are some colleagues who are no longer here because they paid the price. Before we could see the results, of course, there were some across the country who made a judgment about the prudence of their very difficult decisions in 1993 and chose not to send them back to Washington. They paid the ultimate political price so we could enjoy the fiscal glory we are enjoying today.

I can recall so vividly talking to some of my colleagues who, up until the very last moment, weighed whether this was the right thing to do. Only in the last few moments they made the decision to take the chance. But this was in the face of tremendous opposition, vocal opposition from the other side, projecting recessions and unemployment and extraordinary fiscal repercussions that we would feel for perhaps the rest of our professional lives. There were warnings, extraordinary in their scope and depth and visceral disgust, for what we were attempting to do.

It was an overpowering moment, to see the Vice President cast that tie-breaking vote to give us the opportunity to put this budget on the fiscal path, a moment that we now look back on with great pride. What remarkable opportunities it presented. Twenty million new jobs—how do you put a value on that? We have an economy that has taken the stock market to heights we never dreamed. We have more homeowners than at any time in our history; two out of every three people have their own homes today, in large measure because of our fiscal responsibility and the incredible success we have enjoyed. I would say these did not come easy.

Maybe the fight this year will not be in any way near the proportions or depth of feeling as when it was fought out on the floor of the Senate back in 1993. But it has the same repercussions. How fragile this all is. How easy it would be to go back and cast our votes for a huge tax cut that would destroy all of this in one fell swoop. It could happen again. If we don't understand the repercussions of a tax cut by now, it could happen again.

I urge my colleagues to read this budget, to think carefully about what it is we have been able to do and how we have been able to do it, and make absolutely certain, before we depart from a blueprint that I think demonstrates remarkable balance, that we think long and hard about alternatives.

Mr. President, I appreciate the question proposed by the Senator from California.

The PRESIDING OFFICER. Under the previous order, the time until 10:30 a.m. shall be in the control of the Senator from Wyoming.

The Senator from Wyoming.

THE PRESIDENT'S BUDGET

Mr. THOMAS. Mr. President, I appreciate the opportunity to comment a little. I suppose I might have a different view than what we heard in the last 35 minutes, about what a wonderful budget we have and that we can now return to the era of big government. Not everyone is happy about that, as we might have heard over the last few minutes.

As we look realistically at these things, we have to look at a time that has been prosperous. It started in 1991, in fact. We moved forward. We have a surplus projected, largely because of the strong economy, of course. Also, it is a result, frankly, of a majority in this Congress that, since 1994, has held down spending. That is a little difficult for my friends to accept, of course, but we have now an opportunity to take a look at a relatively prosperous time. Certainly, we want to continue that. We want to take a look at the things that ought to be done for the people of the United States, using their tax money. We ought to take a look at how we strengthen education and return the opportunities to make the decisions about education to the local level rather than doing what the President wants to do, and that is to decide in Washington what each school district ought to have.

We have quite a different philosophy on how we approach this, and that is reasonable. That is why we are here, to represent different views. The things we heard this morning would all represent the idea of more Government, more Government spending, more decisions made in Washington. That is a legitimate point of view. It is a point of view of many in the minority. It is not the point of view of most of us in the majority. So that is what we will be up to, over the next several months and, indeed, this year: deciding as best we can how to come together on these decisions.

It was not long ago, you will recall, when President Clinton suggested in his State of the Union Address that the era of big government was over. That seems now not to be the issue at all. In fact, apparently the era of big government has returned. If this budget is put into place, that is exactly what we will see. Many think that is the greatest way to go. I think that is legitimate. So that is what the debates will be about.

We have before us suggestions of substantial amounts of surplus. This is the first time in 25 years the budget has been balanced. That is largely because of some controls on spending. We have been increasing spending over the last couple of years, I think amply, but still in the level of about 3 percent. Prior to that time, in the early 1980s and the early 1990s, we were expanding as high as 12 percent. That has been reduced some, and that is part of it. Certainly the President's tax increase, back in 1994–1995, had some effect.

Also, the tax reduction brought on by the Republicans helped stimulate the economy. We will have a lot of basic things about which to talk.

This is a huge budget, $1.8 trillion. What is that, 1,800 billion dollars? We will have to talk about each of the areas in which that spending will take place.

Basically, there are some philosophical things. If we think about

where we are going with our Government and the decisions we will be making in elections—that is what politics is about, to set the direction of Government, and we will be doing that.

We start with some basic things. We start with putting priorities on the role of the Federal Government and then funding those priorities. Again, not everyone will agree, but that needs to be done, it seems to me. There is no end to the way we can spend money. There are many programs on which we can spend it. I believe we can start by saying to ourselves: What are the legitimate functions of the Federal Government? What should the taxpayers' money be used for, and what are the priorities?

When we come to some agreement on that and, in fact, have begun to fund those priorities adequately—I just came from a breakfast with the Commandant of the Marine Corps. Having been in the Marine Corps, I was happy to be there. The defense of this country is one of the real priorities, and certainly we need to fund the military adequately. We need to fund education. We need to fund health care. There are a number of things, perhaps, at which we ought to take a long look.

The President has proposed 43, I believe—in the neighborhood of 40—new programs. There is a surplus, he says, so let's spend the money. Fine, but let's take a look at the priorities and see, with respect to local governments, if this is where it ought to be done.

Social Security: I do not think there is anyone who does not agree that Social Security is an issue that is a high priority. As I said yesterday, these young people who are starting to pay into that program will pay the largest percentage of their income for a longer time than they will pay in any other tax. Are they going to have benefits at the end of 40 or 50 years? The answer should be, yes, they will. To do that, we have to make some changes.

There are no proposals in this budget to make any significant changes in Social Security, other than to take something out of the general fund, which is not a long-range proposal. We have some ideas how we can do that.

The other thing we have to recognize, even though certainly it is a step in the right direction, is the idea of reducing the deficit with Social Security funds. We have to take a long look at that. It is a good idea, and we should put that Social Security money there as opposed to spending it in the general budget, but the fact is that we are replacing publicly held debt with some other debt that has to be repaid by the taxpayers when that Social Security is drawn out. It is less expensive as well, so it is a good idea, and it does get it out of the grasp of the Congress.

What we ought to be doing, if we are serious about the debt, is instead of spending more, we ought to be saying: Let's take a certain amount of that money out of the operating funds, decide over a period of time we are going to pay off this debt, and do it as one does with a home mortgage—we are going to pay so much every year for 15 years; not Social Security money, but regular operating money.

That Social Security money also needs to be taken out of our grasp, and we are hoping we can do that by having individual accounts where Social Security money belongs to the older person who paid into it, where those dollars, as a way of ensuring there will be benefits, can be invested in equities or bonds and will produce a higher return. It will also belong to the person. If they are unfortunate enough not to live to get all the benefits, it will go into their estate.

These are the things we ought to be talking about, not spending $400 billion on new programs, not going through a State of the Union Message in which there is $4 billion a minute proposed. That is, I believe, a reckless budget, and I do not think that budget is going to move in this Congress without a considerable amount of change.

There are, hopefully, some things on which we want to agree with the President. He wants to talk about strengthening the military. We ought to do that. We ought to do something to encourage recruiting, to encourage retention, and to provide what is necessary to carry out the missions of the military. We certainly should do that.

We want to do some more things for schools based on the idea that it be given to the districts, that they can make the decisions as to how that is done, so we can strengthen education.

We ought to be doing something about Medicare prescriptions. We have a program that can be done that keeps it in the private sector generally and allows those who have supplemental programs to continue to have them, perhaps supplement them with a tax reduction but not to do an overall health program, as the President tried before. That is not what we want to do.

It is interesting that, of course, we have this great surge of enthusiasm over the idea of spending all the money we possibly can, but we ought to be thinking about taking a minimum amount of money from the taxpayers of this country to run the Government. It has to be paid. Everybody understands that. But when we do have things like surpluses over time—certainly we do not want to be reckless—but to call every tax reduction reckless is distressing. That money belongs to the people who paid into it.

If we do not have something to limit these kinds of surpluses, the very thing will happen the President is talking about now, and that is, we will find a way to spend it. What we are looking for is a way to adequately finance the Government, to deal with those things that are high priorities for America, to do something about the national debt, to secure Social Security, and then return this money to where it came from so that it is not here, so it has an opportunity to be in the communities, to be in the towns, to be in the States, and to strengthen this economy. That is what keeps the economy going is people having money to invest and create jobs and these are the directions most important to us.

I wanted to let everyone know there are certainly more directions we will take. There are different ideas, all legitimate, as to where we should go. I hope as we proceed, we have an idea of where we want to end up.

I was reading ''Alice in Wonderland'' the other night. Remember when Alice fell down and she did not quite know where she was going. She ran into various people. She talked to the rabbit who did not have any ideas, except to promote himself, and the mushroom, who was very unpleasant, and the queen who was going to cut off everybody's head. Finally, she came to a juncture in the road, and there was the Cheshire Cat sitting in a tree. She said: Mr. Cat, what road should I take?

He said: Where do you want to go?

Alice said: I don't know.

The cat said: It doesn't make any difference then, you take whatever road you choose.

We need to know where we want to be when we look at this budget, what it has to do with principles of government, the principles of smaller government, the principles of adequate government, and then try to avoid the idea that there are some bucks out there. So let's try to find a way to spend them.

I suspect that is what we will hear a great deal about in this session. Unfortunately, I believe we will hear more about issues that can be used politically than we will about trying to solve problems. There are some we have identified and with which we agree. We need to come together and find some solutions to those particular issues. The country will be much better off.

I thank the Chair for the time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ORDER OF BUSINESS

Mr. LOTT. Mr. President, momentarily I will ask consent for the Senate to go to S. 1287, the nuclear waste bill. I know there have been negotiations underway in an effort to reach a comprehensive agreement on a manager's amendment to the nuclear waste bill. I thank Senator MURKOWSKI for the work

he has put into this important legislation now going back at least 2 years.

We have had a good amount of time spent on this legislation on the floor of the Senate, having passed it once before. A lot of work has gone into it this year. I believe we are within the realm of being able to get an agreement which would allow this legislation to move forward and be completed in a very fair way this week.

I also extend my appreciation to the Democratic whip, Senator REID, for his diligence and for his work. He has always made an extra effort to make sure we are communicating and there are not any surprises or dilatory actions taken as we try to come to an agreement that is acceptable to the largest number of people. Senator BRYAN of Nevada is here. This is very important to these two Senators and to their State. I understand that and I have always tried to be sensitive, understanding their need to offer amendments or to make statements, and to be very careful as we consider this legislation. I thank them.

I understand negotiations have been underway between Senator MURKOWSKI in discussions with Senator BINGAMAN and others, but I do think we need to go forward. This is important legislation. I believe we are very close to getting an agreement that is going to be acceptable to a large number of Senators. We do need to have either this agreement worked out and understood so we can move forward without a cloture vote or go ahead and go to cloture because we have to set up a process that allows this to be considered, hopefully favorably, and completed this week. We have been working on it a long time and now is the time to begin to close the deliberations and pass this legislation.

I understand Senator REID has been attending a hearing and is on his way so we can proceed with this action. I do not wish to proceed without his presence because I know if any procedural action or any agreement is worked out, he wants to be here and be a part of what is done. I do say, though, I do have a commitment on the House side I am going to have to attend. I was supposed to speak at 11 o'clock, so I do need to go to the House to carry out my commitment as soon as possible. I will withhold any formal request at this time, but by making this comment now I hope maybe we can move expeditiously to call up this bill and to filing cloture.

I have one final comment. I say again, as I have said several times in the Senate last year and the year before and again this year, this is one of the most important environmental bills we will have in this Congress. Billions of dollars have been spent on this issue, and an inordinate amount of time in the Senate, trying to find a way to get it done. If we can come to an agreement and get this legislation completed, I believe history will look back on this action as one of the most important bills we will have done this year. If, at the end of this week, we will have already completed the final version of bankruptcy legislation, which included a minimum wage increase and tax relief for small businessmen and businesswomen, and address the question of health care costs, and then pass this important nuclear waste bill, we will be off on a very positive step. It will be done in a way I think is fair to both sides of the aisle. We can continue to make progress. As soon as Senator REID arrives, we will move forward on the nuclear waste legislation.

I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

Mr. LOTT. I thank the Senators for being here as we prepare to move forward on this important legislation. I explained what has been occurring and the need to move forward.

NUCLEAR WASTE POLICY AMENDMENTS ACT OF 1999

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to consider S. 1287, the nuclear waste bill.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1287) to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes.

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

Mr. LOTT. Mr. President, again, while the Senators from Nevada are here, I have already noted my appreciation for the cooperation of the Senators from Nevada. We wanted to make sure we did not go forward without their presence.

AMENDMENT NO. 2808

(To provide a complete substitute)

Mr. LOTT. Mr. President, I send a manager's amendment to the desk. This was circulated to the Members on Friday. I know there are others who need to review this. I hope they will take advantage of the opportunity they have to review it.

Mr. BRYAN. Will the Senator yield for a question?

Mr. LOTT. I yield to the Senator.

Mr. BRYAN. Mr. President, I inquire of the distinguished majority leader, the Friday draft is the one from which we are working. There have been so many. I just want to be sure. Is this the one marked February 4, 2000, 4:45 p.m.?

Mr. LOTT. I believe it is.

Mr. BRYAN. That is consistent with our understanding. I thank the Senator.

Mr. REID. If I may say to the leader.

Mr. LOTT. I yield to the Senator.

Mr. REID. I say to the leader and the chairman of the full committee that I am sorry I was late, but we had a hearing on suicide which Senator SPECTER was gracious enough to hold. I was there because, as the leader knows, my dad killed himself a number of years ago. It was a very emotional hearing for me. I know it has been inconvenient for Senator MURKOWSKI and the leader, Senator BRYAN, and others, but I do appreciate their understanding. The hearing is over, so I can give my full time and attention to this matter. I appreciate everyone allowing me to be late.

Mr. LOTT. Mr. President, I say to the Senator from Nevada, we were aware of this particular hearing and how important and emotional it was for him. We have to be prepared to yield to each other on occasion and be considerate of each other's needs. We certainly understand. I also appreciate his cooperation in moving forward.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. MURKOWSKI, proposes an amendment numbered 2808.

Mr. LOTT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the amendment to the desk pursuant to the gentlemen's agreement.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment to S. 1287, the Nuclear Waste Policy Amendments Act of 1999:

Trent Lott, Frank H. Murkowski, Slade Gorton, Don Nickles, Tim Hutchinson, Conrad Burns, Mike Crapo, Phil Gramm, Thad Cochran, Richard Shelby, Larry E. Craig, Jim Bunning, Judd Gregg, Charles Grassley, Wayne Allard, and Bob Smith of New Hampshire.

Mr. LOTT. Mr. President, as a result of our gentlemen's agreement last week—and I know all the Senators involved have been working to keep that commitment—I think progress has been made.

I ask unanimous consent that this cloture vote occur at 2:15 p.m. today, that the mandatory quorum be waived, and that Members have until 6 p.m. this evening to file first-degree amendments and 12 noon on Wednesday to file any second-degree amendments.

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

CLOTURE MOTION

Mr. LOTT. Mr. President, I now send a cloture motion to the pending bill to the desk. Before the clerk reports the motion, it is my sincere hope this cloture vote will not be necessary. It is my hope that rather than the cloture vote on the amendment today at 2:15 p.m., there will be a bipartisan outcome and the Senate can conclude this bill in a relatively short period of time. However, without that ironclad assurance, I have no choice but to file this cloture motion to the underlying bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 180, S. 1287, the Nuclear Waste Policy Amendments Act of 1999:

Trent Lott, Frank H. Murkowski, Jim Bunning, Thad Cochran, Kay Bailey Hutchison, Mike Crapo, Richard Shelby, Larry E. Craig, Craig Thomas, Judd Gregg, Jeff Sessions, Bob Smith of New Hampshire, Phil Gramm, Slade Gorton, Tim Hutchinson, and Don Nickles.

Mr. LOTT. Mr. President, again, I thank Senators on both sides for their cooperation.

I yield the floor to the chairman and ranking member and hope substantial progress can be made during today's session. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, we have a historic opportunity today to resolve a problem that has been occurring ever since the first nuclear plant came online in this country. That date was 1960.

The question was: While we now have this new source of power, clean generation, what are we going to do with the waste?

Today we have an opportunity to resolve what we are going to do with that waste. It is an obligation that goes across party lines. It is an obligation, it is a responsibility, it is a commitment, to resolve this once and for all.

How long have we been at this? One can go back 17 years when it was addressed at great length in an energy package that was debated at great length, but the portion on what to do with high-level nuclear waste was not resolved.

Over a period of time, it was agreed that the Federal Government would enter into a contractual commitment to take the waste in the year 1998. That went by and, as a consequence, we find ourselves in the situation where the ratepayers in this country who have the benefit of nuclear clean power have paid in some $15 billion to the Federal Government.

Where did that go? It did not go into an escrow account. It went into the general fund. But those ratepayers and those power-generating companies, utilities, went into that contractual agreement with the Federal Government in good faith, believing that the contract would be honored by the Federal Government, believing that, indeed, the Federal Government was under an obligation under the sanctity of contract principle to honor the contractual commitment.

The Federal Government has not honored that commitment and, as a consequence, we are dealing with an exposure to the American taxpayer of some $40 billion to $80 billion in damages associated with the inability of the Government to come to terms with the contractual commitment it made with the utilities.

Each day we delay resolving how we are going to take that waste subjects the American taxpayer to additional liability. We did a little calculation, and the additional liability to each and every American family is somewhere between $1,300 and $1,400. That is the liability that extends to the American family. That is why, in spite of the differences as to how we resolve this problem, the commitment should be to resolve this problem with the legislation we have or the amendments that will be forthcoming.

There is a tradeoff. We have had clean power from these nuclear plants. These are not isolated sources of power. These plants contribute approximately 20 percent of the domestic energy produced in this country.

What is the tradeoff? The tradeoff is what we are going to do with the waste. We made a commitment to put that waste at Yucca Mountain. We have expended in excess of $6 billion on Yucca Mountain. There is a procedure to go through before Yucca Mountain can be licensed. But I remind my colleagues and staff and those who are following this debate, we simply must deal with it.

The Senator from Alaska does not have a constituency in his State relative to nuclear power. We had a small plant at a military base at one time, but it is long since gone.

But as chairman of the Energy and Natural Resources Committee, I have a responsibility to address this. I have a responsibility to the taxpayers. I have a responsibility to every Member of this body. That is what the professional staffs of both sides, Senator BINGAMAN, as the ranking member, and myself, have been working towards.

We simply cannot address this debate in the theory of: If we don't like this aspect or we don't like that aspect, if we can't come to terms on one point or another, we are going to simply throw the baby out. That is absolutely irresponsible. It is mandatory that we come together now and resolve this issue because we have that responsibility to the taxpayers of this country.

What is the administration's position on it? I can probably honestly say it is split. That may mean they are for certain aspects we have come to terms with but are opposed to certain other aspects. But I implore the administration to recognize that they have an obligation to come to grips with the contractual commitment that was made. The Department of Energy, as the lead agency, has to address how it is going to come about.

I have had numerous conversations with Secretary Richardson. I think we have made progress. But the reality is, if we are going to pick this legislation apart and lose sight of our objective, I am wasting my time and, Mr. President, you are wasting your time listening to me because we are not going to get anywhere. We have to come into this debate committed to working this out and resolving this so we can address the problems associated with what we are going to do with that waste.

I am not here to lament on what others are doing with high-level waste. We know what the French are doing. They are reprocessing their waste. They recover the plutonium. They put it back in the reactors. They vitrify the waste which has less life and is disposed of. We do not have that policy in this country. We may have it someday, but we are committed to a permanent repository at Yucca Mountain in Nevada.

You are going to hear a lot from my Nevada colleagues, as you should, because the difficulty with this issue is nobody wants the waste. You cannot throw it up in the air because it has to come down somewhere. That is all there is to it. When you have a situation where nobody wants it, you have a real problem because those that come from the area where it is proposed to go are going to do everything they can to stop it.

That is the situation with regard to my colleagues from Nevada. Let's be honest with one another. They have a vested interest. They don't want it in their State. But we have to put it somewhere.

Let me refer to a couple of charts here because I think it represents reality and where we are today.

The chosen site for the waste is Yucca Mountain in Nevada. Everybody, I assume, knows where Nevada is. It is next to California and Arizona. But what we also have on this chart is where the waste currently is. You have it all over the East Coast. You have it in the Chicago, IL, area. You have it along the West Coast, and in south Texas, and so forth.

What we are looking at here, shown in brown on the chart, are the commercial reactors. These are the power-generating reactors in the various States that generate power to light the homes, light the sidewalks, light the highways, heat the homes, heat the hot water tanks. This represents 20 percent of the energy in this country.

The storage facilities where this waste is were designed to hold a specific volume of waste. That volume was

basically controlled by the various States. Many of these facilities are full or about to be full. These States are either going to allow the increase of that storage in their State or in the reactor pool or those reactors are going to have to be shut down. If you shut down the reactors, where are you going to pick up the power?

The critics of nuclear energy don't care about that because they do not want to see nuclear energy expanded to any extent. They are not interested in where you are going to get the power from another source. But you only have so many alternatives. You can put in more coal-fire plants. That does not do anything for air quality. Some suggest we just hook up to gas, that gas is cheap.

But the National Petroleum Council came out with a report the other day that suggests that if those people think they are going to be able to plug into gas, they have another thing coming. The infrastructure isn't there for the volume demand. We are using about 20 trillion cubic feet of gas currently in this country. It is anticipated in the next 10 years that will be up over 31 trillion cubic feet of gas.

We have a problem with access in the areas on public lands, where we could initiate exploration for gas, because this administration simply will not open up public lands or offshore areas, for the most part. Where are you going to find the new gas necessary to meet the anticipated demand, even without the exposure associated with the issue at hand; that is, what to do with the high-level waste?

The other issue with the gas, as I have indicated, is the infrastructure isn't there yet. To suggest it is going to be cheap, you have another thing coming. It is not going to be cheap. The price is going to increase. It is estimated the demand for gas, at the end of the next 10-year period of time, is going to amount to about 14 million new users. It is going to require an investment of about $1.5 trillion. So for those people who suggest we just go get gas, that is not realistic.

Some people say: Let's go to solar. It gets dark at night, in case some have not noticed. In my State of Alaska, in the wintertime it is a long night.

Wind. Sometimes the wind does not blow.

So for a long time we are going to be looking to our conventional fossil fuel sources. We should be looking to the role of nuclear.

But my point is, this chart highlights where the nuclear waste is. It is in 40 States. If we don't do something about this now, with this legislation, it is going to stay in those 40 States. There are 80 sites where various reactors are located in the 40 States.

There is another contributing consideration to which every Member ought to be very sensitive. We have shut down reactors with spent fuel. We have them in California. We have them over here on the East Coast. We have several throughout the country—in Oregon.

What are we going to do with that waste in those shut down reactors? The alternative is to leave it there. Do you want to leave it there? Nobody wants to leave it there. They want to move it.

We have commercial spent nuclear fuel storage facilities where we have waste in a number of States. That is shown on the chart in black. As a consequence, that will stay.

We have non-Department of Energy research reactors in States which are shown in green on the chart. What do we do with that? Leave it?

We have naval reactor fuel in Idaho and the State of Washington which are shown in yellow on the chart.

There is DOE-owned spent nuclear fuel and high-level radioactive waste strung around the country at various places.

To those who say this isn't a crisis, that we don't really have a responsibility here, I say that logic is simply ducking the responsibility. We have to address a resolve of this issue at this time.

We have to address what to do with the waste. We have to get it out of the areas where it currently resides. Those areas were not designed to hold and maintain that waste indefinitely.

They were designed to hold the waste up to their licensed capacity. So that is the problem we have now.

I want to go through and try to regionalize and personalize how significant this crisis is by a series of charts, the first of which will show you where we propose to put this waste in Nevada, in the desert. We have a chart that shows the area out at Yucca Mountain as it exists today. This is the proposed location for the permanent repository at the Nevada site.

I am sensitive to the reality that this is the soil of the State of Nevada. But I am also a realist and recognize that, for 50 years, we have been using this area for nuclear testing. It is hot, Mr. President. We have had over 800 nuclear weapons tests in this area. If you believe in the theory that an area, at some point in time, becomes pretty heavily polluted—if I can use the word—does it make sense, then, to try to recognize a site for what it is and ask, well, if the geological area is sufficient, is this a good site for a permanent nuclear repository underground?

That selection was made a long time ago, so that is not the issue today. The issue is how we are going to proceed with an understanding of how we can go forth, begin to move the waste, when this site is licensed by the various agencies and we can proceed in placing the waste in that permanent repository where we have spent $6 billion.

I have been there. I have been through the tunnel. The tunneling is basically done. If we don't put it there, where are we going to put it? Some say, leave it at the site. Some others say, put it in casks above ground and store it. Well, then what do you do with it—put it off? Remember, all this time, we are in violation of our contractual commitment to take the waste in 1998. So the clock ticks. There is a full employment act for lawyers who are filing damage suits. They love this delay. The American taxpayer doesn't know what is hitting him because the damages click on. That is why we have an obligation as Members of this body to address and resolve this now.

Let's go through some of the 40 States that are affected. I hope that the staffs of each of the States watch this. If you disagree with me, that is fine. Get ahold of the staff and we will try to proceed.

Arkansas. A few of our prominent people come from Arkansas. Arkansas residents paid over $365 million into that waste fund in their utility bills. There are two units, Nuclear Unit 1 and 2. The waste stored is 690 metric tons. Their waste—under their permit, unit 1 runs out in 1996 and unit 2, in 1997. Those dates have passed. The State of Arkansas gets 33 percent of its electricity from nuclear energy. These charts were made up some time ago. So the waste stored now is more. The question of whether Arkansas is going to increase its licensing is up to the folks from Arkansas. But the point is, that is one State. We have 40 States. I am going to go through a few of them.

Connecticut. Residents paid in $655 million. They have two units, Millstone 2 and 3. Waste stored is 1,445 metric tons, DOE/defense waste. Millstone 2 runs out in 2 years; Millstone 3, in 2003. That State is 43-percent dependent on nuclear energy. That is the hard cold fact.

Massachusetts. Their waste fund is $156 million. One unit, Pilgrim 1. Waste stored is 495 metric tons. There is a vacancy if they install new racks. The State's electricity is 12-percent dependent.

Oregon. The waste fund is $108 million. One unit, Trojan. Waste stored is 424 metric tons. Hanford site, waste stored is 2,133 metric tons. Trojan closed for decommissioning. Think about that. Do you know what that means? That means that waste isn't going to go anywhere other than to stay in Oregon, unless we pass some legislation that proceeds in a process so we can move this waste out of these sites.

Moving south, Louisiana. Residents paid $339 million. Two units, Riverbend 1 and Waterford 3. There are 567 metric tons stored. Waterford runs out in 2002; Riverbend, 2007. Louisiana is 22-percent dependent on nuclear energy.

Illinois. The waste fund is $2 billion. The residents of the State of Illinois have paid $2 billion in their electric bills. The reason they paid that is so the Federal Government would honor its contract and take the waste in 1998. They have 11 units: Braidwood 1 and 2; Bryon 1 and 2; Clinton; Dresden 2 and 3; La Salle 1 and 2; Quad Cities 1 and 2.

DOE research reactor full, stored 40 metric tons. Dresden 3 expires in 2000. Dresden 2 expires in 2002. Clinton expires in 2003. Quad Cities expires in 2006. Zion expires in 2006. La Salle expires in 2013. Bryon expires in 2005. Braidwood expires in 2019. The State is 39-percent dependent.

From where is this power going to come? Not from thin air. Somebody has to produce it. Do you want a brownout? These plants are in violation after that date. There is a necessity of us resolving this in a bipartisan manner. We have that obligation. We should make a commitment on this floor to proceed with the objective of solving this.

Michigan. Their waste fund is $696 million. There are four units: Cook 1 and 2; Fermi 2; Palisades. Waste stored is 1,493 metric tons. DOE research reactor. Palisades expires in 1992; Fermi, in 2001; Cook, in 2014. The State is 24-percent nuclear dependent.

Wisconsin. I remind my fellow colleagues from these States that if we don't do anything, it is going to stay right in your State. Is that what you want to have happen? In Wisconsin, the waste fund is $344 million. They have three units, Kewaunee and Point Beach. Waste stored is 967 metric tons. Point Beach expires in 1995. Kewaunee expires in 2001. They are 8-percent dependent. Maybe they are waiting on the assumption that we are going to address this problem once and for all.

Georgia, in the South. Their waste fund is $529 million. They have four units: Hatch 1 and 2, Vogtle 1 and 2. The waste stored is 1,182 metric tons. The Savannah River site waste stored is 206 metric tons. Hatch 1 and 2 were out in 1999. The State is 30-percent dependent.

Washington State. The waste fund is $344 million. One unit, WNP 2. Waste stored is 292 metric tons. They are up this year. State's electricity is 6 percent. To a large degree, they depend on hydro, but they still have a problem.

Maine. Their waste fund is $233 million. One unit shut down, Maine Yankee. Waste stored is 536 metric tons. Does Maine want that waste to sit there? Do the elected Representatives of the State of Maine want this waste to sit there or move it to one central location that was designed to take the waste?

I see my colleague from Pennsylvania on the floor. In his State, the ratepayers have paid $1.338 million for the waste fund. They paid $245 million in their electric bills. They have nine units: Beaver Valley, Limerick, Peach Bottom, Susquehanna, Three Mile Island, and 3,327 metric tons. Beaver Valley is out in 2015, Limerick is out in 2005, Peach Bottom is out in 1999, and Susquehanna is out in 1998. Pennsylvania has a generating capacity of 34 percent which is dependent on nuclear energy.

Finally, Vermont. I am not going to go through all States. But I want to make the point that $186 million has been paid by the ratepayers with one unit.

Vermont Yankee: Waste stored, 429 metric tons. Vermont Yankee runs out in 2005. In this State, generating capacity is 73 percent nuclear energy.

I think that highlights my point that there are very few States that are exempt. Out of the 50 States, there are about 10 that have no nuclear waste in their States.

Again, the locations of the spent fuel and radioactive waste designed for geologic disposal are all of these colors. From all of these places it is going to go to the proposed one site at Yucca Mountain. How can we work with Nevada to reach some kind of an accord?

That is tough because Nevada doesn't want it as a principle, but it creates jobs. But, by the same token, they are very sensitive to this. I can appreciate that sensitivity. I again appeal to reason. We have to put it somewhere. We identified this as the appropriate place.

We are proceeding with the process of licensing. We have an obligation as elected Representatives to resolve the problem. It is not a partisan issue. I defer the thought process to the obligation we are putting on the taxpayers as we put off, whether it be the Senate, the House, or the administration, reaching a decision on how to proceed with this because it is costing the taxpayers more money. One of these days the taxpayers are going to wake up to the fact that each family in this country is carrying a proportionate share of between $1,300 and $1,400 for the damages that are anticipated associated with the inability of the Government to take that waste in 1998 as it agreed to do under a contractual commitment, let alone overlooking the fact that the ratepayers have paid $15 billion to the Federal Government to take the waste.

It is beyond me as to why the current administration has not been more aggressive in saying, yes, it is our responsibility to get it resolved. We have had a number of objections from the administration over the years in the process of trying to proceed with this.

These objections cover a series of legitimate concerns. But I think in some sense they have lost sight of what our objective had to be, and that is to recognize we have the obligation to resolve the problem.

I met with the Secretary of Energy early last year. At that time, we were hung up on how to proceed and what to do about the extended litigation that was occurring as a consequence of the Government's inability to honor the contractual commitment. The issue was, well, how can we find a compromise? We agreed to meet the administration's proposal that the Department of Energy may take title to spent fuel and may pay some of the costs of that storage. That was a significant good-faith effort to try to reach an accord.

The other alternative would have been the utility simply suing the Federal Government. But this was the suggestion of the Secretary. We concurred and agreed with it.

The other issue was the concern of previous bills which would allow interim storage to occur at Yucca Mountain until Yucca Mountain was licensed. This is important because we need relief. The most immediate way to get relief is to begin moving this waste to Yucca for temporary storage in casks on the surface until such time as Yucca Mountain is licensed and the waste can be put in a permanent repository. The administration opposed that. Nevada opposed that because they looked at it as the last straw and with certainty that the waste was definitely going to Nevada. We were trying to find a way to remove the crucial time element where some of these plants had to shut down, move the waste out under some plan, and put it in casks on the surface until such time as Yucca Mountain opened. We dropped that at the insistence of the administration. We eliminated the ability to temporarily move that waste until Yucca could be licensed.

That was a very significant effort to come to grips with the concerns of the administration. But clearly the administration was concerned about elections in Nevada. I can understand that and appreciate that. We didn't move the waste into temporary storage. Now the question that seems to be crucial is how we are going to get a radiation standard that is attainable. It is a legitimate question.

We are proposing to get the best science available. What is the best science? There is a lot of science out there. We want a radiation standard that will be attainable which will allow us at such time as Yucca is licensed to be able to move the waste there. If we have a standard that is unattainable, this whole thing is for naught. We will have expanded dramatically the obligation of the American taxpayer not only in damages where we failed to adhere to the sanctity of the contract but damages associated with further delay.

We have proposed in general terms to bring with the best science, which is pretty hard to do in this kind of climate. That science consists of those who are very familiar with items of this nature. One of them is the Nuclear Regulatory Commission, which licensed the plants and which has probably more Ph.D.s associated with the nuclear industry and nuclear issues than any other agency—to bring that agency together with the National Academy of Sciences and the Environmental Protection Agency to work towards a solution on a radiation standard in a positive sense so that we have good, sound science. We have a problem with that to some extent.

I hope we can come to grips and recognize in the spirit of good faith the objective is to get the best science, from whatever sources.

The EPA has the final obligation for rulemaking. However, we are proposing that not occur until after June of the year 2001. In the meantime, we want them to come together to achieve an

attainable level of a radiation standard with which we can live. The radiation standards are all over the ballpark. They are in the eyes of the beholder.

In this debate, we will have an opportunity to explain at greater length the concern we have that, after completing this process, the Environmental Protection Agency promulgates a rule on radiation standards that is simply unattainable. If everything were equal in evaluating this, I would not have that concern. However, there are some in this country, including environmental groups—and I am sure the National Academy of Science as well as the Nuclear Regulatory Commission perhaps to a lesser extent, but certainly within the Environmental Protection Agency—who would like to see no solution.

What is their motivation? There is a fear that somehow we will expand nuclear energy or the role of nuclear energy. Some suggest if we overcome what to do with the waste, it will stimulate the construction of new plants.

I am not here as an advocate of nuclear energy, but I am here as a realist to recognize we cannot have it both ways. We are concerned about air quality. We are concerned about global climate change. We are concerned about Kyoto. We should be. Is there a role for nuclear energy? There should be. From the administration, the Vice President, no mention is made of the role of nuclear energy in any proposals on climate change. One can only assume that the environmental groups that oppose the nuclear industry prevail in the mindset associated within the administration. If they do, that is fine; let's be open. But we should recognize we have an obligation to come up with an alternative.

To suggest the solution is simply to let this industry choke on its own waste is unrealistic and irresponsible. That is why we must work in a bipartisan manner for a solution and not lose sight of our objective, which occurs around here, by getting hung up on various aspects of detail and legalistic language. We are either going to move this waste or we are not. If we move it, we are going to save the American taxpayer money. We will adhere to the sanctity of the contractual agreement to take that waste in 1998. That is where we are.

Mr. President, I know my colleagues want to be heard and we have not entered into any time agreement. Ordinarily, we break for the policy luncheon. I believe we have a cloture vote scheduled at 2:15. Without losing my right to the floor, how can we accommodate our colleagues, recognizing we have a limited time?

The PRESIDING OFFICER. Under the previous order, we break at 12:30 p.m. for the policy luncheons. Under the Pastore rule, only germane debate can be accepted in the first 3 hours.

Mr. MURKOWSKI. That occurs beginning at 2 o'clock.

The PRESIDING OFFICER. 11:21 was the start of the debate, so for the next 3 hours the debate has to be germane.

Mr. MURKOWSKI. It is the intention to break at 12:30 and we come back in at 2:15 and we have a cloture vote.

The PRESIDING OFFICER. That is correct.

Mr. BINGAMAN. Mr. President, if I could make a parliamentary inquiry, it is my understanding we have a unanimous consent agreement in place calling for a vote on the cloture motion at 2:15.

The PRESIDING OFFICER. That is correct.

Mr. BINGAMAN. Mr. President, I hope to speak for about 15 minutes to give an opening statement explaining my views on this issue. I know there are other Senators wishing to speak on this issue. I have no need for additional time other than that.

Mr. MURKOWSKI. Mr. President, I am happy to yield to my friend. I hope in a bipartisan spirit we can come to grips with our obligation to resolve this issue to benefit the American taxpayer as a renewed sanctity of the contractual commitment the Federal Government has made.

I pledge to work with the Senator and my colleagues from Nevada in that spirit in hopes we can reach a satisfactory resolution and not be buried in an impossible situation that simply detracts from our objective.

I yield the floor.

Mr. BINGAMAN. Mr. President, I thank the Chair, as well as the Senator from Alaska.

Let me first discuss where we are procedurally because I think it is important to put my comments in context. We are going to vote at 2:30 on a cloture motion to proceed to consider an amendment I will be discussing in my remarks. There have been substantial discussions between the chairman and me since that amendment was distributed last Friday. It is my understanding there are going to be major changes made to this amendment after the cloture vote occurs. We will be able to see those. We have not seen them in writing yet, but we have had extensive discussion.

I want to make it clear that I will raise serious questions about the bill on which we are voting cloture. At the same time, I will indicate I support cloture so we can move the process forward and I hope we can find in the course of this debate a way to resolve the issues to which I will allude in these comments.

The issue of disposal of spent nuclear fuel and high-level radioactive waste has been debated in the Senate, in one form or another, as long as I have been a Member.

Nuclear waste is a serious issue that demands serious attention by all Senators. It is a problem that is national in scope.

It is also a particular responsibility of the Federal Government. After all, it was the Federal Government that proposed, beginning with the Atoms for Peace Program in the Eisenhower administration, to develop the peaceful uses of nuclear power. The problems of disposal of spent nuclear fuel that we face today are the legacy of our past laws and decisions.

There are serious problems facing the national nuclear waste program that merit attention now, in this Congress.

I have some important disagreements with the chairman. I will go through those in some detail here, about the substitute amendment that is going to be voted on, on cloture, because I believe that particular amendment is fatally flawed in several respects. But I also believe the chairman is doing the right thing by pushing the issue to decision and by forcing the Senate and the Congress to grapple with the issue of how to store our Nation's nuclear waste.

Let me point out what I think are some of the important nuclear waste-related issues that call out for our attention and require us to take some action, if we can, in this Congress.

First, ratepayers have paid over $8 billion in fees to the nuclear waste fund. That money which has been paid in has earned about $2 billion in interest. Only $5 billion of that total of $10 billion has been spent on the program. Our current budget rules and accounting principles make it nearly impossible to give the program, each year, the appropriation it deserves and requires. For example, in fiscal year 1996, the President asked for $640 million for DOE's Yucca Mountain program. Congress appropriated $315 million, less than half of that.

As a result, the program had to abandon a comprehensive program plan that was less than 2 years old and go through yet one more strategic planning exercise to figure out how to cope with the inadequate funding they had been provided.

The result of all this is to create considerable concern on the part of many about this nuclear waste program, in particular the Nuclear Waste Technical Review Board, which has stated the program is not making adequate technical progress at Yucca Mountain in order to make a defensible determination of its suitability in the next few years.

I think that is a concern we need to take seriously in the Senate. Not surprisingly, the utilities themselves and the public utility commissions and the States that are paying in $600 million each year and seeing only a fraction of that being spent, and the possibility looming there will be further delays because we lack the technical answers to questions about site suitability, are also upset by the state of affairs, and they have every right to be.

Let me go on to another reason why we need to address this issue in this Congress. The Department of Energy did not meet the January 31, 1998, deadline to which Chairman MURKOWSKI referred. That is a deadline to dispose of spent nuclear fuel. Not only did we not meet that, we are way behind the original schedule in building the repository.

Utilities and ratepayers are beginning to make plans to pay for onsite storage for spent fuel in addition to what they would otherwise have needed if the Department of Energy had met its deadline.

While many thought the 1998 deadline was unrealistic when it was first picked as a target date, nobody thought we would miss it by as wide a margin as we have. Lawsuits have been filed. The Department of Energy has concluded it does not have the legal authority to settle the suits by directly addressing the needs of utilities to do something with the fuel that is on their hands. So additional legislation is required to deal with that issue. Hopefully, we can come up with an agreement on that legislation before we conclude action on this bill.

We could choose to ignore the problem, but I believe we would do so somewhat at our own peril. Lawsuits are working their way through the Court of Federal Claims with contradictory results at the lower levels of the court, so no one can say how the courts will ultimately rule on the Department of Energy's contractual obligations—but the Federal courts have surprised the Government previously in recent years with rulings in favor of the utilities.

A third reason we need to deal with this in this Congress is the transportation of spent nuclear fuel and high-level nuclear waste is a legitimate concern to the communities through which it will travel on its way from the nuclear plants where it is located to any repository. This is true nationwide. It is true in my own State of New Mexico. The standards governing shipment of spent nuclear fuel and high-level waste are currently below those for less radioactive waste streams, such as the waste going to the WIPP project in my own State. This situation arises because Congress instituted higher standards for packaging and shipment of transuranic waste in the WIPP Land Withdrawal Act of 1992. The WIPP provisions have, so far, had some success. One could argue whether there are lessons learned that should be applied to spent nuclear fuel and high-level waste in the form of even stricter requirements than for WIPP, since spent fuel and high-level waste plausibly involve greater risks to the public, in case of an accident. It certainly does not make much sense, though, and it is not in the public interest to ignore the advances in standards and transportation procedures that have occurred since passage of the original Nuclear Waste Policy Act of 1982.

These issues I mentioned speak for themselves. It is possible to build a good set of amendments to the Nuclear Waste Policy Act of 1982, and to deal with these problems. The amendment we are going to vote cloture on does not do that. I hope the substitute we can come up with will.

Let me cite some areas where we have agreement because there are some. Clearly, those need to be mentioned. Anyone who looks at the substitute amendment and compares it to the original bill introduced in the Congress has to admit, and I readily do, that although there are still crucial flaws in the bill, major progress has been made on a number of topics—progress toward getting a decent bill. These include abandoning the plan to have interim storage in Nevada while the Nuclear Regulatory Commission is deliberating on the license application for the permanent repository. That was major progress for which I commend the chairman.

Second, embracing instead a plan to have the Department of Energy authorized to take title to fuel where it can work out settlement agreements with utilities, that is also major progress in my view. And making a significant move toward accepting the EPA's final rulemaking authority, that is important. I hope that is something to which we can finally agree.

But there are areas of disagreement. Let me mention those very briefly. They include restrictions on the EPA standard-setting process; second, inadequate transportation safeguards—these are concerns with the bill which we are voting cloture on; third, one-sided take-title provisions—I can go into detail on these; fourth, the support for foreign reprocessing of nuclear fuel which, to my mind, is not a good investment of taxpayer dollars. If there is research to be done, we should go ahead and do it, and there is clearly research to be done. And fifth, neglect for the pressing funding needs of the program, that also is not addressed.

Preserving the integrity of the EPA rulemaking process for the Yucca Mountain radiation standard is one of the threshold issues in this bill. The chairman's substitute dilutes both EPA's rulemaking authority for the remainder of this administration as well as changing the substantive standard of protection. Right now, the standard EPA has to follow is to protect public health and safety and the environment. Under the chairman's substitute, EPA, for the next 16 months, would be able to do so only to the extent that it would allow the agency to meet the standard of being ''attainable'' at Yucca Mountain. This effectively stacks the deck in the standard-setting process. It also, in my view, may create a more lasting problem of legitimacy for the standard and for the program as a whole in the minds of disinterested citizens.

In New Mexico, we have had experience with EPA standard setting for radioactive waste disposal facilities. EPA both set the compliance criteria for the waste isolation pilot plant, or WIPP, and certified that the faculty, as built, met those criteria. It was a long and arduous process. But in the end, the fact that EPA was able to do the job on the merits was important to the facility gaining legitimacy in the minds of most New Mexicans.

I believe that EPA can do a fair job of setting a standard for Yucca Mountain, and I will continue in that belief until someone shows me the record in this rulemaking that indicates the contrary. Surely, the draft rule published by EPA last August, which laid out a number of options for such a standard, cannot be characterized as arbitrary or capricious. DOE, the NRC, and the National Academy of Sciences have taken exception to a number of options and approaches in the rule, as is their right. They have put comments in the rulemaking file that EPA will have to grapple with honestly, if the agency wants to see its standard survive judicial review.

Given this, I would not favor either transferring the job of EPA to another agency, or giving some other Federal agency an effective veto over EPA's discretion. The bill reported from the Committee on Energy and Natural Resources did the former, and the chairman's substitute did the latter. This is a major reason for my opposition to this substitute.

A second major concern that I have with the substitute is its approach toward the transportation of nuclear waste. Transportation of nuclear waste is a matter of concern to many members of the general public. The chairman's substitute does not address these concerns adequately, in my view. There is no independent oversight of the design and manufacture of the shipping canisters in which nuclear waste will travel. The Nuclear Regulatory Commission has testified before the Senate Energy Committee that it lacks adequate regulatory authority over DOE shipments. Unfortunately, this gap in regulatory authority is not addressed in the bill or the substitute. What is in the bill looks like an excessively ornate structure of plans that conflict with one another and probably give rise to lost of litigation. It is hard to see how that sort of extra bureaucracy protects public safety.

In addition to provisions that don't effectively protect the safety of citizens living along routes where nuclear waste will be transported, the chairman's substitute contains provisions that cancel out certain routes in certain states, by means of criteria such as maximum downgrade percentages. I would oppose this sort of provision on principle, as I have consistently opposed carve-out amendments on prior nuclear waste bills. In this particular case, my own State of New Mexico is being particularly disadvantaged, as trucking routes in Colorado are canceled out, thereby shifting truck shipments through Wyoming on I–80 and New Mexico on I–25 and I–40. Speaking for New Mexicans, I can think of few worse places for a truck of nuclear waste than on the interchange, in the center of Albuquerque, of I–25 and I–40. New Mexicans call it the ''Big I,'' and it is legendary for its poor design.

A third major flaw in this bill concerns the ground rules that the bill

lays out for the Department of Energy in its negotiations with the utilities over taking title to spent nuclear fuel. The only reason to have a take-title mechanism is to respond to DOE's nonperformance with respect to specific contracts. Yet, the language of the chairman's substitute contains several changes to what the committee reported last spring on these lines. All these changes are in the direction of clouding the issue of what DOE is responsible for. The probable result of this blurring of responsibility is that numerous utilities will claim that the Congress intends for DOE to go beyond making them whole for specific nonperformance on specific contracts. The bill for this extra scope for DOE's relief of the utilities will be borne by either the general taxpayer or the Nuclear Waste Fund, and both sources of funds are a problem. In the former case, it is not fair. In the latter instance, the Waste Fund is already supposed to pay for the repository and the legitimate costs of taking title. It is not reasonable to create a scenario where utilities can claim that Congress intended DOE to pay more than those legitimate costs associated with contractual breaches.

A fourth major flaw in the bill is its authorization for DOE to spend taxpayer dollars to fund foreign reprocessing and transmutation activities in countries that are not willing to pay for such activities themselves. I do not know why we should have blanket authority for DOE to spread reprocessing technology worldwide in this manner. Most other countries that have looked at the sort of reprocessing and transmutation that would be supported by this bill have concluded that there are serious technical challenges that will take decades to resolve. Our own National Academy of Sciences agreed in its 1996 report on ''Nuclear Wastes: Technologies for Separations and Transmutation.''

Finally, the fifth major flaw in the bill is its lack of attention to the most critical problem facing the Yucca Mountain program—the lack of funding to characterize the mountain properly, or to build the repository, if authorized. The chairman's substitute does nothing either to make the balances in the Nuclear Waste Fund more readily available to fund the work needed to demonstrate the mountain's suitability and licensability, or even to make a special one-time fee under current law for certain utilities directly available to the program. The latter provision would not score under our budget rules, since it is currently outside the 10-year scoring window. If DOE took title to fuel from certain utilities, it might be able to collect the one-time fee early, but without special legislation, the fee would vanish into the Treasury without a trace, and without helping the program.

Let me get to a conclusion so others can speak before we go into recess for our caucuses. I do think this issue of adequate funding so the program can go forward, so the site can be characterized, is absolutely crucial. I hope very much the Senate will address that before we pass a bill or before we conclude action on an amendment on the Senate floor in the form of a substitute.

Let me conclude my remarks by reiterating the basic principles behind my opposition to the substitute amendment. These are things which I hope very much can be resolved in the alternative that is now being prepared and is going to be available for us to review this afternoon. We ought to focus, in this legislation, on making the current program work. That means, No. 1, giving the Department of Energy the tools it needs to resolve current litigation over its failure to meet past contractual obligations. I hope we can do that in an effective way.

Second, it means upgrading transportation standards for spent nuclear fuel and high-level waste. Again, I hope we can do that in the legislation we finally act on.

Third, it means making the needed funds available to characterize Yucca Mountain, and to build Yucca Mountain if it is licensed by the NRC. I hope we can act on that.

The fourth item is, the program does not need to suffer a loss of public legitimacy by legislatively stacking the deck against EPA's ability to carry out its statutory authority on protecting health and safety. We can find a solution to that. I hope very much we do.

Finally, the fifth item I want to mention is the program does not need extra doses of paper-pushing bureaucracy and bureaucracy related to transportation of nuclear waste, accompanied with unrealistic deadlines for putting waste on the road.

We found that we, American taxpayers, have incurred substantial liability because of our writing into law deadlines which turned out to be unrealistic before. Let's not make that same mistake again in legislation on the Senate floor this week.

I did not support the chairman's amendment even though I appreciate his attempts to improve it.

He has been negotiating in good faith to improve this amendment, and I greatly appreciate that. We have not seen that alternative substitute provision, so I cannot say whether we have reached agreement or not on the various items I have identified, but I hope we have made progress on each of them.

It is important to move the process forward. It is important to come to closure on this bill in a bipartisan way. This is not a partisan matter. I hope all Senators will support the effort to invoke cloture so we can move ahead, and then I hope we can all work in good faith to improve the basic bill we are considering before we have to vote on a final bill.

Obviously, I could not support a vote in favor of the final bill on which we are invoking cloture, but I hope before the process concludes I can support a piece of legislation that will solve the problems I have enumerated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, Senator HARKIN and I came to the floor 40 minutes ago with the expectation of introducing legislation. We found we were already on the bill. I have checked with the managers, Senator MURKOWSKI and Senator BINGAMAN, who have no objections—nor does Senator BRYAN—to Senator HARKIN and myself proceeding for approximately 10 minutes. I ask unanimous consent that Senator HARKIN and I be permitted to speak for 10 minutes as in morning business for the purpose of introducing legislation.

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

Mr. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER and Mr. HARKIN pertaining to the introduction of S. 2038 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SPECTER. Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until 2:15 p.m.

Thereupon, at 12:32 p.m., the Senate recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

NUCLEAR WASTE POLICY AMENDMENTS ACT OF 1999—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment to S. 1287, the Nuclear Waste Policy Amendments Act of 1999:

Trent Lott, Frank H. Murkowski, Slade Gorton, Don Nickles, Tim Hutchinson, Conrad Burns, Michael Crapo, Phil Gramm, Thad Cochran, Richard Shelby, Larry E. Craig, Jim Bunning, Judd Gregg, Charles Grassley, Wayne Allard, and Bob Smith of New Hampshire.

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on substitute amendment No. 2808 to S. 1287, a bill to provide for the storage of spent nuclear fuel pending completion of the nuclear

waste repository, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Nebraska (Mr. KERREY) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 3, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—94

Abraham	Feingold	Mack
Akaka	Feinstein	McConnell
Allard	Fitzgerald	Mikulski
Ashcroft	Frist	Moynihan
Baucus	Gorton	Murkowski
Bayh	Graham	Murray
Bennett	Gramm	Nickles
Biden	Grams	Reed
Bingaman	Grassley	Robb
Bond	Gregg	Roberts
Breaux	Hagel	Rockefeller
Brownback	Harkin	Roth
Bunning	Hatch	Santorum
Burns	Helms	Sarbanes
Byrd	Hollings	Schumer
Campbell	Hutchinson	Sessions
Chafee, L.	Hutchison	Shelby
Cleland	Inhofe	Smith (NH)
Cochran	Inouye	Smith (OR)
Collins	Jeffords	Snowe
Conrad	Johnson	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

NAYS—3

Boxer	Bryan	Reid

NOT VOTING—3

Kennedy	Kerrey	McCain

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 3. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I believe the Senator from Arkansas is going to request unanimous consent there be a few minutes in morning business so he can introduce a bill. I will be happy to accommodate him if there is no objection.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

Mr. HUTCHINSON. I thank the Chair.

(The remarks of Mr. HUTCHINSON pertaining to the introduction of S. 2039 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, it is my intention to continue the debate on the manager's amendment to S. 1287, the Nuclear Policy Act Amendments of 1999. It is appropriate to highlight a couple more charts before I explain what this manager's substitute does.

I will reiterate the purpose of addressing the responsibility we have as the Senate to resolve what we are going to do to dispose of this high-level waste in conformance with the contractual commitment that the Department of Energy and the Federal Government entered into to take the waste beginning in January of 1998.

As I indicated earlier today, the Federal Government is derelict in not meeting its fiduciary responsibility. It is appropriate to point out that the ratepayers in this country have paid $15 billion to the Federal Government to take that waste beginning in 1998. Damages for nonperformance to the contractual commitment by the power industry in this country against the Federal Government suggests the liability is somewhere between $40 billion and $80 billion. The longer this body delays in addressing its responsibility of disposal of this waste, the greater the obligation to the American taxpayer, which currently is estimated to be about $1,400 per family.

As a consequence, we have the responsibility, in a bipartisan manner, to come together and resolve the obligation we were elected to address, and that is to meet contractual commitments, honor the sanctity of the contract, and resolve the waste problem and not allow the nuclear industry to, basically, choke on its own waste.

There are a couple of charts with which I want to proceed. First of all, I want to identify, again, the locations of the waste for those who may have missed it earlier. Around this country, there are approximately 80 sites. One can see the sites on the map: the commercial reactors, the shut down reactors with spent fuel onsite; and they will not be removed unless we proceed with this legislation to address one site at Yucca Mountain in Nevada for a permanent repository. It also includes the commercial spent nuclear fuel storage, the non-DOE research reactor, the naval reactors, and the DOE-owned spent nuclear fuel. My point is simply to show we have 80 sites in 40 States. It is an obligation we have to universally address this with appropriate resolve.

The next chart shows radiation exposure. This is very important and very germane to the debate because we are all concerned about the manner in which the radiation exposure will be addressed and by what agency.

I am not here to promulgate who has the best science, but I think it is fair to say this issue deserves the very best science. Traditionally, the Nuclear Regulatory Commission addresses licensing, examination, and conformance of nuclear plants. They are pretty good at it. They probably have more Ph.D.s than any other agency dealing with nuclear radiation.

However, the National Academy of Sciences also has a great deal of expertise, and we are suggesting that their scientific contribution be part of a determination on setting a radiation level that will conform to, as well as achieve, our objective, and that is to put the waste in a permanent repository at Yucca Mountain.

There is a lot of concern about radiation. I think it has to be put in some perspective that is understandable.

For those working in this Capitol, they get 80 millirems of exposure each year.

If one is living in a brick house, they get 70 millirems per year.

The exposure from cosmic radiation to residents in Denver is 53 millirems.

The average annual radiation exposure from the ground is 26 millirems.

Diagnostic x-rays are 20 millirems.

Dental x-rays are 14 millirems.

If one flies from New York to Los Angeles, they get 6 millirems.

Exposure for half an hour from a transport container on a truck 6 feet away—let's assume they are moving this in a prescribed cask, transporting it by rail or by highway with an escort—the exposure is 5 millirems.

These are accurate measurements. The EPA's proposed radiation exposure level is 4 millirems, and that is a ground water standard.

I am not going to argue the merits of EPA other than to say that their exposure level, from the standpoint of its relationship with these other exposure levels, seems a little out of line. We will let it go at that because I want to move on. I want to make the point, as we look at radiation exposure levels, it is important to keep in perspective what we are exposed to already.

Let's look at transportation because that is going to be debated extensively. We have been transporting used fuel from 1964 through 1997, as this chart shows. These are the routes used for 2,913 shipments. Obviously, they have been going through all the States. They have been going by railroad through Minnesota, Iowa, Illinois, a portion of Nebraska, I believe Missouri, and a couple of other States, as indicated in red. We are and have been moving these shipments. The significance of this is that the public health has never been exposed to radiation from spent fuel cargo. We have never had an exposure. That does not mean it cannot happen; it means we have taken practical safeguards to ensure the exposure is at a minimum.

I learned a long time ago in my State of Alaska when we had the *Exxon Valdez* accident that these accidents can occur. That ship went aground in a 10.5-mile-wide channel simply because

of the incompetence of those on the bridge. You can have accidents, and you can prevent them.

We have a pretty good record here. Between 1971 and 1989, the Department of Transportation tells us there have been seven minor accidents that have occurred involving nuclear waste, but no radioactivity was released at any of the accident sites simply because of the containment of the vehicles that enclose the waste. Those, of course, are the canisters which are built to withstand exposure. Some time ago when we were talking about moving nuclear waste by aircraft, there was the assurance that we have the technology to build a canister that would survive a free-fall from an aircraft at 30,000 feet.

As evidence of the thousands of safe used-fuel shipments since 1964, this is the type of cask that is used, and the waste is stored in that. These are required to survive a 30-foot drop onto a flat, unyielding surface, a drop of 40 inches on a steel plate, being engulfed in a 1,475-degree fire for 30 minutes, submersion under 3 feet of water for 8 hours, and on and on. We have taken safeguards to construct these casks in such a way as to ensure there is a minimum of risk associated with transportation.

I have been to Great Britain, Sweden, and I have seen in France the manner in which they move high-level waste. They move it by ship, by rail, by road, and they take safeguards to ensure that it is properly contained.

We have transportation safety concerns. We have provisions in this bill to deal with them. It involves the Department of Energy developing comprehensive shipping and transportation plans under the same guidelines as we currently move the WIPP. That is the waste isolation project in New Mexico. These are the same guidelines we are going to be using to move this waste.

We have been moving waste to New Mexico. That is basically low-level waste. I have been there and been in the salt caverns and observed the process down there. There is great care taken to ensure there is no exposure that cannot be rectified through adequate engineering technology.

The used fuel is going to have to travel as designated by the States, they having a determination of what the most appropriate route is. Clearly, the material has to move; otherwise, you cannot get it out of the States—280 sites and 40 States—and you cannot move it to one area that we have predesignated, which is Yucca Mountain in Nevada.

Then we are going to have training which would meet Department of Transportation standards so that we have people who are adequately trained to move this waste and cover whatever emergency response readiness is necessary before the shipments begin.

So what we have done—perhaps we can do more and perhaps we should and I certainly am open to that—is taken every precaution to try to ensure the exposure is taken out of the process.

Let me show you a couple other charts that I think are relevant. For those of you who missed it, this is the location out in the Nevada Test Site that has been chosen to be the permanent repository. This site has been already pretty well bombarded as a consequence of over 50 years and 800 nuclear weapons tests. If you buy the theory that you kind of desecrated one area so maybe that is the best area for a permanent repository, this site should certainly fit.

Let me show you one other chart that shows another aspect. As I have indicated earlier, about 20 percent of our energy comes from nuclear power. You see on the chart, shown in red, nuclear power accounts for 18 percent of our energy use in the country. In any event, this chart shows the mix: Coal is 53 percent; nuclear is 18 to 20 percent; natural gas is 14 percent; hydroelectric is 10 percent; other is 2.7 percent; oil is 2 percent; wind is .08 percent; and solar is .02 percent.

It is obvious we are going to be dependent on these sources for some time. If we do not address the nuclear waste issue, we are going to pick up 20 percent of our power generation some other way. I think those who are critical of the effort to address our responsibility are a bit irresponsible in not suggesting where we are going to pick up this differential.

On this next chart we look at air quality. If we look at our concern over global warming, if we look at our concern over Kyoto, we have to recognize that there is significant avoidance of emissions by the contribution of nuclear power. You can see shown on this chart the regions that were subject to caps from 1990 to 1995 and the emissions avoided by having nuclear generation and where these States would be without it.

It is a pretty tough set of facts. The reality is, a good portion of the Northeast corridor would no longer meet its mandate for emission reductions if, indeed, we had to sacrifice the nuclear power industry.

Approximately 80 of the 103 currently operating nuclear energy plants are located in or adjacent to areas that are unable to meet the Clean Air Act standards for ozone. Any use of emitting generation in these areas in place of the existing nuclear capacity moves the region further away from attainment of these standards. So I encourage my colleagues from these States to recognize that the nuclear power industry makes a significant contribution, and without it you are going to be looking to some other unidentifiable means to offset the loss of power from the nuclear industry.

Let me turn to the substitute that is before us and briefly reflect on where we have been. We have passed bills in this body by a broad bipartisan margin. The last time the vote was 65 to 34—pretty close to overcoming a veto but not quite.

I think these bills mark a historic pattern of trying to meet the objectives of the administration through compromise, through changes, and through accommodations. Those bills were a complete substitute for the existing Nuclear Waste Policy Act of 1982 that gave authority to build an interim storage facility for nuclear waste, a temporary above-ground storage pad adjacent to the Yucca Mountain site. It contained extensive provisions on licensing for Yucca Mountain and the interim storage facility, including NEPA radiation protection standards and transportation safety. But the administration was not satisfied. They saw fit to veto the legislation because it opposed the interim storage before the viability assessment was made about the permanent repository.

We still think we were doing the responsible thing by trying to address the difficulty of those plants that were about out of license time and would either have to shut down or seek additional relief under State licensing by allowing them to move their waste and store it at Yucca Mountain until such time as a permanent repository was completed.

Obviously, there was a fear from Nevada that if that were adopted, the waste would end up in Nevada. Of course, today we are faced with the concerns of various Governors that if we adopt the take-title issue, and title is indeed taken, the waste will go into canisters and be stored onsite in those States, the Government would have title and the waste would still be in the States, that it would not move.

The point is that we are either committed as a body to resolve this problem and get on with addressing the transportation of that waste to a permanent repository, or we are going to be faced with the reality that we will simply put it off for another day, put it off for another administration. If we do that, I think we are acting irresponsibly.

What we have attempted to do in this bill is a different approach in the manager's amendment. It is not a complete substitute for the old act. It is a minimalist approach. It does not contain an interim storage provision. So we responded to the administration. We responded to the minority. We left that out. We said: It doesn't move until it is licensed.

We propose to do two major things. We propose to give the Department of Energy the tools it needs to meet its commitment to move the spent fuel by opening a permanent repository at Yucca Mountain. Secondly, we think it provides fair treatment by permitting utilities to enter into voluntary settlements with those who have fulfilled their end of the bargain by paying over some $15 billion which the ratepayers have paid over the contract.

What has the Department of Energy done? It left them holding the bag because the Department of Energy and the administration have not seen fit to lift the terms of the contractual agreement to take the waste. So the manager's amendment to S. 1287 clarifies

the existing unconstitutional White House veto for raising the fee and states that Congress can vote to raise the existing 1 million per kilowatt fee, if necessary, to pay the expenses of the program. It allows plaintiffs in the lawsuits and the DOE to reach voluntary settlements of the Department of Energy's liability for failing to take the waste in 1998.

I still have to refer to the example the Federal Government sets when it doesn't honor the sanctity of a contractual commitment. They simply ignore it. They simply ignore the liability of the taxpayer, which, as I have indicated, is something in the area of $40 billion to $80 billion in damages. We, as elected representatives, have an obligation to address and correct that. That is what we are attempting to do in this legislation.

Further, it permits the EPA to continue with its rulemaking—and it is the appropriate agency—on radiation standards as long as we have the best science. Where is the best science? As I have indicated, it is in the Nuclear Regulatory Commission in consultation with the National Academy of Sciences. That is the best science we have in this country. If that isn't good enough to set a radiation standard, I don't know what is.

Obviously, that standard will protect the public health and safety and the environment, but it has to be attainable. If the EPA has a policy of nonattainment that we come up with ultimately, we will waste a lot of time and money, and it will cost the taxpayers a lot of dollars. It will allow fuel to be accepted when the NRC authorizes construction of the permanent repository in the year 2007. Further, it allows the Department of Energy to begin moving fuel as soon as possible after Yucca Mountain is licensed.

Transportation provisions are based on those used for the waste isolation plan, as I have indicated. Furthermore, we have moved that fuel in the United States around the world. So S. 1287 builds on existing safe systems by adding money for education, emergency response, local communities, transportation personnel, and provisions for allowing the State to determine the routes and rules for population areas. Who is better qualified than the States? Also, there is advance notification for local government.

As I have indicated, we have attempted to compromise, and we continue to try to meet the concerns of the administration and the minority. But in order to do that, we have to agree on our objective, and that is to meet our obligation to address, once and for all, some finality to the nuclear waste storage dilemma. We have eliminated the source of the administration's opposition to our previous bills on interim storage.

EPA, secondly, may proceed with its rulemaking. All they have to do—all we want them to do—is be reasonable in the sense of using sound science and participating in peer review with both NRC and the National Academy of Sciences. And in this existing proposal, we have allowed the utilities to enter into a voluntary settlement with the DOE. This was the idea of Secretary Richardson.

The manager's amendment to S. 1287 gives us an opportunity, I think, for a triumph of substance over process, safety of people over politics. As I have indicated, the Senate has twice passed this legislation by large, bipartisan margins.

Where does the administration stand on this? Well, I have a letter from the administration called ''statement of policy.'' I think it should be ''statement of administrative mixed policy.'' It states that the administration has reviewed the February 4 manager's amendment and they find it unacceptable. Although the amendment appears to allow the EPA to exercise its existing authority, they still believe it would allow another entity to block EPA's authority. I don't know whether they have read the bill or not, but that isn't what the bill says. Consequently, one can only assume the administration is opposed to it because it always has been, regardless of what we have attempted to compromise. Furthermore, I think it is appropriate to recognize that.

Again, the administration seems to be working to create a problem that really we can address. The rationale is, I assume, only that they could object to the legislation. That really isn't an adequate excuse. I encourage my friends who have the same responsibility as I do to recognize that the administration has an obligation to come forward and say how we can meet this obligation collectively, the Congress and the administration.

The administration, as I indicated, basically objects to a provision that requires EPA to consult with scientists before adopting a standard. What is wrong with the best science? The administration talks about good science and making decisions based on sound science. In fact, the administration's position on science is that it is good. But I wonder if it is good only when it supports a predetermined policy decision.

That is kind of where I think we are. I think that is unreasonable. I think that is irresponsible. I think it deserves a greater explanation than the one offered. The only reason for the administration to object to having EPA consult with scientists at the National Academy of Sciences, or with the participation of the NRC, is that they know it is possible to adopt a reasonable standard but they simply don't want to do it. I have a hard time with that because I think that in itself is somewhat irresponsible.

I have some other examples that concern me. I will not take the time now, but maybe I will later. The EPA is an extraordinary agency. They carry a big responsibility, but one questions the balance they use. I am going to cite a couple of instances with which I have had personal experience, and I invite my colleagues to share those. As we question the legitimate authority of the EPA, which is statute—that is in law—EPA does have authority for final rulemaking; we just want them to use the best science available.

In my hometown of Fairbanks, it snows. With snow, you have one of two options: You either leave it there or you move it. Several years ago, they had a heavy snowfall where the city and school buses park. This was a paved lot. They moved the snow off the lot. The buses cooperated and they put it on the back lot, which was determined by EPA to be a wetlands. Well, the EPA notified the city of a violation of the wetlands permit. Now, there was snow that came naturally on that other lot where they pushed the snow. It makes no sense. The snow was frozen water. How can wetlands be damaged by more snow? I don't know.

We had a problem in Anchorage, AK. This was a storm water treatment: when it rains, the rain goes off the highway into the gutters. In the particular community of Anchorage, it was charged into Cook Inlet; this is water off the streets. Cook Inlet has some of the highest tides in the world, next to the Bay of Fundy, nearly 30 feet, almost twice a day.

However, EPA Clean Water Act regulations interpreted that the city was in violation because it had to remove 30 percent of the organic matter from the untreated water. The problem was it was rain water. There was no organic matter to remove. Yet they were still in violation. But the water was too clean to begin with. The city appealed to the EPA. The EPA denied the appeal and told the city they were subject to a fine. One of the city council members suggested they go down to the fish plant and add some fish guts to the drain water so there would be some organic matter to remove and thus meet the national discharge standard. This got notoriety all over the country. It made no sense to pay to contaminate pure rain water and then pay to remove the contamination. We were finally able to convince them as a consequence of public opinion and public notoriety of the impracticality of EPA.

In this instance, I have one more little item that I will share with you. In 1993, the EPA proposed to take pepper spray bear repellent off the market until its safety could be certified. The spray was at that time the only effective nonlethal repellent that Alaskans could use to protect themselves against bears. I say nonlethal. You can take a gun or you can take some pepper spray. While the EPA reconsidered the decision and allowed the pepper spray repellent to remain while it permitted a speeded up regulatory review, the preliminary decision to recall the spray was idiotic, to say the least. Alaskans or anyone who wants to can put cayenne pepper in their chili. They could

legally throw the pepper at a charging bear, if they wanted to. It was insane to say that could not be placed within the spray can; namely, the chili spray.

What was really insane was that EPA initially argued they couldn't speed up registration of the pepper spray until it was field tested and on, do you know what? Wild bears—a difficult and rather dangerous thing to do. It was especially odd that the bear undoubtedly would much rather be sprayed by the pepper spray than the alternative 30.06 bullet.

I have recycling asthma inhalant examples, vehicle gasoline rules, ozone standards, background contamination on MTBE, battery enterprise examples, mining examples, and recycling center examples.

I am not going to bore my colleagues with that other than to say what we want is the best science. We want EPA to take advantage of that science and then come down with their rulemaking. But very particularly, we don't want EPA to set an attainment standard that is unattainable for the nuclear waste to be disposed of.

I know my friends want to be heard from, and there will be amendments forthcoming. But I want to conclude with a reference on what we can do.

Again, I point out that it is the obligation of the Government—that includes those of us in the Congress and the administration—to solve this problem. This bill is the congressional solution, and the administration has an obligation as well.

We voted out this legislation in the last two Congresses by bipartisan votes—65 to 34 in the Senate, and in the House of Representatives 307 to 120—again, not enough to override a veto.

This year, we introduced the interim storage legislation, S. 608. The legislation had votes to be favorably reported. I proposed that the committee consider a new approach to accommodate the Secretary and the administration. We hoped to find a solution to the nuclear waste dilemma to gain full consensus and avoid procedural problems of the past. Senate bill 1287 was approved in the committee by a bipartisan vote of 14–6.

Here are the five essential points that I believe have to be addressed if we are going to have anything meaningful when we are through.

We need congressional approval before there is any increase in the nuclear waste figure. We simply cannot give the executive branch carte blanche. It has to have congressional approval; second, authorize settlement of lawsuits for DOE's failure to perform; third, the radiation protection standards, as I stated, for the repository to be set by the agencies that have the expertise—the NRC, National Academy of Sciences working with the EPA.

I compromised on this point in my manager's amendment. The EPA may now go ahead with its standard-setting regulations provided that they take advantage of the best science available, and that the NRC in consultation with the National Academy of Sciences and the EPA agree that the standard is attainable.

Some suggest that the EPA cannot have the last word. That is not the intent. If we have to rephrase it, we will do it. The intent is authority by statute to belong to the EPA, but clearly the best science should include input from the National Academy of Sciences and the Nuclear Regulatory Commission.

The fourth prerequisite: Operation of a repository fuel acceptance facility key to the Nuclear Regulatory Commission authorization for the permanent repository in the year 2007, and a transportation system based on the Waste Isolation Pilot Plant model, which is WIPP.

Those are the five principles that we outlined. Those are the principles that we worked on with the minority to try to achieve a consensus.

I think the bill reflects significant concession by the supporters of the past legislation. I believe this new approach still gives the DOE the tools it needs. I still don't know why the administration seems so possessed, policy-wise, to oppose it. But that is what we have before us.

I conclude this portion of my statement by again identifying where I think we are in the differences we have. That, again, is the radiation standard.

As you heard me state time and time again, I think the Nuclear Regulatory Commission is the appropriate determiner of that standard. But the manager's amendment now contains new language that would permit the EPA to go ahead as long as the National Academy and the Nuclear Regulatory Commission are consulted. Obviously, that interest is a science that will protect health, safety, and welfare. As to the objective, it is most important that we have an objective of achieving the radiation standard that is attainable.

This is a reasonable approach. It provides the best science after peer review. Yet it does allow EPA to ultimately complete the rule after we have had the input of the best minds on the subject and have consulted with one another.

If the EPA and the NRC cannot agree, then the EPA is not permitted, obviously, to adopt any rule until after June 1, 2001. But after June 1, 2001, the EPA may go ahead and adopt a rule pursuant to existing authority under section 801 of the Energy Policy Act.

Part of the problem with the EPA standard that was detailed in the proposed rules that came out last August was that it applied unrealistic standards to ground water. They proposed 4 millirems for ground water. This is a standard that comes from the Safe Drinking Water Act, which I support.

This chart shows the levels of radiation. For those working in the Capitol, we get 80 millirems; anyone living in a brick house, 70 millirems; annual exposure from cosmic radiation, 53 millirems; annual average radiation from the ground, 26 millirems; x ray, 20 millirems; dental x ray, 14 millirems; round-trip flight from New York to Los Angeles, 6 millirems; exposure from a transport container carrying high level waste 6 feet away, 5 millirems. But the EPA proposal is 4 millirems for the drinking water standard.

This chart shows the proposed site: 800 nuclear weapon tests over 50 years. They are going to come down and propose a 5 millirem level; remember, 4 millirems is the level for drinking water.

Is that really in the interests of proceeding with this legislation or is it to set an unattainable standard? No one will drink the ground water that comes from this site. I hope not.

The Safe Drinking Water Act should not be applied to ground water. However, if the water becomes tap water, the act should apply; but not while the water is in the ground. The EPA wants to take extremely low standards that were designed to apply to drinking water out of a tap and apply to water in the ground, whether people drink it or not.

Let me be very clear. This dispute has nothing to do with a level of protection for the people in Nevada. Whether or not the drinking water standard is applied to ground water has nothing to do with how much additional radiation, if any, Nevadans would be exposed to from the facility. The EPA applied similar regulations to the WIPP Transuranic Nuclear Waste Disposal Facility in New Mexico. The drinking water standard was not an issue when WIPP was licensed by EPA because WIPP is a salt mine. Obviously, there is no potable water around it. Maybe EPA thinks all nuclear waste should be disposed of in a salt cavity, but I am not sure everybody in the country or in this body would agree.

The National Academy of Sciences did not recommend that the Safe Drinking Water Act be applied to ground water. Instead, they addressed ''requirements necessary to limit risks to individuals'' as required by law. In fact, the National Academy specifically said they don't make such a recommendation.

Finally, the National Academy concluded that the decision regarding the acceptable level of risk for Yucca Mountain is a policy decision. What does that mean? That means a decision for Congress, not the scientists. In our legislation, we propose the best scientists come up with a recommendation to EPA and EPA be part of that process. I think it is appropriate that Congress make a decision regarding the level of risk.

Finally, the ultimate myth. I think everyone would agree, this administration says it cares about clean air and preventing climate change. Here is where our electricity comes from: 53 percent comes from coal; 18 to 20 percent is nuclear; 14 percent is natural

gas; 10 percent is hydroelectricity; the remaining few percent is oil, wind, and solar.

DOE's Energy Information Administration says the Kyoto treaty would require a 30-percent reduction of CO2 emissions from the predicted 2010 level.

How do we do this without nuclear power? We cannot get there from here. There are no nuclear emission-free sources that can economically take its place. For the moment, forget about the Kyoto treaty and think of the present.

This chart shows the emissions avoided from increased nuclear generation. This is a reduction in SO2 from nuclear power generation. From 1990 to 1995, 37 percent of the sulfur dioxide reductions required by the Clean Air Act came from increased generation from existing nuclear powerplants. That is where it came from. These were sulfide reductions.

Is that not ironic? They gave credit for the reductions to the nuclear plants. They don't have any emissions. That is where they get the reductions. Clever. Even with nuclear power, it is difficult and expensive to meet the new regs; without nuclear power it is impossible.

As this body addresses the broad obligation of reality, we have to focus in on the difficulty we have. That is, that the nuclear industry is choking on its own waste. We have the responsibility to come up with a solution.

This chart shows an overlay of nuclear plants in noncontainment areas. In fact, almost all nuclear plants are located in or near areas that have significant air quality problems. What happens when the nonemitting sources are replaced with emitting sources—the only realistic alternatives?

EPA can pass all the regulations in the world, but if the President and Vice President really did care about clean air, they would get behind this bill. This contributes more to clean air than any possible thing we could do in the area of increasing dependence on hydrocarbons.

The administration has a policy: Delay and more delay, for the American people who care for their safety, their environment, and their pocketbook. Let's look at the pocketbook. The litigation goes on. The $15 billion has been paid by the ratepayers. The liability associated with nonperformance to the contractual commitment, $40 to $80 billion, or $1,400 per family.

Is the President concerned about clean air, about climate change or is this some kind of a cynical diplomatic/political exercise? I don't know. Previously, the administration said it objected to siting a temporary storage facility before 1998 when the viability assessment for Yucca Mountain would be completed. At that time, I said anyone who believes that the availability of the viability assessment will make passing legislation easier is out of touch with reality. I take no pleasure in the fact that I was right. The reality is no one wants nuclear waste stored in their State. I am sensitive to that. I understand the position of my Nevada friends. However, we have it in 40 States. Do we want to leave it there or put it in one area that has been determined to carry a repository for our high level waste?

At the committee hearing on S. 1287 in February, all four members of the Nevada delegation stated that no level of scientific proof would lessen their objection to this project. Let me repeat that: All four members of the Nevada delegation stated that no level of scientific proof would lessen their opposition to this project. I understand that and I accept that. It doesn't make any difference what level of scientific proof is available, they are going to oppose it. A further reality is that this administration apparently will not support a solution to this problem as long as the Nevada delegation opposes it. I can understand that.

Let's call the shots as they really are. The ultimate reality is that the Federal Government had an obligation to start taking the waste in 1998 and it violated the sanctity of the contract. We have reached a crossroad. The job of fixing this program is ours. Time for fixing the program is now. Much progress has been made at Yucca. Much money has been spent at Yucca. We can build on this progress.

The bill contains the tools that the Department of Energy needs to make the permanent repository work. Every day we wait to move the fuel, the liability of the American taxpayer increases. We can choose whether the Nation needs 80 various storage sites in 40 States or just one: the arid, remote, Nevada Test Site where we exploded scores of nuclear bombs during the cold war. Is that not the most safe and most remote location for nuclear waste storage? Over 800 nuclear tests were conducted at this site.

Mr. President, the time clearly is now. I note my colleagues from Nevada are on the floor seeking recognition. I have taken a good deal of time and look forward to their statement. I am happy to respond, I might add, to any questions they may pose. Obviously, we are going to be on this for some time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, as is so often the case when it comes to debating the various legislative proposals related to nuclear waste that have been advanced since I have been a Member of the Senate, the issues generate more heat than light. With all due respect to the distinguished chairman of the Senate Energy Committee, much of what he had to say was utterly irrelevant to the situation we confront today. The chairman would have us believe that unless this legislation is enacted, nothing will occur with respect to going forward and siting a high-level nuclear waste repository.

Let me be clear. The process that was used to select that site is one to which I am strongly opposed. But in reality, if this legislation never leaves this Chamber—and it is my view it will never become law—the process by which Yucca Mountain is to be studied—or the scientific term, ''characterized''—goes forward. The time line that has been laid out is that sometime next year there will be a site recommendation; sometime in the year 2002 there will be an application for license; sometime thereafter there will be a construction authorization; and ultimately licensure will be approved if, indeed, all of the scientific questions that have been raised are satisfactorily resolved.

That is a process that began its course back in 1983. We continually revert to the history of this process to illuminate those who have not followed it and lived with it as long as I and my fellow Nevadans have, to try to explain the context in which this debate is occurring.

In 1983, the Nuclear Waste Policy Act was signed into law by President Reagan. It contemplated—and I must say I think the scientific approach was reasonable—that we would search the Nation; that we would look for various kinds of geological formations in which high-level nuclear waste might be buried; that we would balance the burden, in terms of the storage of the nuclear waste, with some sense of regional equity. Three sites would be studied, or characterized, those three sites would be presented to the President of the United States, and the President would make that decision.

I was a newly elected Governor in 1983, and I believe the broad outline of that process, the approach, was reasonable; that is to say, a national search would be conducted, and among the geological formations that were uppermost to be considered were granite formations in the northeastern part of the country, salt dome formations in the Southeast, and in our part of the country the so-called welded tuff.

That was a piece of legislation that, by and large, sought to deal with this issue. I think, to use the chairman's terminology, that was a responsible approach. That was an inquiry that, although we in Nevada were apprehensive about it because welded tuff was being considered, nevertheless represented science, it represented a fair approach, and it represented some regional balance and equity.

May I say, from that point on, what has occurred with respect to the siting process should be referred to as an antiscience approach. It is blasphemy to discuss any kind of scientific orthodoxy in terms of what has occurred. Let me remind my colleagues what occurred that in no sense of the word could be justified as in the interest of science.

Early on, some of my colleagues expressed concern they did not want it to go to the northeastern part of the country. I fully understand that. That had nothing to do with science, everything to do with politics. I have been in

the business a while. I understand that. And what occurred? The Department of Energy, in its own internal documentation, unilaterally decided we ought not to look at the Northeast.

Was that science? Was that responsible? I think any person who had an associate of arts degree in some area of science would conclude by no standard could that be considered a scientific approach. It was politics.

In the 1984 Presidential election, the issue came up as to those salt dome formations in the Southeast. What was said at that time? The President said: Look, not to worry, not to worry; we will not site it in a place where the salt dome formations are.

Does that have anything to do with science? Not even to look at it? To, in effect, blind ourselves and say we ought not to look at the salt dome formation? We ought not to look at granite? Of course not. And no sensible person and no scientist worthy of being called a scientist would ever assert for a moment that that had anything to do with science. Was it responsible? Of course not. Was it political? Yes, indeed.

Then 1987 comes along, and a bill which shall live forever in the infamy of congressional actions in our own State—the so-called ''Screw Nevada'' bill. Let's call it what it is. Remember, I indicated the original legislation contemplated there would be three sites that would be studied or characterized? What occurred in 1987?

In 1987, a decision was made to look only at one site, Yucca Mountain—exclude any other consideration in any other region of the country. Was that science? Was that responsible? You do not have to have a political science degree from Oxford to recognize that is politics—politics, not science. So when I hear this great paean to science and responsibility, I am compelled to revisit the history of this process which has been corrupted and perverted in every stage in the process where science ought to have prevailed. In every instance, it has been politics that prevailed.

So if I speak with some energy and if I speak with some anger, it is because we have been victimized, not by a scientific process but by a political process in which Nevada has been victimized, and I strongly object to that as a Nevadan, as a citizen. I hope my colleagues will reflect in a broader sense that what has occurred to us could occur to them in another context.

Having said that, the reality in which we deal today is that Yucca Mountain is being considered. This process we have talked about, these milestones, continues forward. So all this talk about nuclear waste piling up and responsibility, we have to do something—hopefully, we will do the responsible thing; hopefully, we will do the scientifically prudent thing. But in no sense is this legislation necessary for this process. I do not like its origin, in terms of the ''Screw Nevada'' bill, but it is going forward. That is, currently, as we are debating on the floor of the Senate, the steady process goes forward. The final environmental impact study is being finalized—not yet final.

Sometime late next year, we are going to have a site recommendation and sometime in the year 2002, or thereafter, an application for a license.

I say to my friends, no decision has been made at this point that, in fact, Yucca Mountain is suitable. That decision is yet to be made. Hopefully, it will be made not in the political way in which other decisions have been made, but it will be made in a scientific way.

The first thing I want to disabuse my colleagues of and those listening is that somehow there is a compelling necessity to have this piece of legislation enacted, that if it is not enacted, somehow this process I have described to you will stop. That simply is not true. From a Nevada perspective, I am not happy with that process, but it is going forward and will continue to go forward.

Let me, as a sidebar, try to address the red herring that is raised every time that somehow there is going to be some insurmountable problem in providing onsite storage. That simply is not the case. Those utilities that need to provide additional onsite storage can do so in a manner which is consistent with what the scientific community acknowledges, with a dry cask storage system, will be available.

In terms of dealing with the equities, about the ratepayers who have paid a lot of money, yes, they have paid a lot of money. That is not the fault of people in my own State. That is part of a process which has been very difficult, and I must say, rather ineptly handled by the Department of Energy over a number of years.

It is true, as the chairman pointed out, that 1998 was promised as the date in which a permanent repository or a waste dump would be opened. We have passed 1998. It is now 2000. That permanent repository, the dump at Yucca Mountain, will not, as I indicated in these guidelines, be available if ever—if ever—for some years to come.

Early on, as a new Member in the Senate, I recognized there was an equity argument, that to the extent ratepayers would have to pay for additional storage as a result of the permanent waste dump not being opened in the year 1998, there ought to be some kind of relief and compensation. I introduced legislation that said, in effect, to the extent that such delays occur, if they do, and if, indeed, as a result of those delays additional storage is required, the dry cask storage system is required, that whatever those expenses are ought to be deducted from the amount of money the ratepayers are required to pay into the nuclear waste fund. It strikes me as being fair.

That is where we begin to scratch the surface and find out that what is really involved in that kind of discussion is not fairness or equity, but the nuclear energy industry, through the Nuclear Energy Institute, has a very different agenda because, incredibly, they oppose that legislation.

Let me repeat that. For those who are listening who are ratepayers in States that have nuclear utilities, I was prepared and remain prepared today and agree with those parts of the bill that provide such compensation to any ratepayer who has been subjected to additional expense as a result of the permanent waste dump not being available ought to be compensated in some way, and the compensation should be reducing the amount of money the ratepayers are required to pay into the nuclear waste fund by an amount equal to the expense they have incurred.

That is equity. That is fairness. Let me repeat, that is not what the nuclear industry is all about. They have no interest in that.

We have heard a good bit about responsibility and science. What we want is the best science, we are told. I do not believe that is what they want at all. Let me try to frame the issue and let me use the chairman's own words.

The chairman has said—and I appreciate his candor; we disagree very strongly about this, but I want to make it clear to him and others that this is not a matter of personal acrimony; it is a major policy difference. This is what the chairman said in the last go-round we were about to have. This is an article that appeared in the Las Vegas Sun, December 6, 1999:

> What we want is to make sure that the measuring is under a regulation that allows waste to go to Yucca.

''What we want is to make sure that the measuring is under a regulation that allows waste to go to Yucca.''

Not one word is expressed about public health and public safety, and that is precisely what they want. As my colleagues know, I will not be a Member of this august body this time next year, but I predict that if the nuclear utilities feel they need more legislation, they will be attempting to reduce the standards further.

S. 1287, which is the vehicle we are debating, as it came out of committee had these kinds of standards. Let's talk about that because that is pretty important for our consideration.

S. 1287 provided that 30 millirems per year would be the authorized dosage each individual can receive. For most of us who are not scientists—and I acknowledge that I am not—I do not know that I would recognize a millirem if I ran into one. Suffice it to say that millirems are the way in which we measure radioactivity, radioactive exposure. We all know that.

Many of us who are getting a bit long in the tooth—and I exempt the distinguished occupant of the Chair from that categorization—can remember in our youth when we would go to the shoe store and there would be a little fluoroscope there. Your mom would be there, and that fluoroscope would flash

on and your bones in your feet would be exposed. The shoe salesman would say: I think those are the right size for Richard because he can move his toes freely.

As a kid, I revelled in it because I could see my feet—exposure, radioactivity. Do we do this today? The distinguished occupant of the Chair and I not only are parents but grandparents and are proud of that fact and are interested in their health and safety. That was abandoned a generation ago. Why? Because there are risks involved.

In less than a decade after Roentgen developed the x ray, there had been a fatality. That process indicates that radiation poses some very real risks to human health and safety. The experience in my own lifetime has been that, by and large, those standards are tight. We do not have fluoroscopes for fitting shoes on youngsters or adults, there is a constant effort to reduce the amount of exposure, and x rays we get when we go to the dentist are much less invasive than they were a generation ago. Why? Because the cumulative impact of all of that has a profound impact on health and safety.

We are not talking about some theoretical concern that might happen. That is the experience of more than a century, and although not completely applicable to this piece of legislation, we now know that workers who were a part of the nuclear industrial development that made it possible for us to produce the atomic weapons upon which our security has been predicated for more than half a century, the Department of Energy now acknowledges they were exposed to radiation and their health has been potentially impacted. They have acknowledged that for the first time decades later.

We are talking about something that can have a profound, even a potentially deadly impact. Yet our friends in the Nuclear Energy Institute and their allies shoehorn the standard so that it fits Yucca Mountain, irrespective of what good scientists say about health and safety.

Does that make me angry? You bet it does. Any parent, any grandparent, any responsible citizen should be absolutely appalled at the notion that this is being politicized, and it is. I will have more to say about that.

In 1983, the year the legislation was signed into law by President Reagan, the Environmental Protection Agency was established as the individual Federal agency to set the standard. Nobody challenged that.

In my first 6 years in the Senate, we had a decision with respect to the WIPP facility, a nuclear repository dealing with transuranic waste located in the State of New Mexico.

The Environmental Protection Agency set the standard. What was the standard they set? It was 15 millirems. Was there an objection from the nuclear industry? No. Was there a contention that somehow this was an outrageous and unreasonable standard? Was it suggested somehow this was wild science? No. It was set at 15 millirems.

At about that time, however, the nuclear energy crowd's interest in locating a high-level waste dump in our State began to be a little fretful. Could Yucca Mountain, which was developing a number of problems—a question of seismic activity, a question of volcanic activity, a question in terms of water table or thermoloads that were greater than expected, an earthquake which visited the site and created some damage—all of this began.

So in the energy bill of 1992—never debated on the floor of the Senate or the House—that was going forward, all of a sudden a provision was inserted into the bill that sought in some way to maybe bracket or to limit the EPA in setting the standard. In effect, what was requested was that the National Academy of Sciences ought to take a look and see if whatever the Environmental Protection Agency came up with, to use a metaphor from the street, was in the ballpark: Are they being reasonable?

That was the first assault upon the EPA and its standard-setting capability advocated by the proponents of the high-level nuclear waste dump at Yucca Mountain. This was not something the Senators from Nevada and those of us who have been concerned about health and safety advocated. This was what the nuclear utilities argued for.

Let's go over the verdict. What was the cycle? The National Academy of Sciences did, in fact, take a look at the EPA standard that was proposed for us at Yucca Mountain. The EPA standard: 15 millirems, the same as WIPP. Pretty reasonable.

The National Academy of Sciences, in looking at that standard, said: We think the standard with respect to the milliremic exposure rate per person per year is somewhere between 2 and 20. We think that is the range.

So those are the brackets you see there on the chart: 2 and 20. Frankly, the EPA came right down in the middle. For those of us in Nevada, we would much prefer that they would be at 2 or 5 or 10 millirems. But it was set at 15. It was consistent with what had been done in WIPP.

Let's talk about the agenda. What does the nuclear utility crowd want? They don't want the 15-millirem standard. That is science. What they want to do is to game the system—to, in effect, shoehorn in any kind of a standard that makes it possible for them to dump nuclear waste in Nevada.

Their most recent iteration of this is S. 1287, the underlying vehicle, although the substitute amendment we are debating does have some changes. I want to make that clear for the record.

What did they propose? Thirty millirems—twice as much. A moment ago, I stated it is my belief that next year, the year thereafter, we get to 2002, and all of a sudden they will say: Look, we can't build that site with a 30-millirem standard. They would be rushing onto the floor of the Senate, as they have year after year, to say: Look, we need a standard that allows an exposure rate of 60 millirems, or 90 millirems, or 100 millirems—whatever it takes.

That is the underlying basis for this statement right here. This reflects the policy: What we want is to make sure that the measuring is under a regulation that allows waste to go to Yucca. There is not one reference to health, to safety, or to science. The shorthand view is: Look, whatever it takes to get it there, devil be whatever the standards will be, that is what we want.

That is the risk we have. That is not responsible. I exhort my colleagues to be responsible. That is not scientific. I urge my colleagues to be scientific. That is not scientific.

Why should there be a different standard set for WIPP than there is for Yucca? Why? Why is that necessary? No objection was raised to the WIPP standard. Why shouldn't it be the same? Logically, the EPA reached the scientific conclusion that it should be the same.

The National Academy of Sciences—and there is nobody in Nevada who was part of that review process—said: Look, that is within the recommended range; that is fair. But fairness and science and responsibility is not what this bill is all about. Any fair-minded person would look at this and understand that it has a political overtone.

In the last few days, the process has been extremely frustrating. On Friday, we received two different versions of the substitute. By 4:45 on Friday afternoon, we had received the version that has been offered today.

Based upon that version, here is what we know: The EPA strenuously objects to the language as it relates to standards that are in the draft before us today. The Council of Environmental Quality strongly objects to that standard as set forth in the substitute. And the President of the United States has indicated he will veto such legislation if, indeed, the bill in that form reaches his desk.

This Statement of Administration Policy is dated February 8, 2000:

> The Administration has reviewed a February 4, 2000, manager's amendment to S. 1287—

That is the substitute we are talking about now—

> and understands that this amendment will be brought to the Senate floor.

Indeed, it has and is what we are debating.

> Unfortunately, this amendment undermines EPA's existing statutory authority to set standards to protect public health and the environment from radioactive releases; therefore, it is unacceptable to the Administration. Although the amendment appears to allow EPA to exercise its existing authority to set appropriate radiation release standards for the Yucca Mountain repository, it will allow another entity to block EPA's authority until June 1, 2001.

This may not be readily apparent to everyone, but the thrust of this new language would be to strip the EPA of the authority to promulgate, in final form, this 15-millirem standard and kick it over until next year. Why? Why would they do that? Is that science? Is there some scientific reason for that? No.

This rule has been in the gestation process since the early 1980s.

It has been out for public comment, which is certainly appropriate—those who criticize it or support it make recommended changes to it; all of that has occurred. That is part of the process. That is not only good science but it is responsible public policy. Is it responsible to suggest that? No.

What is involved? Well, as we all know—and I must say it has begun far too early for most of us, even those of us who have had a lifelong fascination with politics—this is about Presidential election politics. We are going to have a new President next year. President Clinton is constitutionally precluded from succeeding himself. We all know that we are going to have a new President. So this is a political, cynical effort to deprive EPA of the authority to do its job in accordance with science and in a responsible fashion, and to inject what into the process? Politics. That began in 1983 with the Northeast being taken out of the dialog, and in 1984 with the salt dome formations in the Southeast being taken out in 1987—if we look at the one-site and put-all-the-nuclear-eggs-in-one-basket approach.

Again—it should come as no surprise to those who have followed the process—we have politics as usual. Kick this into next year, to a new President who may take a less protective view of health and public safety and responsibility and take a different approach. That is what we are being asked to do.

This draft is replete with politics. Let me mention one of these provisions to give you an idea. This draft has no more to do with science or public responsibility; this is a political instrument; this is a political deal. Let's be honest about it. What do we have here? We have a little sentence that talks about transportation. Let me say that the concerns about transportation, shipping 77,000 metric tons of high-level nuclear waste on the interstate highway systems in America, on the rail transportation corridors of America, that will go through 43 States, 51 million Americans live within a mile or less. So lest those of you who may be observing this debate are thinking this only affects the good people of Nevada, let me assure you that your backyard can be affected, as well as your church and schools that may lie within that mile or less of the Interstate Highway System or rail.

In looking at what those routes might be, one would think we ought to try to take the safest, most direct route. But no, no, we have politics in this. We are told we should avoid highways with downgrades of more than 7 percent. I know why that was put in there. He is a very good friend of mine, but the able Senator from Colorado, who voted with us last year in opposing this ill-conceived attempt—this is an attempt to acquire his support. I do not criticize him for it. He is trying to protect his State. I offer no criticism. But that is the cynicism that is involved. No science. No public responsibility. This is politics.

Now, look, I happen to love politics. It has been a lifetime of mine. I am proud of my involvement. I have had experience at the local level and the State level, and I am proud to have been a Member of this august body. This is my twelfth year. So I do not shirk from or blanch at the thought that we are talking about political issues and public policy. That is why I came to the Senate. This is why I have devoted my career in public service to policy formation. But this is not public policy; this is public cynicism. That is what this is all about. We ought to reject this.

So I guess I will simply return to the premise I began with, which is, is this piece of legislation necessary? The answer is no. If this legislation fails to be enacted into law, does it in any way impede the process occurring at Yucca Mountain? The answer is no. Parenthetically, I wish it did. But it does not impede it. That process goes forward. Does it do anything with respect to these guidelines in the sense of when the decisions are going to be made in the year 2001 and site recommendations? Does it deal with that guideline or the site application for licensure process? No. That all goes forward. That is in the law now and that is part of the planning process. It is not necessary. It is totally unnecessary.

What we are talking about is a very artful attempt to circumvent the process in which good science and good public policy ought to be used in making these decisions. That will not be allowed to happen in this piece of legislation in this form.

This is a moving target. I am talking about the substitute before us today. I alluded a bit ago to the frustration I have. This piece of legislation affects my State more than any other State, although—let me be clear—43 States will be affected by the transportation corridors. Yet we have largely been in the dark in terms of what kind of a substitute amendment we might face.

Friday afternoon, we received the version that we are debating today. We are prepared to debate it. We are prepared to accept the President's veto, the support of all the environmental community, support of the EPA and Council on Environmental Quality, and all those charged with that responsibility. We are prepared.

As we speak, a new substitute is being worked up. Whether or not there will be agreement, we don't know. Perhaps some of these comments, in the context of the new substitute, may have to be modified. But that is a sense of frustration I share with colleagues. Imagine, if you will, something that was particular to your own State, and the negotiations affecting your State excluded you from the process. And you kind of waited with bated breath each morning. You have a proposal; can we see it? What is it going to be? That, Mr. President, is where we in Nevada have been.

I am deeply offended by that process. I was not sent to Washington by the people whom I represent to sit on the sidelines and be that potted plant somewhere in the back part of the Senate Chamber. I want to know what is going to happen because I know from bitter experience that good science and good public policy have absolutely nothing to do with the way this process has been implemented since its earlier auspicious beginning in January of 1983.

So I recognize in these kinds of debates, I am sad to say, that unlike the days when the giants of the Senate took the floor and we saw each other and debated back and forth, that is not the way the process works. I understand that, in numbers, we are no match for the phalanx of lobbyists from the nuclear utilities. We do not have their financial resources; I acknowledge that. All we have is our honor, our integrity, and what is good science and public responsibility.

I hope that argument will prevail because it ought to be the way we in this Chamber make the decision. It ought to be the process by which every piece of legislation is dealt with on the floor of the Senate and in its various standing committees. We are here debating the substitute. We will wait and see what other pieces of legislation there might be. But I implore my colleagues to look at this carefully and understand what is coming about. This is not necessary. It is not science. It is simply not responsible public policy.

I urge you to oppose this legislation.

I yield the floor. 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. WELLSTONE. 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. WELLSTONE. Mr. President, first of all, I have been coming to the floor every day because of a commitment I made. I will just take a couple of minutes on this.

The PRESIDING OFFICER. We are in a postcloture situation.

Mr. WELLSTONE. I ask unanimous consent that I be allowed to speak in morning business for 15 minutes.

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

Mr. WELLSTONE. I thank the Chair.

CAPITOL HILL SECURITY

Mr. WELLSTONE. Mr. President, first of all, I have been speaking about the security of the Capitol Hill police. I made a commitment to myself, much less to others, that I would continue to speak on it. I always start with the service for Officers Chestnut and Gibson and a commitment I am absolutely sure we made to the Capitol Hill police that we would do everything possible to assure security for them, much less the public.

One of the things we have to do—and we have to do it today; if not today, tomorrow; but I don't think we should let time go by—is make whatever kind of policy change and whatever kind of commitment of resources need to be made to assure that at every post there are two officers.

Again, a lot of the posts have many people entering. If there is one officer with lots of people coming through a door and, God forbid, somebody deranged enters with the intention of committing an act of violence, it would be very difficult for that single officer to deal with such a person.

I again call on all Members to do better by these police officers and to live up to this commitment. I am sure Republicans and Democrats all agree, but I will focus on this until I am sure we have followed through on a commitment we made because I don't think we have followed through on it yet.

CHECHNYA

Mr. WELLSTONE. Mr. President, yesterday I met with members of the Chechen Government. They discussed the horrific conditions currently facing their homeland. It is clear that the Russian Government must move to immediately allow into Chechnya and neighboring Ingushetia an international monitoring force to monitor and report on the humanitarian situation. It must also immediately move to assist those persons who have been displaced from Chechnya as a result of this conflict and to allow representatives of the international community access to those persons in order to provide humanitarian relief.

As many of you know, the Russian assault on the Chechen capital Grozny is only one more campaign in a long series of Russian military offensives in Chechnya. In September I expressed my concerns to Boris Yeltsin and Putin about the humanitarian tragedy that was—for the second time—unfolding in Chechnya. It is hard to imagine that after the use of force in Chechnya from 1994–1996—which left over 80,000 civilians dead—the Russian leadership could again see the use of force as enhancing the prospects for a durable settlement to this conflict. Nonetheless, the Russian leadership has again chosen to use force and the current tragedy has now reached unimaginable heights.

Russian forces have used indiscriminate and disproportionate force in their bombings of civilian targets. This has resulted in the deaths of thousands of innocent civilians and displaced over 200,000 others. But the suffering is not limited to Chechnya. The neighboring province of Ingushetia has been flooded with refugees. Mr. President, I remind you of the recent snow storm that swept the east coast. I need not remind you of how it compares to a Russian winter. A humanitarian crisis equal to that within Chechnya itself is beginning in Ingushetia.

I implore President Putin to hold firm to his commitment made to the Council of Europe Parliamentary Assembly Group last month to allow into Ingushetia an international monitoring presence to determine what is happening—to determine the best means of getting some immediate relief to the refugees and those trapped in Chechnya. And I urge the Russian Government to lift its press restrictions so that the citizens of the Russian Federation see the truth for what it is. For there is no doubt that if the people knew the full story of human suffering in Chechnya—on both sides of the conflcit—they would devote every effort to its peaceful resolution.

Russian authorities maintain a virtual ban on access to Chechnya by international and local journalists. Groups—such as the Soldiers' Mothers Committee can only monitor Russian casualties through their own sources, through word of mouth, and struggle to determine the fate of their sons in Chechnya. In the past few weeks Russia's main commercial television station was kicked out of the military's journalist pool for showing an interview with a Russian military officer describing troop losses, and Russian officials arrested Andrei Babitsky, a 10-year-veteran reporter for the U.S.-sponsored Radio Liberty, who had been reporting from the capital Grozny. The Russian Government then exchanged the journalist for Russian soldiers held by Chechen rebels yet as of today, the journalist has not been seen or hear from.

The stories of the refugees fleeing Chechnya are horrific: incidents of widespread looting, summary executions, detentions, and rape.

Three weeks ago the Russian Commander for the North Caucasus Group of Forces blamed Russian ''mistakes'' on their ''soft-heartedness.'' He then ordered that only children under 10, men over 60, and girls and women would be considered refugees. Although the order was eventually repealed, teenage boys and civilian men had been in effect sentenced to die. Orders such as these are intolerable and must be condemned. It is fundamentally unacceptable to deny any civilian the right to flee the fighting—to trap them in this dangerous war. And where will these trapped civilians go? Into detention camps? No one needs to be reminded of the systematic torture that took place in detention camps set up to detail Chechens in the 1994–96 Chechen war. That event stains the memory of the Chechen people—and its happening again. Today adolescent boys are being ripped from their mothers arms at the border as they try to escape. Mothers remain in the war zone because they refuse to leave without their sons.

Zura, a mother of three, told human rights monitors at the border that guards prevented a 59-year-old man from crossing over, and that two boys, aged 12 and 13, made it past border guards only by concealing themselves on the bus. Russian leadership are obligated under humanitarian law to do everything to avoid civilian casualties and allow civilians to flee to safety.

Then there are the numerous reports of rape. In the Chechen town of Shali a six-months pregnant 23-year-old woman was raped and murdered. Her mother-in-law was executed in the same incident. And Mr. President, many incidents of rape and sexual abuse go unreported. For many women in towns and villages all over Chechnya the shame is simply too great—they won't come forward to report these horrible crimes. Chechnya's culture and national traditions made it difficult to document cases of rape and sexual abuse—unmarried women who are raped are unlikely to be able to get married, and married women who are raped are likely to be divorced by their husbands. The effects of these rapes on Chechen society will be profound and long lasting. I remind the Russian leadership that rape is war crime.

President Putin must move quickly to resolve this situation in a manner consistent with Russia's obligations to the international community. I urge my colleagues to join me in full condemnation of the use of indiscriminate force against the civilians in Chechnya and to remind the Russian leadership that the world is watching. The Russian Government must move to immediately allow into Chechnya and Ingushetia an international monitoring force to determine what is happening. It must immediately move to assist those persons who have been displaced from Chechnya as a result of this conflict and to allow representatives of the international community access to those persons in order to provide humanitarian relief. And the Russian leadership must begin now to investigate and prosecute those responsible for human rights abuses in Chechnya—it promised to do this after the last Chechen War but failed to do so. Those responsible for human rights abuses in Chechnya must be held accountable.

President Putin must end this conflict and must devote every effort, including the acceptance of third party mediation offers made months ago by the Council of Europe and the Organization for Security and Cooperation in Europe, to its peaceful resolution.

THE BUDGET

Mr. WELLSTONE. Mr. President, I have not read his article today in the

New York Times, but I congratulate former Secretary Robert Reich for a piece he wrote. I have only had it summarized, but he raises questions about this budget the President submitted. Without having even read the piece, I think I understand his framework.

I say to the administration and to Democrats, I find a little unbelievable, with the economy booming and such flush economic times, when one actually looks ahead over the next decade, the nonmilitary discretionary spending and where we are going to be making cuts. I hear the Democrats talking about how we will reduce the debt, but I hear precious little about the investment.

What I worry about is a disconnect between the words we speak and the budgets we present. The President said he had a budget that was all about making sure there would be health care coverage for every citizen, that he had a budget which would be about ending child poverty in America, that he had a budget which would be about making sure every child would come to kindergarten ready and able to learn, that he had a budget which would provide economic security for senior citizens. But looking at the investment in this budget, it is not there. I worry about that.

I think one of the reasons people become disillusioned is that they think they will make a difference. I gave an example today at our luncheon meeting. My parents both had Parkinson's disease. We hear discussion that there will be economic security for senior citizens, there will be a commitment to long-term care, and then we see a tax credit that amounts to a particular amount of money; maybe for an individual family it would be $2,000 a year. For a family faced with long-term care needs, trying to figure out a way of staying at home and to have people help one stay at home, $2,000 a year is not going to do it. It is not going to even come close.

I am troubled sometimes to hear my Senate colleagues, whom I love, taking the position that discretionary spending is actually staying below the cost of living. We are really keeping it down. We are adding no new dollars.

But why is that good if, in the first place, some of our spending—I will say that, or investment—is inadequate? We should be a major player in pre-K, prekindergarten. That is where the Federal Government can make the biggest difference, getting the money and the resources down to the communities and neighborhoods so we can make a commitment to early childhood development, so we can make sure the men and women who want to work in this field are professionals who get decent salaries, rather than getting paid $7 an hour with no health care benefits; making sure families can afford this if both parents work or a single parent works; making sure this child care is not custodial but it is developmental and really helps children. We are going to have to spend a lot of money. It cannot be done on the cheap.

We are going to have to dig into our pockets and make an investment. With all due respect, I appreciate some money for refundable child care tax credits, but when I look at this overall budget, the investment is not there. I am glad we are putting more money into Head Start, but we are not putting in anywhere near enough money to make sure every child who could benefit from Head Start will be able to benefit. We are certainly not putting the investment into affordable child care.

I would argue the most important national goal for our country would be to make sure all children—no matter income or color of skin or rural or urban or boy or girl, by the time they go to kindergarten, through a combination of public sector investment, private sector help, volunteers—have been read to widely, all these children know the alphabet and know colors and shapes and sizes, and they know how to spell their name and they have been challenged and there have been people to nurture them and to support them.

We are not doing that. So I say to the Chair—he is a Republican—I am actually being more critical of Democrats. I am starting to think the policy debate goes like this. Republicans say when it comes to the most pressing issues of working families' lives, like affordable child care, the President says we want health care coverage for citizens—but this budget does not provide that. It does not take us anywhere near universal health care coverage. So Republicans say universal health care coverage, affordable child care, investment in children—listen, when it comes to these issues, there is not that much the Government can or should do.

I understand that. That is a legitimate ideology or point of view. Although, frankly, I think it works best for people who own their own large corporations and are wealthy. I don't think it works for most of the people.

The President says: No, we care about children. We are going to invest in children. We are going to have universal health care coverage. We are going to have economic security for the elderly. We are going to make sure no child is in poverty. But then what we say is: But, politically, we cannot make the investment because then it will look as if we are spending too much. In which case, frankly, the differences between the two parties don't make a heck of a lot of difference to a lot of our most vulnerable citizens.

So I wanted to come to the floor, first of all, to congratulate former Secretary Bob Reich for raising questions about the priorities of the President's budget and all the money that is being put into debt reduction. You can and should put some money into debt reduction. But do you know what else? It would seem to me we also want to make sure we do well for children right now. In the next century, we are going to be asking them to carry an awful lot on their shoulders. We know there are a lot of children we are not doing very well by. My question is, in the words of Rabbi Hillel, his third century admonition: ''If not now, when?''

If we Democrats do not start speaking up for children and talk about the need to invest in children and to invest in pre-K and get it right by way of developmental child care—which should be huge, it should be all over the country and there should be resources—if we do not speak up for children, Democrats, and for investment in early childhood education, then who will?

''If not now, when?''

I think I have run out of time. I yield the floor.

The PRESIDING OFFICER (Mr. MURKOWSKI). The Senator from Nevada.

CAPITOL HILL POLICE SECURITY

Mr. REID. Before the Senator from Minnesota leaves the floor, I would like to have a brief colloquy with the Senator.

I say to my friend, I have watched very closely your public statement regarding law enforcement on Capitol Hill. I want to be as direct and forthright as I can be in underscoring the work you have done. I think I am the only U.S. Senator who has served as a Capitol policeman. I worked, when I went to law school, on the night shift and went to law school in the daytime. I think I have some familiarity with what the Capitol Police go through.

I have to acknowledge and admit the work they do today, compared to when I was a Capitol policeman more than 30 years ago, is much more dangerous, much more terrorist threatened. They face many more dangers than I have. I said on many occasions the most dangerous assignment I had was directing traffic. But the fact of the matter is, I carried a gun and was responsible for maintaining the safety and security of the U.S. Capitol. I am very proud of that. I still have my badge that I carried. I still have that in my office in the Hart Building.

The Senator from Minnesota has recognized that these men and women work in harm's way every day. What the Senator from Minnesota has stated is when we have these doors, and these men and women are there alone, it is dangerous. Two of our law enforcement officers were killed as a result of a terrorist act, the act of a madman. I think the people who maintain the Capitol Police should come to us. We are in an appropriations cycle. If they need more money, let them tell us they need more money. We are in a period of time where we need to get the real facts.

I say also to my friend from Minnesota, I am very concerned we have waited all these many years and we still do not have a visitors center.

Mr. WELLSTONE. Yes.

Mr. REID. We have taxpaying people who come to the U.S. Capitol and spend hours standing in the cold and the heat waiting to get in, without the opportunity to use a bathroom. There are no

parking facilities around here, so they have all had to walk or take public transportation for a long period of time.

I think it is below the dignity of the United States of America that people wanting to visit this beautiful Capitol do not have a place where they can come and have a soft drink, a cup of coffee, a doughnut, or go to the bathroom. That is also a law enforcement issue. One of the reasons these Capitol policemen who protect us and the American public are threatened every day is because we don't have a visitors center where people can be screened, away from these doors.

So I commend, I applaud the Senator from Minnesota for standing up for the American public and basically standing up for these people who have no voice, the Capitol Police who protect us.

Mr. WELLSTONE. Mr. President, if I might respond to my colleague, I appreciate his words. I think he is right. Senator REID from Nevada is actually the only Senator who actually served on the Capitol Police.

I think on the question of appropriations, you are right. This is timely. My own view is the police have a union so they do have a voice. This is, of course, new. I think the union leadership is very involved. I also say Sergeant at Arms Zeiglar has been very good about this and he thinks this is unacceptable and has to change. I don't think there is any question, whether it is an appropriations matter or whether it is reprogramming and having enough overtime pay so people can staff up that way, I don't know the answer. But I do know this, I think my colleague would agree, I don't believe any Senator or Representative can credibly say to the Capitol Hill police, these law enforcement officers: No, we can't spend the additional resources. It costs too much to make sure there is the security for them and the public. We cannot say that.

My God, we have gone through a living hell here. If you think of Officer Chestnut and think of Agent Gibson and think of their families, I think the commitment we made to one another—of course you could never come up with a 100-percent certainty that you could prevent this from happening again. But we want to do everything we can.

I appreciate what the Senator from Nevada said because it is true. When you have these posts, especially when there are lots of people coming in, you cannot have one officer there. I appreciate the Senator from Nevada speaking out on this. The Capitol Police—I did not expect it necessarily would be this way, but everywhere I have gone the last couple of days people have come up and been very gracious and said: Thank you very much for doing it.

I think they feel in their hearts that it is important to get the support. For the Senator from Nevada to come out here and speak makes a big difference. I thank him.

Mr. REID. If I may also say to my friend before he leaves the Chamber, I hope it is more than just talk. I acknowledge Mr. Ziglar is doing a wonderful job, and I appreciate that. But I want him to come forward with a program to accomplish what we need accomplished. After the two officers were murdered at a door coming into the Capitol, protecting us, there was a hue and cry that we had to start construction of a visitor's center.

Mr. WELLSTONE. Yes.

Mr. REID. Isn't it interesting, the colder they get in their graves, the less talk there is about trying to take care of that problem. Had it been there, their lives would not have been snuffed out.

I am so appreciative of the Senator speaking out for people who have no voice.

Mr. WELLSTONE. I thank the Senator.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NUCLEAR WASTE POLICY AMENDMENTS ACT OF 1999—Continued

Mr. REID. Mr. President, it is my understanding the matter before the Senate today is the amendments to the Nuclear Policy Act of 1999; is that the matter we are on?

The PRESIDING OFFICER. The Senator from Nevada is correct.

Mr. REID. Mr. President, when I was a young man, I used to box. I fought in the ring. I can remember as a 20-year-old, I thought I was in pretty good shape. I weighed 160 pounds or thereabouts. I had trained for a fight near the place where they were building the Glen Canyon Dam, which forms Lake Powell. I was ready to go and had trained for this fight. I arrived there and was told the opponent was not going to fight, so I would not be able to fight that night. I was very disappointed.

A manager came out and said: We have somebody here who could fight you, but he has no experience. I know how badly you would like to fight, so if you agree to kind of take it easy on him, I will go ahead and let him fight. He is a little bigger than you are, but I am sure everything will be fine if you take it easy on him.

Mr. President, he worked me over really good. It was one of the worst beatings I ever took. It was the first time I had ever had broken ribs from a fight.

The reason I mention this story is, I have learned since then that if you are going to have a fight, you have to know the rules, you have to know whom you are fighting. Ever since then, I have never gotten into a fight unless I pretty well understood who the opponent was.

With the matter now before the Senate, I am having some difficulty finding out who the opponent is. We had been told there was going to be an amendment last Friday. We got an amendment last Friday, but it was not the one we thought it was going to be.

I say to everyone within the sound of my voice, whatever happens in the Senate these next few days on the matter that is now before the Senate, S. 1287, it is not the bill that directs nuclear waste to go to the State of Nevada. If nothing happens in this Chamber regarding S. 1287, as we speak, there is characterization taking place at Yucca Mountain to determine if, in fact, Yucca Mountain is suitable for a nuclear repository. At a time subsequent, the Nuclear Regulatory Commission will make a determination as to whether or not Yucca Mountain is suitable to be licensed.

It does not matter what we do today, tomorrow, the next day, or whenever we finish S. 1287. Characterization is still taking place; the decision on licensing the site is up to the NRC.

What is happening in S. 1287 is the same thing that has happened in the last 4 or 5 years with interim storage. The very powerful nuclear industry wants to short-circuit the system, wants to do an end run around the system, wants to speed up the disposal of nuclear waste. Good sense dictated, and the President of the United States said he would veto the interim storage bill.

As a result, interim storage is no longer an issue we are debating, for that I am very grateful. I appreciate the chairman of the full committee taking another approach. That approach is S. 1287. I say to everyone in the Senate and others within the sound of my voice that S. 1287, unfortunately, is still an attempt to short-circuit the system. It is not the mass outage that interim storage would have caused, but it is still a short-circuit.

What does this bill do? Originally, the main purpose was to take the Environmental Protection Agency out of the business of setting standards for radiation at Yucca Mountain. Again, the President issued a veto statement and said: If that is in there, I am going to veto this bill.

There have been conversations between the chairman and the ranking member that that is going to be taken out of the legislation and EPA will still be in the driver's seat. We were told just the other day one of the standards in it was, you could not take nuclear waste through Colorado. We understand that may be taken out of the bill.

The point I am making is this, we do not yet know what the vehicle is. We do not yet know whom we are going to be fighting. By the way, the man I fought in Kanab, Utah was named

Swaderski. I never forget that name. I do not know if this is a Swaderski or it is something else. Until the Senators from Nevada and the rest of the Senate have an idea of what is going to be the vehicle we are going to be debating, what the amendment is, we are at a real loss as to how we should proceed.

We have other problems with S. 1287, but the main problem is with the nuclear radiation standards we have talked about.

There are all kinds of things which at the right time we can talk about in some detail—about radiation protection, what the standard should be. What we have not talked about at all, and which we certainly need to talk about, is not only the radiation standard generally, but a radiation standard for children.

For example, I did a lot of work on lead abatement. Lead in the environment is dangerous to adults, but not as dangerous and it is disastrous to children. Little children's nervous systems cannot take lead. Most of the work we did with lead abatement was directed toward children.

As with lead, radiation more drastically affects children than it does adults, and this is something about which we will have the opportunity to speak at a subsequent time—the risk to children.

We are learning a lot about ground water protection as it relates to radiation. We know that ground water must be protected. There is such a shortage of it in Nevada and especially in the Yucca Mountain area. We want to make sure that ground water which we believe flows into the Amargosa aquifer is something that is not going to be damaged.

We know during the last 3 years we have had a significant number of very serious earthquakes at Yucca Mountain. We can talk about this in some detail, but it is something that goes to the ultimate licensing of this repository.

The cost of the program is in the billions of dollars. We were told originally it would cost $200 million to do the characterization for three sites, a total of $600 million. For just Yucca Mountain alone, we are now over $7 billion for the characterization. There has been a loss of confidence. We have various organizations that are concerned.

I have heard people come to the Senate floor and talk about, how they are taking care of nuclear waste in Europe. That is really not quite true. They are having all kinds of difficulty transporting the nuclear waste. Of course, those are very small countries. Here in the United States, we are talking about transporting nuclear waste not hundreds of miles, as they have had difficulty doing in the European countries, but transporting waste for thousands and thousands of miles. That is something we need to talk about. We need to discuss the loss of public confidence in how we handle nuclear waste. Of course, transportation, as I have just mentioned, is a very serious problem.

Senator BRYAN and I have had the good fortune of being able to travel to St. Louis, Denver, and a number of other places. But to take those two places alone, we met with the city council in both of those entities, and they immediately passed resolutions saying they did not want nuclear waste in their cities and counties. If people know how dangerous it is to transport nuclear waste, they, of course, do not want it.

Nuclear waste has to be transported either by truck or by train. In years past, we have talked on this floor in great detail about how dangerous the transportation of anything is but especially something that is the most poisonous substance known to man—plutonium.

Terrorist threat: We have recognized there is a terrorist threat with respect to transporting nuclear waste. The sad part about it is, this is something that does not seem to concern some people. They simply want to have a repository and will worry about how to transport it at a later time.

We have a lot to talk about in relation to this legislation. But until we get a bill, until we know who we are fighting, and not only who we are fighting but the whole context of the fight, we are not in a position to work in detail to improve this legislation.

There will be amendments filed by the deadline tonight by some. I think the Senators from Nevada, based on the situation now before us, are not going to file amendments because this legislation is such that we do not know what amendments should be offered based upon the RECORD, which is now before us.

Cloture has been filed on the underlying bill, S. 1287. At a subsequent time, we are going to have to take a look at that to determine whether or not we are going to ask our colleagues to support us in relation to the cloture motion, whether or not we should be for or against that.

I hope there can be a distribution of the proposed amendment at a rapid time so our staffs can have an opportunity to look at it. At this stage, there is an amendment out there somewhere, but it has not been given to our offices. We are having difficulty understanding what the amendment is. It is a moving target, to say the least. It keeps changing. Until that is defined, I think we are going to have a great deal of difficulty talking to the White House as to whether or not this legislation is in keeping with fairness, equity; whether the rulemaking power of this administration is being jeopardized.

We do know one of the provisions in the bill is to make sure this decision made by the EPA is not going to be made until the next Presidential election, for obvious reasons; that is, the proponents of this bill are hoping that a Republican will be elected because Vice President GORE has been a stalwart on this, recognizing the environmental dangers of what has been attempted by those people who want to jam nuclear waste not only down the throat of Nevada but expose all the people along the transportation routes to Nevada.

So, again, at such time as we get this legislation, I will come back and revisit the legislation. At this time, I have no legislation to visit and will have to wait until a subsequent time to make that determination as to how the legislation affects the State of Nevada and the country.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. 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. MURKOWSKI. Mr. President, I just listened to the statement of my good friend from Nevada. I thought perhaps I could contribute something meaningful to our consideration by trying to explain some of the procedure that we have run into and the rationale behind the process.

As the Senator from Nevada indicated, last Friday we were able to supply the amendment which was acknowledged by the minority. In my numerous conversations with the minority and the ranking member of the committee, it became necessary to consider making changes. We have been in constant consultation with the ranking member and professional staff to try to see if we could reach an accommodation on the suggested changes that have been primarily communicated to us by the Senator from New Mexico.

It was not the intention to do an end run, by any means, on my good friends from Nevada. But it was an effort to try to advance, if you will, the continuing negotiations. That situation has been changing. In my opinion, the goalposts have been moved a little bit, but I am not going to argue the merits of that.

We have been talking about various aspects. I think it is a fair characterization by my friend from Nevada to say that if you do not know who you are fighting, it is pretty hard to know what the rules are—or words to that effect.

We have to file the amendments prior to 6 o'clock. There obviously is going to be one more chapter and verse to this. I assume the two Senators from Nevada are conversing with the minority and are a part of this process.

But, in any event, that is the best explanation I can offer as to why this thing has not remained somewhat stationary but has been moving, as we have tried to accommodate certain concerns that have been brought up, many of which have been quite germane and appropriate.

One of the things that I think we should identify is something that I had been under the impression the Secretary of Energy was addressing; that was the concern of a number of Governors. I will read the names of those Governors. They include Governor Jeb Bush of Florida; Governor Howard Dean of Vermont; Governor Angus King, an independent, from Maine; Governor John Kitzhaber of Oregon; Governor Jeanne Shaheen of New Hampshire; Governor Jesse Ventura of Minnesota; and Governor Tom Vilsack of Iowa. Let me share with my friends what those Governors have said:

We Governors from states hosting commercial nuclear power plants and from affected states express our opposition to the plan proposed by Energy Secretary Richardson in his February 1999 testimony before the Senate Energy and Natural Resources committee. Secretary Richardson proposes that the Department of Energy take title, assume management responsibility, and pay costs at nuclear plant sites for used nuclear fuel it was legally and contractually obliged to begin removing in January 1998. This proposed plan would create semipermanent, federally controlled, used nuclear fuel facilities in each of our States.

I think it is rather ironic that the whole argument we previously had the last time we took up this legislation was whether or not to site a temporary repository in Nevada. The fear of the Nevadans is, if we started to move this waste out there, Nevada would be the proclaimed site for the waste because it had already moved out there, even though the process of licensing was to continue. Here we have the States expressing the same concern Nevada had when the Nevadans argued against putting a temporary repository in their State and shipping the fuel out before Yucca Mountain was licensed.

Here are the Governors saying:

This proposed plan would create semi-permanent, federally controlled, used nuclear fuel facilities in each of our States.

They have the same fear. The fear is that if the Government takes title, the waste will sit there in their States. Now, there is some rationale in that fear because the Government certainly hasn't been upfront in addressing its responsibility, in contractual terms, to take the waste in 1998. It seems as if the Government is prepared to leave the waste wherever it might be rather than accept it. That is the only conclusion you can come to, as evidenced by the reluctance to take it in 1998, the reluctance to support previous legislation that would put that waste in a temporary repository at Yucca Mountain until Yucca Mountain was determined to be licensed. So now the fear is that these States are going to be stuck with that waste because the Federal Government is going to take control of it in their State, and it will sit there.

Let me cite the specific reasons for the opposition of these Governors. Again, they are Jeb Bush, Republican from Florida; Howard Dean, Democrat from Vermont; Angus King, Independent from Maine; John Kitzhaber, Democrat from Oregon; Jeanne Shaheen, Democrat from New Hampshire; Jesse Ventura, the Reform Governor from Minnesota; Tom Vilsack, Democrat from Iowa. That is a pretty broad bipartisan group. In the letter, it says:

Specific reasons for our opposition are:

The plan proposes to use our electric consumer monies which were paid to the Federal Government for creating a final disposal repository for used nuclear fuel. Such funds cannot [in their opinion] legally be used for any other purpose than a Federal repository.

Well, if that is correct, then that is correct, they can't be used to store the fuel in those States next to the reactors.

Further, it states:

This plan abridges States' rights. . . .

I think we need to hear a little bit more about States' rights around here.

[I]t constitutes Federal takings and establishes new nuclear waste facilities outside of State authority and control.

Yet within their very States.

These new Federal nuclear waste facilities would be on river fronts, lakes and seashores [where the plants are] which would never be chosen for permanent disposal of used nuclear fuel and in a site selection process.

The plan constitutes a major Federal action—

I think it does—

which has not gone through the National Environmental Policy Act (NEPA) review process.

So the administration is circumventing NEPA.

Further:

The new waste facilities would likely become de facto permanent [waste] disposal sites.

This is the crux of it, Mr. President. They say:

Federal action over the last 50 years has not been able to solve the political problems associated with developing disposal for used nuclear fuel. Establishing these Federal sites will remove the political motivation to complete a final disposal site.

The letter to the President concludes with:

We urge you to retract Secretary Richardson's proposed plan and instead support establishing centralized interim storage at an appropriate site. This concept has strong, bipartisan support and results in the environmentally preferable, least-cost solution to the used nuclear fuel dilemma.

The PRESIDING OFFICER. The Senator has used all his time.

Mr. MURKOWSKI. 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. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. MURKOWSKI. On behalf of the leader, I ask consent there be a period for the transaction of routine morning business, with Senators permitted to speak for up to 10 minutes each.

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

THE LATE SENATOR CARL T. CURTIS

Mr. THURMOND. Mr. President, we begin the new session of the 106th Congress on a sad note, marking the passing of a good friend and former colleague, Senator Carl T. Curtis of Nebraska, who died recently at the age of 94.

For those of you who are new to the Senate, Carl was a great man who rendered a valuable service to his state and our nation throughout his career. First elected to the United States House of Representatives in 1938 and the United States Senate in 1954, Carl holds the record for being the Nebraskan to serve the longest in the United States Congress. In total, he spent almost forty-one-years on Capitol Hill before retiring from the Senate in 1979.

During his tenure as a Federal legislator, he earned a well deserved reputation for fiscal conservatism, limited government, and was known as a champion of farmers and agricultural issues. He was party loyalist and a true conservative who never sacrificed personal convictions for the sake of public opinion. Among other issues, he was steadfast in his backing of President Nixon and our fight against communism in Southeast Asia even though these were highly unpopular positions at that time. An indication of his commitment to the conservative cause was the close alliance between he and Barry Goldwater, as a matter of fact, Carl managed the floor during the 1964 Republican Presidential Convention in San Francisco when Senator Goldwater was seeking the nomination of the party. Perhaps most importantly, Carl was known for his commitment to his constituents, nothing was more important to him than helping the people of Nebraska. Such dedication to helping others is truly the hallmark of an individual devoted to public service.

During the course of our time in the Senate together, I came to know Carl quite well as we had much in common, as a matter of fact, he and I both entered the Senate in 1954 and that was not the least of our similarities. Beyond being like-minded on so many issues, we were essentially contemporaries, having grown-up on farms, read for the law instead of going to law school, and prefering to be out meeting with our constituents. It was always a pleasure to work with Carl on any number of issues and I valued his alliance as a Senator and his friendship as an individual. It was a high honor to be asked to serve as an honorary pall bearer by the Curtis family, though I hate to say ''goodbye'' to my old friend.

Carl Curtis was the embodiment of a public-minded citizen who dedicated

his life to making a difference. From his stint as Kearney County Attorney to his role as an elder statesman, Carl Curtis always sought to build a community, state, and nation that were better for all its citizens. He set an exemplary example for integrity, diligence, and conviction, and others would do well to follow the high standards to which he held himself. My sympathies go out to his widow, Mildred, his son Carl T. Curtis, Jr., his grandchildren and great-grandchildren. All can be proud of this fine man who we are all better for having known.

''DON'T BE DOWN ON THE FARM''

Mr. DASCHLE. Mr. President, last week I joined several of my Democratic colleagues at a hearing on the agriculture crisis that is forcing many family farmers out of operation. We heard a number of witnesses tell compelling stories about how the 1996 ''Freedom to Farm'' Act has failed them and their communities.

Lori Hintz, a registered nurse and farm wife, talked about the impact of the '96 farm bill on her community in Beadle County, South Dakota. She emphasized that farmers are not the only ones in her area that are struggling.

When farm prices are depressed in a rural community—like they are in Lori's—small businesses, health clinics and schools also feel the pinch. Lori spoke eloquently about the urgent need to invest in rural communities and promote a healthy farm economy, thereby reducing out-migration and preserving the way of life that built and still defines the Midwest.

I believe I speak for all Democratic Senators who participated in last week's hearing when I say that the testimony presented by each witness was both powerful and thought-provoking. That testimony only strengthened our determination to address the agriculture crisis facing this country.

Few people have a better appreciation for the problems confronting our family farmers, and for what we in the Senate need to do to fix those problems, than my close friend and colleague, Senator BYRON DORGAN. Senator DORGAN has stood throughout his public career as an effective and tireless advocate for America's family farmers and ranchers, and his perspective on the economic difficulties felt by many rural residents merits the undivided attention of policymakers in Congress and the Administration.

Today, I would like to express my gratitude and appreciation to Senator DORGAN for an article published in a recent edition of the Washington Monthly that presents a poignant and persuasive argument for the family farm. I commend this article, entitled ''Don't Be Down on the Farm,'' to my colleagues' attention.

Senator DORGAN knows this topic as well as anyone. We have all learned from Senator DORGAN's entreaties, many of which have been delivered in this chamber, about the economic challenges facing the people to whom we entrust the safe and abundant production of our nation's food and fiber supply. We have listened to Senator DORGAN's impassioned oratory about conditions in rural North Dakota, and how the economic survival of many communities in his state depends on successful family farms. His words resonate deeply in me, because they often evoke similar scenarios in my state.

In his article, Senator DORGAN makes a number of important observations—things we know to be true, but that too often are recklessly discounted in the crafting of farm policy. He reminds us of the proven efficiency of family farms, and how viable family farms translate into robust, successful communities. He also asks a question to which we still have not received a persuasive answer. What does society gain by replacing family farms with corporate farming operations?

Senator DORGAN also reminds us of the social costs that we may all have to bear for the emergence of corporate agriculture, including the challenge of waste disposal, the threat of related environmental degradation and the loss of a valued way of life.

Finally, Senator DORGAN asks whether we will take steps necessary to ensure the survival of family farms and ranches for the future. That is a question of interest to many members in this chamber, and one to which we simply must find the right answer.

The eloquence and urgency of Senator DORGAN's message reinforces the views of the many Senators who want to secure a strong future for our country's family farms. I appreciate both the effort and conviction evident in the article, and thank Senator DORGAN for his commitment to this vital issue.

I ask unanimous consent that Senator DORGAN's article be printed in the RECORD.

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

[From the Washington Monthly, Sept. 1999]

DON'T BE DOWN ON THE FARM

WHAT WE CAN DO TO PRESERVE A NATIONAL TREASURE

(By Senator Byron Dorgan)

A Traveler through Western Europe these days observes something unusual to American eyes. Family-based agriculture is thriving there. The countryside is dotted with small, prosperous farms, and the communities these support are generally prosperous as well. The reason, of course, is that Europe encourages its family-scale agriculture, while America basically doesn't care. The difference was apparent at the World Trade Organization meetings in Seattle. The European representatives were talking about families and communities, while the Americans talked about markets. You listen to the speeches, as I did, and a question looms up in your mind. If American trade representatives think these European values represent the problem, just what do they think represents the solution? If prosperous rural economies are not a worthy goal then what is?

The question is of great urgency among U.S. farmers these days. Out beyond the prosperity of Wall Street and Silicon Valley, the producers in America's food economy are struggling for survival. The weather has been miserable. Prices for some commodities are at Depression-era levels. Imports are soaring, and giant agribusiness firms are squeezing out farmers for a bigger share of the food dollar. In this setting, farm auctions have become a grim daily counterpoint to the Wall Street boom.

The stories are wrenching beyond description. I received a letter from a woman whose son refused to get out of bed the day the family farm was auctioned off. His dream was to become a farmer like his dad, and he couldn't bear to watch that dream get sold off by a bank. Suicides among farmers are now three times the rate of the nation as a whole. One Iowa farmer left a note that said, ''Everything is gone, wore out or shot, just like me.''

Many in the opinion class offer an obligatory regret and then wonder why we should care. Family farmers are just poignant footnotes to the bright new economy, they say, like the little diners that got left behind on Route 1 when the interstates came in. ''The U.S. no longer needs agriculture and is rapidly outgrowing it,'' said Steven Blank, an economist at the University of California at Davis. In his view, farms, like steel mills and television factories can move to low-cost climes abroad, and should. ''It is the improvement in the efficiency of the American economy.''

Most express themselves in more diplomatic terms. But that's basically the expert view. An economy is just a mathematical equation and efficiency, narrowly defined, is the ultimate value. If family-based agriculture disappears, so be it. This view isn't just distasteful. It is shortsighted and wrong.

The fact is, family-based agriculture is not unproductive or inefficient, even by the narrow calculus of the economies profession. (I'll go into that a little later.) First off, if we care about food, we will not welcome an economy in which control of the food chain lies in a few corporate hands. Monsanto-in-the-Fields is not everyone's idea of the food economy they want. But the basic issue here goes far beyond food. It speaks to us as citizens rather than just as shoppers; ultimately it concerns the kind of country we are going to be. The family farm today is a sort of canary in the mine shaft of the global economy. It shows in stark terms what happens to our lives, our communities, and our values when we prostrate ourselves before the narrow and myopic calculus of international finance. So doing, it raises what is probably the single most important economic question American faces: What is an economy for?

For decades the nation has listened to a policy establishment that views the economy as a kind of ''Stuff Olympics.'' The gold medal goes to the nation that accumulates the most stuff and racks up the biggest GDP. Enterprise is valued only to the extent it serves this end. But what happens when we produce more stuff than we need but less of other things, such as community, that we need just as much? Do we continue our efforts to produce more of what we already have a glut of? Or do we ask a different question? If Americans say we need stronger families and better communities, then we need to question whether our economic arrangements are contributing to those ends. If we really believe in traditionally family values, then should we not support the form of agriculture—and business generally—based upon those values?

There's a way to save our family-based agriculture. Harry Truman had the answer more than fifty years ago. Put simply, Truman wanted to confine the agricultural support system to the family-sized unit. This

would promote a modern and productive farm economy and healthy rural communities too. It would begin to align our economic policies with our traditional family values and social ideals. But in order to see the value of this approach, we have to put off the mythologies and ideological blinders that dominate the debate today.

OVER THE EDGE

These mythologies start with the assumption that the struggles of family farmers are Darwinian proof of their own unfitness to survive. The fact is, family farmers are in a bind today because of deliberate actions and inactions here in Washington. An impartial market didn't decree their difficulties. Policy makers did. Yes, there has been lousy weather, an expensive dollar, and the collapse of crucial markets in Asia. These come with the territory. Since the New Deal, the federal government has sought to help farmers get through such tough times.

What's different now is that government has tried instead to push family-based producers over the edge. The push started with the trade agreements that opened the U.S. wide to foreign production. Advocates of NAFTA and GATT promised American producers vast new markets, yet today America's trade deficit has reached record levels, and the balance of agricultural trade is heading in the same direction. You need that right. The coal is pouring into Newcastle. By the sublime logic of the global economy, a nation that has depressed prices of durum wheat is importing durum wheat, fruit, poultry, and meat as well.

This did not happen because American farmers are backward or inefficient. It happened because of a high dollar, which works against exports; and because American trade negotiators have been more attentive to the needs of corporate food processors than to the farmers who grow the food. The U.S. trade agreement with Canada is a prime example. Before that agreement the U.S. imported virtually no durum wheat from Canada. (Durum is the kind used in pasta.) The U.S. trade representative at the time, Clayton Yeutter, assured Congress in writing that the agreement would have no effect on grain. Yet durum was pouring across the northern border almost from the moment the agreement took effect. Today, Canadian imports comprise nearly 25 percent of U.S. processed durum. These imports nearly doubled in the first five months of 1999 alone.

Some call this the Invisible Hand. But it has a lot more to do with something called the Canadian Wheat Board, a government agency that handles every bushel of wheat produced in Canada. The Wheat Board publishes no price information, so the workings of the Canadian market are inscrutable to U.S. farmers. There are subsidies for grain handling and transportation that give Canadian producers a further edge. Canada is not an exception. Most nations try to protect their own food production, and understandably so. They have long memories of wars that made food a precious commodity; and as true conservatives they value their rural traditions and cultures.

So tough luck you say: The consumer is king, and cheap imports mean low prices at the supermarket. This degradation of the producer was not what Jefferson and others had in mind when they founded our republic. But that aside, if you think the farmer's travail has been the consumer's gain, you might check your local supermarket. Somehow, those Depression-level prices on the farm haven't shown up on the bar codes. Prices of hamburger and bread have inched up, even as farm prices have plummeted.

Someone is getting the spread, and that someone is the food processing and packing industry, which has scored big off the misery of U.S. farmers. The big four cereal manufacturers have returns on equity of upwards of 29 percent even as farmers go bankrupt. From a loaf of bread that costs $1.59 at the store, the wheat farmer gets about five to six cents. In 1981 the wheat farmer got about double that. The processors can reap where the farmer sows, in large part because the industry has become so concentrated in recent years. When Ronald Reagan become president, the top four beef processors controlled about 36 percent of the market. Today the figure is over 80 percent. A wheat farmer today is dealing with a grain industry in which the top four firms control 62 percent of the business. This means a marketplace with the power to say, ''take it or leave it.''

The antitrust laws are supposed to prevent this kind of bullying. But decades of erosion at the hands of ideologically-disposed economists and judges have reduced these laws to mere ''husks of what they were intended to be,'' as the late Justice Douglas put it. Moreover, budget cuts during the Reagan-Bush years crippled antitrust enforcement just as the current merger wave was gaining momentum. Even after modest increases under Clinton, the antitrust budget has fallen in real terms since the late 1970s. The Microsoft trial has gotten a lot of headlines. But when Cargill, the nation's number one grain exporter and the largest privately-held company, can buy the grain operations of Continental, which is number two, with barely a peep from Washington, then the cops aren't exactly walking tall on the antitrust beat.

There is a pattern here. The U.S. government has undertaken to remake the world in the image of the multinational corporation—an image in which all economic problems get reduced to mathematics. Family-based production has stubborn loyalties to locality and place. It provides a buffer against the ruthless—and often misleading—mathematics of the market. Therefore the government seeks to engineer it out of existence and to replace it with the corporation that has no such inconvenient human tendencies. This was the implicit logic of the Farm Bill of 1996.

FAILING THE FARMS

The Farm Bill of 1996 was touted as a radical break from the past. Proponents said that it would ''free'' farmers from the stifling bureaucracy of the federal government and enable them to make their fortunes in the global marketplace. They called the bill—with mordant irony—the Freedom to Farm Act. It seemed plausible in the flush times of the mid-'90s. But the agricultural marketplace soon cratered, and farmers found out quickly what the bill really left them free to do—Get Out of Farming Fast.

Put simply, the bill phases out the federal price support program over a period of seven years. During that time, it doles out between $5 billion and $6 billion a year in transition payments, supposedly to wean farmers off the federal supports. These go to all agricultural entities, regardless of size and regardless of need. The bigger you are, the more you get—no matter how much money you have sitting in the bank.

It sounds like a parody of a government program. Yet that's how the bill works—or, more accurately, doesn't work. A year after the bill took effect, Congress was enacting ''emergency'' relief to help undo the damage it had just done. Congress just enacted another emergency measure this year. There is no end in sight. Congress buys a little quiet while the nation's family-based producers twist slowly in the wind.

COMMUNITY MATTERS TOO

From the time Franklin Roosevelt established the first farm-support programs during the Depression, a central question has gone unresolved: What is the farm program really for? People in Washington have always wrung their hands over hard-pressed family farmers. But the programs they've enacted have favored the biggest farmers and hastened the demise of the smaller ones. In its many permutations, the farm program has proceeded on the assumption that the mode and scale of production don't matter, and all that counts is a given quantity of beef or grain. This view dominates the policy and media establishments and the result is a facile cynicism regarding efforts to help the family-based producer. We need to reexamine this assumption. The embrace of text-book orthodoxies tends to blind reporters to economic reality, and to the social dimension of economic enterprise.

In reality, a family-based enterprise such as a farm produces much more than corn or wheat. It also produces a community. One might say it has a social product as well as a material product. This social product is invisible to economists and policy experts because they see only what they can count in money. But it is crucial in a nation that has more stuff than it knows what to do with but less community and stability than it needs.

This is not rural romanticism. I'm talking about the opposite—the ways that family-based enterprise provides a matrix for community life. A small town cafe, for example, contributes much more to the life of a rural community than its financial balance sheet would suggest. It is a hub of social interaction, a crossroads where people meet in person rather than just as blips on a computer screen. It serves to reinforce the formal organizations in the town, from the volunteer fire department to the PTA. Cafes are so important to small-town life that in Havana, North Dakota, (pop. 124) folks actually volunteer at the local cafe to keep it open.

Family-based agriculture is a prolific source of social product. Study after study has documented this effect. The most famous was that of Walter Goldschmidt of the University of California, comparing two California farm communities in the 1940s. One was comprised of small and medium sized family farms; the other of large scale producers. The localities were similar in other significant respects. Goldschmidt found that the family farms produced a measurably stronger social unit. People showed ''a strong economic and social interest in their community. Differences in wealth among them are not great, and the people generally associate in those organizations which serve the community.'' The locality with larger farms, by contrast, had a more pronounced class structure, less stability, and less civic participation.

This will come as no surprise to people who grew up in such settings. The family and community values that people give speeches about in Washington are a fact of daily life. I remember a farmer in my home town of Regent, North Dakota, a fellow named Ernest, who had a heart attack around harvest time. His neighbors took their combines and harvested his grain. The economics textbooks call these farmers ''competitors,'' and if they were corporations they would behave that way. But because they are real people they acted like neighbors and friends.

The social dimension of enterprise is crucial even in conventional economic terms. Francis Fukuyama, the respected writer on social dynamics, developed this subject in his book Trust. ''Virtually all serious observers understand,'' he wrote, ''that liberal political and economic institutions depend on a healthy and dynamic civil society for their vitality.'' Society needs enterprise but enterprise also needs a society.

Jefferson was right. The kind of agriculture we choose affects the kind of communities we have and the kind of nation we are going to be. A nation that tries to divorce the processes of production from larger social concerns—as policy experts do—eats its own seed corn. Neglect the social product of private enterprise, and we create the conditions for our own decline.

SMALL FARMS ARE EFFICIENT

Against this, we have to ask what's to gain by displacing family-based farming with corporate agribusiness firms. The answer is, very little.

The supposed efficiency of corporate-scale operations has a large dose of hype. Farms can reach peak efficiency at well within the range of a family operation. Michael Duffy, an agricultural economist at Iowa State University, has found that corn and soybean producers in that state reach the low point on the production cost curve at between 300 and 500 acres. The top 10 percent of pig producers, based on cost of production, averaged 164 sows.

Wheat farmers reach lowest costs at a somewhat larger scale, but still well within a family-sized operation. The belief that bigger corporate operations mean more productive agriculture is just a ''bunch of crapolla,'' Duffy says.

The claims of efficiency, moreover, ignore the costs that sprawling agribusiness operations impose upon the rest of us. Partly these costs are social. When there are no neighbors to drive Aunt Ella a hundred miles to the clinic, she has to use a taxpayer-funded van instead. But the biggest costs may be environmental. Corporate pig factories, for example, have become a nightmare for their neighbors. They foul local water supplies and emit a colossal stink into the air.

A county in Illinois actually had to reduce property assessments by 30 percent in the vicinity of such a plant. In North Carolina, which has emerged as a pig factory haven in recent years, Hurricane Floyd caused massive flooding of the huge lagoons that hold the wastes. The sludge spread over the countryside and leached into the groundwater. Residents were advised to drink bottled water and even to have their wells redrilled. That might be efficiency for the corporation. But it's not for the neighbors, nor for the society as a whole.

I see an economist scowling in the back row. If people want social product, he mutters, then they would demand it in the market.

But that's precisely the problem. Americans can't speak through the market unless the market gives them an effective choice, and under current arrangements they don't have one. When we buy pasta or pork chops at the supermarket there's nothing on the label to tell us the kind of farm it came from.

Markets are the best means we have for allocating resources, when people have both information and choices and when all costs are accounted for. But they don't work so well when information and choice are lacking the costs get shifted into others, and that's what happens with agricultural production today. Farmers aren't getting full compensation for their production, including social product. They should. The question is how.

THE BRANNAN PLAN

After his improbable reelection in 1948 President Harry Truman introduced a farm bill that had a truly far-sighted provision to limit federal farm supports to the family-sized unit. Farmers could become bigger if they wished. They could produce as much as they thought they could sell. But they couldn't expect the federal government to support all their ambitions.

The Brannan Plan as it was called—after then Secretary of Agriculture Charles Brannan—would have made it the policy of the United States that scale and social impact matter, in agriculture at least. Not surprisingly, the larger farm interests opposed the Brannan Plan (thought mostly on other grounds) and it died a quick legislative death.

In the 50 years since, the farm program has gone from one extreme to the other—from supporting everything in sight to hitching the nation's farmers to a market ideology in a world that doesn't always buy it. We've shed crocodile tears over family farmers while promoting their demise. Now the congressional majority is in a quandary. Republicans know they have to do something. But many on that side can't bring themselves to face the implications. So they heap more blame on government, rail at the Federal Reserve Board and the government's failure to open more foreign markets, and hope the problem will just go away.

To be sure, the Federal Reserve Board is a deserving target. When you hand the management of the economy over to money center bankers, then farmers, who rely heavily on credit, are going to get shortchanged. But it's not enough to rail at the Fed. We need to put someone on the Fed who understands the value of family-based farms and who can provide some balance to the economists and bankers who run the place now.

It is good too that Republicans want to open up foreign markets, but we've also got to develop new domestic markets. Since people can eat only so much, that means new uses for farm products. Ethanol barely scratches the surface. There are many materials, from plastics and building materials to paper and inks, that are being made from crops. In Minnesota, farmers are getting from $20 to $50 an acre for selling the right to capture the wind energy from their land. David Morris of the Institute for Local Self Reliance has sketched out the possibilities in a report called, suggestively, ''The Carbohydrate Economy.''

Farmers need more bargaining power in the market too, not just more points of access to it. Senator Paul Wellstone of Minnesota and I have proposed a moratorium on mergers in agriculture-related industries, and a complete review of the antitrust laws as they affect this part of the economy. The measure failed to pass this fall, but we will introduce it again.

But by far the most important issue is the economic safety net. No matter what else you do, farmers are going to confront bad years. There has to be a support structure of some kind, and it should advance the social values of this country rather than undermine them. Harry Truman had the right idea. There should be a support price for an amount of production that is within the range of a family-scale operation. (This would vary by crop and region of the country, of course.)

Beyond that, producers would be on their own. If they wanted to exceed the support range and take their chances in the world market, then more power to them. But we wouldn't ask the taxpayers to support a scale of operation from which there is no social benefit and for which there is no economic need.

This approach would not encourage overproduction, since there would be built-in limits on the amount of production that was supported. The caps would be enough to sustain a family-sized operation in bad years, but they would not make anyone rich. This approach would begin to compensate farmers for their contribution to rural communities—a form of production for which the global market provides no monetary return. It would recognize that the efficient destruction of community in America is not the kind of efficiency the government should encourage.

If this country can subsidize a public-housing program for millionaire athletes and billionaire owners called pro-sports stadiums, then surely it can provide a safety net for the family-scale agriculture that contributes so much to this nation. Anyone who thinks big corporations are less likely than small enterprises to ask for government help hasn't been paying much attention. Big companies, not little ones, get bailed out in America. Already, the corporate pig factories in North Carolina have asked for millions of dollars from Congress to help upgrade their waste lagoons.

An economy is supposed to provide for human need. At a time of material abundance but social scarcity, shouldn't we encourage forms of enterprise that meet the needs of our dwindling communities? If we truly believe in traditional family values, shouldn't we support the forms of enterprise that embody those values, including the family farm?

The crisis in the Farm Belt is one problem America knows how to solve. We have both the means and the resources; the question is whether we will use them.

THE NORTHERN MARIANA ISLANDS COVENANT IMPLEMENTATION ACT

Mr. DASCHLE. Mr. President, I rise to express my whole-hearted support for S. 1052, the Northern Mariana Islands Covenant Implementation Act, which the Senate considered and passed on Monday, and to recognize Senator AKAKA, Energy Committee Chairman MURKOWSKI, and Ranking Senator BINGAMAN for their determined efforts to shepard this bill through the Senate. During the recent recess, I had the opportunity to travel with Senator AKAKA to South Asia. Once again, I was reminded why Senator AKAKA is one of the most respected members of the Senate. As we met with leaders from India and Pakistan, Senator AKAKA's humanitarian focus was evident time and again. Yesterday, Senator AKAKA's concern for those without wealth and privilege was on display once more. I wish I could have been here, yesterday, to celebrate his legislative victory.

Senator AKAKA's special interest in the welfare of the residents of the Northern Mariana Islands dates back to WW II when he served with the U.S. Army Corps of Engineers and spent time on both Saipan and Tinian. In 1996, he and Senator MURKOWSKI traveled to the Commonwealth to investigate reports of the horrible working conditions first hand. Senator AKAKA returned with confirmation of those reports and worked quickly to introduce legislation, with Chairman MURKOWSKI, to improve the often horrific conditions faced by alien workers in the Commonwealth of the Northern Mariana Islands. Since then, Senator AKAKA has come to the floor repeatedly to draw attention to this problem and he has worked tirelessly behind the scenes to build effective bipartisan support for this measure. Senator AKAKA's

dedication to this issue reminds us that our work here is not confined to the headline grabbing issues of the day but extends to the quiet pursuit of humane working conditions everywhere.

S. 1052 is a bill to amend the legislation enacted by Congress in 1976 through which the Northern Mariana Islands became a Commonwealth of the United States. This bill provides for a transition period during which the Commonwealth will be incorporated into our federal system of immigration laws. The 1976 covenant enacted by Congress extended U.S. citizenship to CNMI residents, but it exempted the Commonwealth from the Immigration and Nationality Act. Over the years it has become clear what a mistake that was.

Today the immigration situation in the Commonwealth contributes to some very grave social problems. Over the past twenty years, the number of citizens of the Commonwealth has doubled, while over that same period of time the number of alien workers has multiplied twenty-fold. This huge demographic change, and the absence of effective immigration control, has led to deplorable conditions for many of these alien workers.

Senator AKAKA addressed the Senate in October to describe the tragic circumstances in which many alien workers are held as virtual prisoners and are not permitted to leave their barracks during non-working hours. He reported that the Justice Department's Civil Rights Division had obtained criminal convictions of defendants who had forced alien women into prostitution and held them in what has been described as ''modern day slavery.'' I was personally moved by his report. This bill will immediately help to change the circumstances that contribute to these terrible conditions while at the same time minimizing any negative effect on the Commonwealth's legitimate businesses in the local tourism industry. In fact, the bill calls for the Secretary of Commerce to provide the kind of technical assistance that will help to encourage the growth and diversification of the local economy and promote the Northern Mariana Islands as a tourist destination.

This is a first step toward ensuring that every man and woman who works under the U.S. flag works in conditions we can all be proud of. As Senator AKAKA knows, we should do more. We should also guarantee the minimum wage for workers in the Commonwealth, and if the Democratic minimum wage proposal is passed, we will do just that. But we should not let what we know to be the best solution forestall our resolve to implement a good solution, and so I am very proud that the Senate passed this much needed legislation and I thank Senators AKAKA, MURKOWSKI and BINGAMAN for their fine work in this important endeavor.

CIVILIAN PLUTONIUM AGREEMENT

Mr. DOMENICI. Mr. President, a front page article in yesterday's New York Times announced an agreement that will halt Russia's production of plutonium from spent fuel used in its civilian power reactors. In exchange for a Russian moratorium on plutonium reprocessing, the United States will provide a $100 million joint research and aid. I strongly support these efforts and believe that this proposal will help to reduce the threat of proliferation from nuclear materials in Russia.

However, as we pursue new initiatives to better safeguard Russia's civilian plutonium, we must not waver in our support for the more urgent task of disposing of their weapons plutonium. The 50 tons of military-grade plutonium that Russia has agreed is surplus could fuel more than 6,000 modern weapons. I'm pleased that the Administration is also recognizing that the lower-grade, civilian, plutonium presents some risk—but we must continue to place our highest priority on their military materials, which represent a significantly higher risk.

Currently, Russia possesses 30 tons of separated civilian plutonium at Mayak and continues to accumulate 2 tons per year from reprocessing at that facility. This is in addition to the 150 or more tons of weapons plutonium in the Russian complex.

First, we must ensure that these materials are safeguarded. Second, any burn capacity Russia has should be committed to first eliminating military-origin plutonium as mixed-oxide (MOX) fuel. Until the threat from weapons plutonium is eliminated, Russia has no use for this reprocessed fuel, and its continued production represents a proliferation risk, albeit less then the risk from weapons-grade materials. This agreement will help address immediate needs.

As part of this agreement, the United States will contribute $45 million to improve control and accounting of civilian-grade plutonium already stored at the Mayak site and build an additional large dry storage facility elsewhere in Russia. Another $30 million will ensure adequate safeguards—protection, control and accounting—on the existing materials. The balance of U.S. contributions—$25 million for research on proliferation-resistant fuel cycles and permanent geological storage—is conditioned on Russia ending its sales of nuclear technology to Iran.

Mr. President, while I support this new initiative to temporarily halt Russian extraction of plutonium from their spent nuclear fuel, I want to be sure that my enthusiasm is not interpreted as support for stopping reprocessing on a global scale. Some nations, like Japan and France, have decided that reprocessing of spent fuel is key to their nuclear power plans. By this reprocessing, they not only recycle plutonium back into reactors, they mitigate the hazard associated with their nuclear wastes.

In contrast, the U.S. has stuck to an old, 1977, decision to simply bury our spent fuel—plutonium and all. That not only increases the health risk from our spent fuel relative to that in France or Japan, it also means that we are proposing to bury a significant energy resource that our own future generations may need. The origin of the 1977 decision, fear of proliferation of reactor-grade plutonium, is certainly not without validity. But reprocessing can be done, as the French and British have demonstrated, with sufficient care to ensure that proliferation does not occur.

Reprocessing is not something that the U.S. should embrace today—it really wouldn't be economical with today's cheap uranium prices. But I've worked with Senator MURKOWSKI to introduce provisions into his current Nuclear Waste bill to require that we study advanced reprocessing and transmutation systems that would both minimize proliferations concerns related to spent fuel, and also study technologies that minimize hazards from spent fuel for the public and for workers. I will encourage that Russia continue to study these same technologies, because they have great expertise in these areas. Sometime in the future, we may need to use reprocessing to regain use of the energy content in spent fuel.

Thus, I believe we should keep future options for civilian fuel reprocessing open even as we focus attention in Russia on burning military-origin plutonium. Certainly for now, any attempt to burn civilian-origin plutonium in Russia only delays progress in decreasing Russia's excess weapons plutonium stockpile.

Let me return briefly to the more urgent matters associated with military-grade plutonium. As the Chair of the Senate Plutonium Task Force, I have pushed hard for completion of a U.S.-Russia agreement on military plutonium. In 1998, I led the charge to appropriate $200 million for implementation of such an agreement.

I understand that negotiations for this plutonium agreement are very near completion. This agreement will outline a framework within which the U.S. and Russia will dispose of 50 tons of excess weapons plutonium. This framework will address timetables for progress, rates of disposal, and reciprocal verification of compliance. This agreement will turn the U.S. and Russian political commitments regarding irreversibility into a physical reality.

However, I've been dismayed that the Administration has recently chosen to remove $49 million from the $200 million set aside for disposition of weapons-plutonium to fund other priorities. That is very short sighted reasoning. The full $200 million has served to keep pressure on the negotiating teams to finalize the disposition protocols. We send a completely inappropriate message when funds are withdrawn from that account. I intend to work in the next few months to restore this $49

million. Furthermore, I will continue to oppose any future use of these funds by the Administration for anything other than their intended purpose.

The Administration's new initiative can work in tandem with the efforts focused on military plutonium. I urge the Administration to make quick and quantifiable progress on both of these fronts. The threat of proliferation from the Russian nuclear complex continues to grow. And it continues to be one of the greatest threats to U.S. security today.

Mr. President, I ask unanimous consent that this New York Times article be printed in the RECORD.

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

[From the New York Times, Feb. 7, 2000]

MOSCOW TAKES STEP TO EASE U.S. FEARS ON PLUTONIUM USE

(By Judith Miller)

In a major agreement aimed at safeguarding nuclear fuel that could be used to make weapons, Russia has promised to stop making plutonium out of fuel from its civilian power reactors as part of a $100 million joint research and aid package from the United States, Clinton administration and Russian officials say.

While the administration has several collaborative programs that enhance the safety and security of plutonium produced by Russia's military, this is the Energy Department's first major attempt to secure Russia's huge civilian stockpile of plutonium, from which 3,000 nuclear weapons could be made.

''It's a bold initiative to reduce a 30-ton plutonium threat from Russia's civilian nuclear sector,'' Secretary of Energy Bill Richardson said in a telephone interview. His department is to make public Russia's moratorium on plutonium reprocessing today when it unveils its budget for the next fiscal year.

Administration officials and arms control experts were particularly pleased with the deal, more than a year in the works, because it comes at a time of growing strains in relations with Russia over its war in Chechnya, policy toward Iraq, and access to Russian nuclear facilities.

The agreement is also likely to place added pressure on other nuclear powers like Japan, Britain and France to follow suit, arms control experts said. Because of concerns about the environment and the spread of nuclear materials to countries like Iran, Iraq and North Korea, the United States has not reprocessed fuel since 1978.

Part of the accord—$25 million for long-term joint research that is most attractive to Russia—is contingent on an end to new sales and transfers of nuclear technology to Iran. Washington believes that those transactions are helping Tehran acquire nuclear weapons.

''The money for this research will be in our budget,'' said Ernest P. Moniz, the Undersecretary of Energy, who was in Moscow last week to discuss the agreement. ''It's now up to Russia to decide if they want it.''

But the bulk of the money will be given in exchange for Russia's decision to halt reprocessing nuclear fuel from its 29 civilian power reactors. That will include, if Congress approves, $45 million to better secure spent fuel already stored at Mayak, a once closed nuclear complex in the southern Urals, and to build a large dry storage site elsewhere in Russia.

Yevgeny Adamov, Russia's atomic energy minister, insisted in a telephone interview from Moscow that despite the agreement, Russia would not stop competing to sell new lightwater power reactors to Iran.

At the same time, he said, Russia has lived up to the commitments made to Washington last year not to provide sensitive material or technology to Iran. But it was willing in principle to discuss additional safeguards and ''more commitments for greater transparency to remove American concerns.''

Mr. Adamov also stressed that Russia was not abandoning its belief that plutonium, which is produced by all nuclear reactors, could eventually be used to fuel a generation of ''safe'' reactors, not yet developed, that would produce waste more difficult to recycle into weapons.

''We're talking in terms of decades,'' for the moratorium on plutonium reprocessing, he said. ''At least two may be enough.''

Russia, officials said, already possesses about 150 metric tons of plutonium and 1,200 metric tons of highly enriched uranium, both of which can be used in nuclear weapons.

Given that, said Thomas Graham Jr., a former arms control negotiator who now is president of the Lawyers Alliance for World Security, an arms control group in Washington, ''it is important to stop the accumulation of material that some rogue nations would love to get their hands on.''

''This is a very important agreement,'' he added.

In 1998 alone, Energy Department officials said, Russia's 29 civilian reactors produced 798 metric tons of spent fuel. Normally, Russia would send this material to Mayak for reprocessing—that is, the separation of plutonium, which can be used in weapons, from the rest of the fuel.

But under the new agreement, the plutonium will not be separated out. Instead, the unreprocessed material will be stored at a new site somewhere in Russia that the United States will finance.

The location and ultimate cost of the site are still not determined, but Mr. Adamov said he was leaning toward Krasnoyarsk-26, a once closed nuclear city where the Russian military made plutonium.

William C. Potter, the director of the Monterey Institute's Center for Nonproliferation Studies, in California, particularly praised an allocation of $3 million in the aid package aimed at helping Russia reacquire Soviet-era fuel from countries like Belarus, Ukraine and Yugoslavia. He fears that the material is vulnerable to diversion or military use.

Since the end of the cold war, the United States has spent billions of dollars to protect nuclear materials in Russia and the former Soviet Union and to prevent them from falling into the hands of Iran, Iraq or other aspiring nuclear powers. As of this year, Washington has spent about $1.2 billion to help prevent the loss or theft of material that could be used in nuclear weapons.

At Mayak, the United States is already financing the construction of a warehouse to protect bomb-grade plutonium extracted from nuclear warheads. A recent American visitor there said that some plutonium was still being stored in milk-pail-size canisters in a wooden storage shed secured mainly by a padlock.

Since 1993, Washington has bought 500 metric tons a year of highly enriched uranium from Russian weapons, sales worth more than $400 million a year to Russia. The uranium, which is blended down and sold as reactor-grade fuel for power production, meets about half of America's nuclear power fuel requirements.

The new aid package for Russia would provide $45 million for the dry storage site and security upgrades for the stockpiled civilian plutonium and $30 million for new efforts to safeguard material from the military sector.

It would also provide $20 million for collaborative research into devising reactors and fuel that cannot be used to make weapons, and $5 million for research into the design and development of a permanent geological repository to store used fuel. Administration officials stressed that only those last two items, which are longer-term projects, hinge on an end to Russian nuclear sales to Iran.

Mr. Adamov said on Saturday that Washington would be ''wrong'' to believe that a $100 million assistance package would prompt Russia to forgo revenue from future reactor sales, each of which could be worth up to $1 billion dollars.

''These are huge orders for our industry, and we'll aggressively pursue these orders and win them,'' he said.

Mr. LUGAR. Mr. President, in the fall of 1998 our majority leader named a bipartisan group of members to a Task Force on Plutonium Disposition to advise the Senate and the Administration on actions with respect to U.S. policy and approaches to bilateral negotiations with Russia on the disposition of weapons-excess plutonium. I was pleased to be invited to join the group and Senator DOMENICI was chosen to chair the Task Force.

Mr. President, Senator DOMENICI has been a pioneer in the area of nuclear weapons material safety, security and elimination. He has spent a great deal of time researching this initiative and engaging our Russian colleagues on the issue. He was instrumental in creating a bilateral dialogue on plutonium disposition that led to the protocol on plutonium disposition signed in September 1998 at the Moscow Summit. This Protocol has led to ongoing negotiations to finalize a bilateral agreement to dispose of large quantities of weapons material.

The need for leadership in this area was clear. Unclassified sources estimate that the United States has 100 tons of plutonium and Russia has more than 160 tons of plutonium. Most of this material is in pit form, or classified weapons shape. In other words, the material could easily be returned to weapons status. The U.S. and Russia have each declared that portions of their respective stockpiles are surplus. This material represents thousands of nuclear weapons on each side, including Russian weapons that until a short time ago were pointed at American cities.

Mr. President, the United States has been working with Russia to dismantle their nuclear arsenal through the Nunn-Lugar Cooperative Threat Reduction program. All over Russia American firms are cooperating with Russian counterparts in deactivating nuclear warheads and dismantling long-range ballistic missiles, strategic submarines and bombers. The U.S. secured Russian agreement to remove the material from these warheads to safe and secure storage at the Fissile Material Storage Facility under construction at Mayak, Russia. But, the U.S. was still left with the challenge of how to get rid of the plutonium, to ensure that this material would never again threaten the American people.

Through Senator DOMENICI's discussions it became evident that a wide gulf separated the views of the Administration and Russian leadership with regard to the appropriate disposition actions. The Russians hold the position that plutonium has great value, and want to ensure that any actions extract the energy resource remaining in the material by using it as reactor fuel. The U.S. was considering both recovery of this resource and immobilization. Immobilization mixes the plutonium with ceramic material and surrounds it with vitrified, high-level waste for long term storage. Some scientists and some Russian leaders have noted that immobilization may be a less secure means of disposition than use as a reactor fuel.

Senator DOMENICI encouraged a solution wherein both nations would pursue the reactor fuel option, with so-called mixed oxide or MOX fuel. In addition, the U.S. can use immobilization for some of its less pure materials that would require significant purification to incorporate into reactor-grade fuel. This solution has been embraced in the current negotiations by both countries. Now both nations are moving toward parallel reductions in amounts of plutonium.

Our Task Force has been briefed by the Departments of State and Energy on the current status of negotiations on a Framework Agreement to implement a plutonium disposition process in Russia and the United States. A U.S.-Russian agreement to dispose up to 50 metric tons of weapons grade material on each side is proceeding in a very positive direction. I am hopeful that they will soon produce a draft agreement. There are still important issues to be resolved and hurdles to be cleared but it is clear that we would not have enjoyed this significant progress if it were not for Senator DOMENICI's leadership. His efforts in cooperation with Senator STEVENS, the Chairman of our Appropriations Committee, to secure forward funding for the implementation of this agreement was crucial in securing Russian participation.

I commend my good friend, the senior Senator from New Mexico, for his leadership in this area and thank him for what I hope will be a tremendously valuable national security program. We will all watch the negotiations proceeding in Moscow and hope for a positive conclusion. When this agreement is finalized and implemented, which I believe it will be, each of us will owe Senator DOMENICI a debt of gratitude for making the world safer for our children and grandchildren.

RETIREMENT OF GEORGE T. COSTIN

Ms. MIKULSKI. Mr. President, I wish to take this opportunity to commend and congratulate George T. Costin, Library Technician, upon the occasion of his retirement from the Senate Library on February 8, 2000. For 32 years—27 in the Office of the Secretary of the Senate—George has labored selflessly every day supporting the work of the Senate. George left his home state of North Carolina in 1963 and a brief stop over in Washington lasted for more than three decades.

George began his Senate career with the Sergeant at Arms in 1967 and joined the Library staff in 1972. He has made our duties far easier and throughout the years he has been the Ambassador of Goodwill with his wonderful smile, kind words, and unmatched style. He was always proud of being part of the Senate Family.

George will be very busy in retirement with church activities, a demanding golf schedule, and the joy of a new grandson. Along with all of his friends, I commend George for his loyalty and dedicated service to the United States Senate. I know that all Senators will join me in thanking George, his wife Gloria, and his three children, Angie, Samantha, and George, Jr., for his dedicated and distinguished service. It is with deep appreciation that we extend our best wishes for many years of health and happiness.

FUNDING FOR THE NATIONAL INSTITUTES OF HEALTH

Mr. HARKIN. Mr. President, I am pleased to join my colleagues, Senator SPECTER, as primary cosponsor of a sense of the Senate resolution, introduced yesterday, that puts the Senate on record that funding for NIH should be increased by $2.7 billion in Fiscal Year 2001. NIH is the premier medical research institution in the world—research funded by NIH is key to maintaining the quality of our health care and key to finding preventive measures, cures and the most cost effective treatments for the major illnesses and conditions that strike Americans.

Two years ago, our Appropriations Subcommittee provided NIH with a $2 billion increase to set us on a five-year course to double NIH funding over five years. Last year, our Subcommittee was able to secure a $2.3 billion increase for NIH—continuing on the course to double NIH funding over five years. A $2.7 billion increase for NIH in Fiscal Year 2001 would keep us on track to double NIH in the five years.

I was disappointed that the President's budget which we received today only requested a $1 billion increase for NIH. Funding biomedical research is especially important now when research on stem cells and progress made on the Human Genome project offer such promise. I hope to work closely with Senator SPECTER this year to build on last year's increase for NIH as we move to doubling funding for NIH by 2003.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, February 7, 2000, the Federal debt stood at $5,693,618,340,748.18 (Five trillion, six hundred ninety-three billion, six hundred eighteen million, three hundred forty thousand, seven hundred forty-eight dollars and eighteen cents).

Five years ago, February 7, 1995, the Federal debt stood at $4,806,973,000,000 (Four trillion, eight hundred six billion, nine hundred seventy-three million).

Ten years ago, February 7, 1990, the Federal debt stood at $2,988,020,000,000 (Two trillion, nine hundred eighty-eight billion, twenty million).

Fifteen years ago, February 7, 1985, the Federal debt stood at $1,682,610,000,000 (One trillion, six hundred eighty-two billion, six hundred ten million).

Twenty-five years ago, February 7, 1975, the Federal debt stood at $489,675,000,000 (Four hundred eighty-nine billion, six hundred seventy-five million) which reflects a debt increase of more than $5 trillion—$5,203,943,340,748.18 (Five trillion, two hundred three billion, nine hundred forty-three million, three hundred forty thousand, seven hundred forty-eight dollars and eighteen cents) during the past 25 years.

MEASURE PLACE ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

S. 2036. A bill to make permanent the moratorium on the imposition of taxes on the Internet.

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–7432. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''Budget Estimates and Performance Plan,'' Fiscal Year 2001;'' to the Committee on Environment and Public Works.

EC–7433. A communication from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Eligibility Criteria for the Montgomery GI Bill-Active Duty and Other Miscellaneous Issues'' (RIN2900–AI63), received February 7, 2000; to the Committee on Veterans' Affairs.

EC–7434. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the Andean Trade Preference Act; to the Committee on Finance.

EC–7435. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the Caribbean Basin Economic Recovery Act; to the Committee on Finance.

EC–7436. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Travel and Tour Activities of Tax-Exempt Organizations'' (RIN1545–AW10), received February 7, 2000; to the Committee on Finance.

EC–7437. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD 8871: Remedial Amendment Period'' (RIN1545–AV22), received February 7, 2000; to the Committee on Finance.

EC–7438. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''General Rules for Making and Maintaining Qualified Fund Elections'' (RIN1545–AV39), received February 7, 2000; to the Committee on Finance.

EC–7439. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''February 2000 Applicable Federal Rates'' (Rev. Rul. 2000–9), received February 4, 2000; to the Committee on Finance.

EC–7440. A communication from the Administrator, Agency for International Development, transmitting, pursuant to law, a report relative to the Development Assistance and Child Survival and Disease Programs; to the Committee on Foreign Relations.

EC–7441. A communication from the Under Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, a report relative to the processing of a satellite export license application; to the Committee on Armed Services.

EC–7442. A communication from the Under Secretary of the Navy transmitting, pursuant to law, a report relative to the study of certain functions performed by military and civilian personnel in the Department of the Navy for possible performance by private contractors; to the Committee on Armed Services.

EC–7443. A communication from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, the General Purpose Financial Statements and Independent Auditor's Report for fiscal year 1999; to the Committee on Governmental Affairs.

EC–7444. A communication from the Executive Vice President and Chief Financial Officer, Potomac Electric Power Company transmitting, pursuant to law, the balance sheet of the Company, as of December 31, 1999; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–401. a resolution adopted by the House of the legislature of the State of Michigan relative to proposed guidelines for federally funded research using stem cells harvested from human embryos; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 253

Whereas, the National Institutes of Health (NIH) has published, for public comment, guidelines for federally funded research projects using stem cells destructively harvested from human embryos; and

Whereas, Since 1996, Congress has prohibited federally funded research in which human embryos are harmed or destroyed; and

Whereas, The state of Michigan has a long legal and ethical tradition of respecting life at its earliest stages; and

Whereas, Michigan law prohibits any research that destroys human embryos, so the NIH guidelines, in effect, instruct researchers in how to harvest stem cells from embryos in ways that constitute criminal activity in this state; and

Whereas, Michigan has taken the unparalleled step in this country of respecting human life at its earliest stages by prohibiting the use of cloning to create human embryos for research; and

Whereas, Medical ethics historically have rejected justifying research in the name of medical progress when it requires harming or destroying innocent human lives; and

Whereas, Numerous avenues for developing new medical treatments from stem cells that do not require the destruction of human embryos have shown great clinical promise; now, therefore, be it

Resolved by the House of Representatives, That we strongly object to the National Institutes of Health proposed guidelines and policies regarding research on human embryos to ensure full accordance with federal laws that prohibit NIH involvement in destructive embryo research; and be it further

Resolved, That we urge the NIH to withdraw the proposed guidelines and to clarify NIH guidelines and policies regarding research on human embryos to ensure full accordance with federal laws that prohibit NIH involvement in destructive embryo research; and be it further

Resolved, That we urge the National Institutes of Health to direct all proposed funding for stem cell research to projects that do not use stem cells destructively harvested from human embryos; and be it further

Resolved, That copies of this resolution be transmitted to the National Institutes of Health, the Secretary of the United States Department of Health and Human Services, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the President of the United States.

POM–402. A resolution adopted by the Council of the City of Cincinnati, Ohio relative to the ''Defense of Privacy Act''; to the Committee on Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services:

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Robert L. Halverson, 5509.

To be brigadier general

Col. Edmund T. Beckette, 5971.
Col. James J. Bisson, 6236.
Col. Raymond C. Byrne Jr., 5792.
Col. Daniel D. Densford, 0210.
Col. Jeffrey L. Gidley, 9702.
Col. Danny H. Hickman, 0335.
Col. James D. Johnson, 9083.
Col. Dennis M. Kenneally, 2586.
Col. Dion P. Lawrence, 1257.
Col. Robert G. Maskiell, 9965.
Col. Daryl K. McCall, 2627.
Col. Terrell T. Reddick, 9266.
Col. Ronald D. Taylor, 4916.
Col. John T. Von Trott, 1310.
Col. William H. Weir, 0308.
Col. Dean A. Youngman, 4722.
Col. Walter E. Zink II, 8489.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mr. SPECTER (for himself, Mr. HARKIN, and Mr. INOUYE):

S. 2038. A bill to amend the Public Health Service Act to reduce accidental injury and death resulting from medical mistakes and to reduce medication-related errors, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HUTCHINSON:

S. 2039. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to provide emergency loans to poultry producers to rebuild chicken houses destroyed by disasters; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BUNNING:

S. 2040. A bill to exclude the receipts and disbursements of the Abandoned Mine Reclamation Fund from the budget of the United States Government, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mrs. LINCOLN:

S. 2041. A bill to amend the Federal Water Pollution Control Act to exempt discharges from certain silvicultrual activities from permit requirements of the national pollutant discharge elimination system; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CAMPBELL:

S. Res. 254. A resolution supporting the goals and ideals of the Olympics; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself, Mr. HARKIN, and Mr. INOUYE):

S. 2038. A bill to amend the Public Health Service Act to reduce accidental injury and death resulting from medical mistakes and to reduce medication-related errors, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEDICAL ERROR REDUCTION ACT OF 2000

Mr. SPECTER. Mr. President, on behalf of Senator HARKIN and myself, I am introducing legislation captioned the Medical Error Reduction Act of 2000. This legislation is introduced in response to a report from the Institute of Medicine which shows a very high death rate as a result of errors in hospitals.

The statistics show that the death rate from errors in hospitals may be as high as 98,000 people. A chart has been prepared demonstrating that at the 98,000 figure, which is the uppermost estimate, medical errors are the fifth

leading cause of death in the United States, problems which certainly need to be addressed.

The legislation we are proposing follows a hearing which our Subcommittee on Labor, Health and Human Services, and Education conducted on December 13, 1999, and also a hearing conducted on January 25, 2000, in conjunction with the Veterans' Affairs Committee. Our legislation has input—not support, but input—taking into account concerns from the American Hospital Association, the American Medical Association, the American Nurses Association, the Institute for Safe Medication Practices, the American Psychological Association, and others.

The core provisions of the bill will provide for 15 competitively awarded research demonstration projects to make a determination of the scope of medical errors and the ways to correct these medical errors systemically. Five of these demonstrations will have a mandatory reporting requirement with confidentiality when there is a medical error. Five of these demonstration projects will have a voluntary reporting program with confidentiality, and five of these demonstration projects will have a mandatory reporting requirement and also a mandate that the patient and/or the family be notified of the error.

This, we think, is fundamental in terms of the professional responsibility of a doctor and the professional responsibility of a hospital to notify the injured party where error has occurred. Parenthetically, a similar obligation, I believe, is incumbent upon professionals generally.

The legislation has further provisions for the studies to be conducted in a way to make a determination as to what is feasible on hand-held prescription pads and on other technical devices which will look to the system's errors which are encapsulated and encompassed in hospitals and medical care.

On November 29, 1999, the Institute of Medicine (IOM) issued a report, ''To Err Is Human: Building a Safer Health System.'' The report concluded that medical mistakes have led to numerous injuries and deaths, affecting an estimated three to four percent of all hospital patients. The IOM report also concluded that health care is a decade or more behind other high-risk industries in its attention to ensuring basic safety.

According to the IOM, at least 44,000 Americans die each year as a result of medical errors, and the number may be as high as 98,000. We must put this statistic into perspective, as noted in this chart: at 98,000 deaths per year, medical errors are catapulted into the ranking of fifth leading cause of death nationwide. This total outnumbers deaths from motor vehicle accidents, breast cancer, and AIDS. Further, medical errors resulting in injury are estimated to cost the nation between $17 billion and $29 billion, including additional health care costs, lost income, lost household production, and disability costs.

The IOM findings are startling and beg for national attention to determine ways to reduce the number of medical errors. We have all heard and read media reports detailing the case of Betsy Lehman, a health reporter for the Boston Globe, who died from a chemotherapy overdose; or the tragedy of Willie King, who had the wrong leg amputated in a Florida hospital. Unfortunately, these are not isolated cases.

On December 13, 1999, I chaired a hearing of the Labor-HHS-Education Appropriations Subcommittee to hear details of IOM's report findings. On January 25, 2000, I chaired a joint Labor-HHS-Education Appropriations Subcommittee/Veterans' Affairs Committee hearing to consider mandatory and voluntary reporting requirements and to begin to determine ways to reduce medical errors. Today, Senator HARKIN and I are introducing legislation that seeks to find solutions to the problem of medical errors. This legislation was developed based on our hearings and with input from many health groups and experts in the field, including the American Hospital Association; American Medical Association; American Nurses Association; Institute for Safe Medication Practices; American Psychological Association; Federation of Behavioral, Psychological, and Cognitive Sciences; American Osteopathic Association; Association of American Medical Colleges; American Association of Health Plans; Hospital and Healthsystem Association of Pennsylvania; and Iowa Hospital Association. It is our hope that we can continue to work together to reduce the number of injuries and deaths related to medical mistakes.

Let me review the key provisions of this bill. It would:

Make grants available to states so they can establish their own error reporting systems and collect data to provide to Federal researchers. The compilation of such data will help researchers understand trends in errors and determine ways to reduce them.

Require the Agency for Healthcare Research and Quality, in conjunction with the Health Care Financing Administration, to establish 15 competitively-awarded research demonstration projects throughout the nation, in geographically diverse areas, to assess the causes of medical errors and determine ways to reduce those errors.

Facilities participating in these demonstrations will be required to employ appropriate technologies to reduce the probability of future errors. Such technologies might include hand-held electronic prescription pads, training simulators for medical education, and barcoding of prescription drugs and patient bracelets.

Facilities participating in the demonstrations will also provide staff training to reduce the number of errors, and encourage prompt review of errors to determine ways to prevent them from recurring.

Of the 15 facilities who choose to participate in the demonstrations, 5 will have a mandatory reporting requirement of all medical errors to HHS, 5 will have a voluntary reporting requirement to HHS, and 5 will have a mandatory reporting requirement to HHS as well as to the patient and/or his family.

Require the Secretary of HHS to provide information to all patients who participate in Federally-funded health care programs, educating them on ways to reduce medical errors. Require the Secretary to develop patient education programs to encourage all patients to take a more active role in their healthcare.

Make grants available to health professional associations and other organizations to provide training and continuing education in order to reduce medical errors.

Require the Secretary to report to the Congress within 180 days of enactment on the costs of implementing a program that identifies factors that reduce medical errors, including computerized health care systems. Require the Secretary to report on the results of the fifteen health system demonstration projects, focusing on best practices and costs/benefits of applying these practices nationally.

Mr. President, patients must have confidence that when they seek medical treatment, they will receive the highest quality health care in the world. They should not be fearful of injuries or even death due to medical mistakes. The Institute of Medicine panel projected that with current knowledge and with implementation of medical error reduction methods that are proven to work, we can achieve no less than a 50 percent reduction in medical errors over the next five years. I believe that the research efforts authorized by this legislation will allow us to far exceed this goal, and immeasurably improve patient safety. I think my colleagues will agree that America has zero tolerance for preventable medical mistakes, and that we should act immediately to prevent further deaths and injuries.

I yield to my distinguished colleague from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I am pleased to join my colleague, Senator SPECTER, in the introduction of the Medical Errors Reduction Act of 2000. Senator SPECTER just outlined the major provisions of the bill. I will not go back over that; only suffice to say our bill addresses a critical problem facing America's health care system, a problem that places millions of Americans at risk of serious injury or death every time they seek medical attention.

Again, I thank my distinguished chairman, Senator SPECTER, for putting this bill together in such a timely

fashion. This is something we have to address, and we have to focus on this immediately.

Many of my colleagues are aware of the recently released Institute of Medicine report which describes a health care industry plagued with systems errors and provider mistakes. If you are familiar with the report, then you have discovered something I do not think a lot of people are aware of and of which I was not aware, and that is, we are more likely to die from a medical mistake than diabetes, breast cancer, or a traffic accident.

The report found that deaths due to medical errors are the fifth leading cause of death in this country. This chart is from the Centers for Disease Control and Prevention, National Center for Health Statistics. It shows medical errors as the fifth leading cause of death. Some say it is the eighth leading cause of death. More people die from medical errors than pneumonia, diabetes, accidents, or kidney disease.

Whether it is the fifth or eighth, we have been given a wake-up call. The cost to our health care system and national economy from medical errors is enormous.

The total cost, we are told by the Institute of Medicine, of injuries due to medical errors is $17 billion to $29 billion annually. This estimate cannot accurately reflect the true personal cost to patients and their families when a diagnostic test is misread, a drug that is known to cause an allergic reaction is prescribed, or a surgery goes awry.

One does not have to look too far for stories. I know some personally in my own family. Another came from one of my staff members who told me about the disastrous outcome of a conventional gall bladder procedure performed on her father in 1991.

It seems he went in for a laparoscopy and came out with a severed bile duct. The gall bladder was removed surgically, and the patient was sent home to recuperate. Within days, he experienced great abdominal pain, could not eat, and began to lose weight. His wife is a nutritionist and could tell something was very wrong. They kept going back to the doctors who performed the surgery only to be told they could not find anything wrong and that his problems were probably psychological.

Finally, in great frustration, the man and his wife turned to a neighbor, an old-fashioned country doctor who sent them to a surgeon friend of his. Sure enough, this doctor discovered the problem and it was corrected, but only after several months of pain and frustration.

Deaths from medication errors total more than 7,000 annually. These errors erode the trust Americans have in their health care system.

Let me be clear, most medical errors that occur in our health care system are not the fault of any one individual or institution. We have the best trained, most sophisticated health care workforce in the world. Thousands of highly skilled and conscientious doctors, nurses, pharmacists, and other medical professionals operate under tremendous pressure and time constraints.

It is a complex problem which must be addressed with comprehensive solutions and rigorous changes that will help providers better perform their jobs and prevent medical errors from happening in the future. It is a problem that is systemic, not personal.

Again, we must work together, in a bipartisan way, because all Americans enjoy the right to be free from accidental injury, accidental death, and medication-related errors when they need care.

Again, I thank my distinguished chairman for his leadership on this issue, for putting this bill together. I am proud to be his chief cosponsor.

In closing, this Congress now has an opportunity to join together to address a problem that has the potential to impact the life of every citizen who seeks health care. I hope all of my colleagues on both sides of the aisle will join Senator SPECTER and me in supporting this important legislation.

I yield the floor to my distinguished chairman.

Mr. SPECTER. I thank my distinguished colleague, Senator HARKIN, for his cosponsorship and his work on this very important piece of legislation, coming principally out of the subcommittee which Senator HARKIN is the ranking Democrat and which I chair.

There are other Senators who are working on legislation arising out of the Institute of Medicine report. There is no doubt that it is a problem of enormous magnitude. It is a life-and-death matter. We have taken the lead early to bring this legislation to the floor in the hopes that this will stimulate other ideas, other legislative proposals, so we may address this very serious issue.

By Mr. HUTCHINSON:

S. 2039. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to provide emergency loans to poultry producers to rebuild chicken houses destroyed by disasters; to the Committee on Agriculture, Nutrition, and Forestry.

POULTRY FARMER DISASTER RELIEF ACT OF 2000

Mr. HUTCHINSON. Mr. President, last month we had a very serious, severe snow and ice storm in Arkansas. It brought life in Arkansas to a halt. Schools and businesses closed, airports, including the Little Rock Airport, were snowed in, and highways were littered with hundreds of stranded motorists. It was not too unlike the situation we had in the Nation's Capital, except it blanketed the entire State of Arkansas. Fortunately, there were very few human fatalities that were reported, but Arkansas's poultry farmers and the poultry industry suffered very heavy losses. Snow and ice built up on poultry houses across the State, and the sheer weight caused the roofs on almost 800 poultry houses to collapse, killing an estimated 10.5 million chickens.

Dennis Richie, a poultry farmer in Nashville, AR, had six poultry houses the morning of Thursday, January 27. By Friday evening, half of his houses were destroyed, along with the income he needs to provide for his family.

Hubert Hardin, another poultry farmer near Nashville, AR, and a single parent, lost all of his poultry houses in the storm. That means fewer options for him in supporting his family, his children.

The poultry industry is a pillar of Arkansas's agricultural industry and one of my State's leading employers. These losses represent a very real danger to my constituents and to Arkansas's economy. That is why, today, I am introducing the Poultry Farmer Disaster Relief Act of 2000.

This bill would amend the Consolidated Farm and Rural Development Act to allow a loosening of the restrictions currently in place for emergency loans through FSA. It would allow active poultry producers who were previously ineligible for insurance to apply for emergency loans through FSA. The current law prohibits growers whose structures were uninsured from receiving these low-interest loans. If the individuals did not seek insurance and chose to risk not insuring their structures, they would not qualify.

Under the bill I am introducing, these folks, who tried to get insurance, tried to do the responsible thing, tried to do the right thing and were unable to get insurance, would be allowed to qualify for these low-interest loans. This act will also allow growers whose structures were insured to apply for the same low-interest loans to cover the difference between what the houses were insured for and the cost of rebuilding their structures to current industry standards. It is very important for them to be able to do that. The need for upgrading poultry houses comes from the new regulations within the industry. Many poultry producers must increase the size of their houses and improve the safety of their facilities to meet these new regulations.

Without the availability of these new low-interest loans to cover the difference, FSA officials in Arkansas estimate almost half of the growers who lost houses will not be able to rebuild, that is, half of the poultry growers would be out of the business and unable to rebuild unless we pass this legislation. Currently, the FSA requires those seeking these emergency loans to prove they are unable to obtain sufficient credit elsewhere before the loans are approved.

Due to the severity of the destruction and the impact it could have on poultry producers throughout Arkansas, this bill waives that requirement, should there be a disaster designation

from the President. This would allow the victims of this storm to apply for and receive aid in the most expeditious manner possible. Finally, this bill would require farmers who receive these FSA loans to insure the new structures.

Poultry farmers in Arkansas are critical to the survival of the State's agricultural economy. Losses such as those suffered last month not only create financial hardships for the growers, but dramatic disruptions for poultry processors.

I ask my colleagues to look favorably upon this relief bill. The poultry processors and growers in Arkansas and across this country deserve that. It certainly is in an area where we had a natural disaster that has affected literally thousands of individuals now in the State. This is a compassionate act and something I trust we will act upon in an expeditious manner.

ADDITIONAL COSPONSORS

S. 119

At the request of Ms. SNOWE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 119, a bill to establish a Northern Border States-Canada Trade Council, and for other purposes.

S. 159

At the request of Mr. MOYNIHAN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 159, a bill to amend chapter 121 of title 28, United States Code, to increase fees paid to Federal jurors, and for other purposes.

S. 758

At the request of Mr. ASHCROFT, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 758, a bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes.

S. 1028

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1028, a bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law, and for other purposes.

S. 1375

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1375, a bill to amend the Immigration and Nationality Act to provide that aliens who commit acts of torture abroad are inadmissible and removable and to establish within the Criminal Division of the Department of Justice an Office of Special Investigations having responsibilities under that Act with respect to all alien participants in acts of genocide and torture abroad.

S. 1446

At the request of Mr. LOTT, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1446, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 1638

At the request of Mr. ASHCROFT, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1638, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

S. 1762

At the request of Mr. COVERDELL, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1762, a bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resources projects previously funded by the Secretary under such Act or related laws.

S. 1825

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1825, a bill to empower telephone consumers, and for other purposes.

S. 1833

At the request of Mr. DASCHLE, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1833, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the production and use of efficient energy sources, and for other purposes.

S. 1882

At the request of Mrs. HUTCHISON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1882, a bill to expand child support enforcement through means other than programs financed at Federal expense.

S. 1917

At the request of Mr. FEINGOLD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1917, a bill to abolish the death penalty under Federal law.

S. 1941

At the request of Mr. DODD, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 1946

At the request of Mr. INHOFE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Rhode Island (Mr. L. CHAFEE) were added as cosponsors of S. 1946, a bill to amend the National Environmental Education Act to redesignate that Act as the ''John H. Chafee Environmental Education Act,'' to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under that Act, and for other purposes.

S. 1951

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1951, a bill to provide the Secretary of Energy with authority to draw down the Strategic Petroleum Reserve when oil and gas prices in the United States rise sharply because of anticompetitive activity, and to require the President, through the Secretary of Energy, to consult with Congress regarding the sale of oil from the Strategic Petroleum Reserve.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2017

At the request of Mr. BUNNING, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2017, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income payments made to tobacco growers pursuant to Phase I or II of the Master Settlement Agreement between a State and tobacco product manufacturers.

S. 2026

At the request of Mrs. BOXER, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2026, a bill to amend the Foreign Assistance Act of 1961 to authorize appropriations for HIV/AIDS efforts.

S. 2029

At the request of Mr. FRIST, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2029, a bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2035, a bill to amend title 49, United States Code, to clarify the application of the Act popularly known

as the ''Death on the High Seas Act'' to aviation incidents.

S. 2037

At the request of Ms. SNOWE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2037, a bill to amend title XVIII of the Social Security Act to extend the option to use rebased target amounts to all sole community hospitals.

S. CON. RES. 69

At the request of Ms. SNOWE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. Con. Res. 69, a concurrent resolution requesting that the United States Postal Service issue a commemorative postal stamp honoring the 200th anniversary of the naval shipyard system.

S. J. RES. 39

At the request of Mr. CAMPBELL, the names of the Senator from North Carolina (Mr. HELMS), the Senator from Delaware (Mr. BIDEN), the Senator from Mississippi (Mr. LOTT), the Senator from Nebraska (Mr. HAGEL), the Senator from Hawaii (Mr. AKAKA), the Senator from Virginia (Mr. WARNER), and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. J. Res. 39, a joint resolution recognizing the 50th anniversary of the Korean War and the service by members of the Armed Forces during such war, and for other purposes.

S. RES. 87

At the request of Mr. DURBIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Res. 87, a resolution commemorating the 60th Anniversary of the International Visitors Program.

S. RES. 128

At the request of Mr. COCHRAN, the names of the Senator from Utah (Mr. BENNETT), the Senator from Michigan (Mr. LEVIN), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 128, a resolution designating March 2000, as ''Arts Education Month.''

S. RES. 247

At the request of Mr. CAMPBELL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 247, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

S. RES. 251

At the request of Mr. SPECTER, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from California (Mrs. BOXER), and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. Res. 251, a resolution designating March 25, 2000, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

SENATE RESOLUTION 254—SUPPORTING THE GOALS AND IDEALS OF THE OLYMPICS

Mr. CAMPBELL submitted the following resolution; which was referred to the Committee on the Judiciary

S. RES. 254

Whereas for over 100 years, the Olympic movement has built a more peaceful and better world by educating young people through amateur athletics, by bringing together athletes from many countries in friendly competition, and by forging new relationships bound by friendship, solidarity, and fair play;

Whereas the United States Olympic Committee is dedicated to coordinating and developing amateur athletic activity in the United States to foster productive working relationships among sports-related organizations;

Whereas the United States Olympic Committee promotes and supports amateur athletic activities involving the United States and foreign nations;

Whereas the United States Olympic Committee promotes and encourages physical fitness and public participation in amateur athletic activities;

Whereas the United States Olympic Committee assists organizations and persons concerned with sports in the development of athletic programs for amateur athletes;

Whereas the United States Olympic Committee protects the opportunity of each amateur athlete, coach, trainer, manager, administrator, and official to participate in amateur athletic competition;

Whereas athletes representing the United States at the Olympic Games have achieved great success personally and for the Nation;

Whereas thousands of men and women of the United States are focusing their energy and skill on becoming part of the United States Olympic Team, and aspire to compete in the 2000 Summer Olympic Games in Sydney, Australia, and the 2002 Olympic Winter Games in Salt Lake City, Utah;

Whereas the Nation takes great pride in the qualities of commitment to excellence, grace under pressure, and good will toward other competitors exhibited by the athletes of the United States Olympic Team; and

Whereas June 23 is the anniversary of the founding of the modern Olympic movement, representing the date on which the Congress of Paris approved the proposal of Pierre de Coubertin to found the modern Olympics: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of the Olympics;

(2) calls upon the President to issue a proclamation recognizing the anniversary of the founding of the modern Olympic movement; and

(3) calls upon the people of the United States to observe such anniversary with appropriate ceremonies and activities.

Mr. CAMPBELL. Mr. President, today I introduce a resolution to recognize and support the United States Olympic Committee and the 2000 Olympic Games.

There are several reasons why I have a particular interest in the Olympic Movement and the U.S. Olympic Committee. I am the only Olympian in the United States Senate and Congressman JIM RYUN and I are the only two current Members of Congress to have been members of an Olympic Team.

Years ago, I founded the U.S. Olympic Caucus with former Senator Bill Bradley and former Congressman Tom McMillan. In addition, the United States Olympic Committee is headquartered in Colorado Springs, Colorado, along with the Olympic Training Center. Many athletes are currently training at that facility for future Olympic Games and especially in preparation for the 2000 Olympic Games in Sydney, Australia.

As I look back on the 1964 Olympic Games in Tokyo, Japan, I remember how proud I was to be on the U.S. Olympic Team. Carrying the United States flag in the closing ceremonies was one of the greatest experiences of my life. I remember how proud I was to be an American and an Olympian. I hold that moment in my heart and relive it at each new Olympic Games to this day.

The Olympic motto is ''Swifter, Higher, Stronger'' and with that ideal, the Olympic Movement brings out the very best in all of us—athletes and spectators alike. I believe, along with the U.S. Olympic Committee, that competition and the athletes are the heart and soul of the Olympic Movement. This is the reason that I offer this resolution today.

The United States Olympic Committee is to be highly commended for the prompt and decisive action it took after accusations of inappropriate solicitations surfaced. I know how much good the games do for young men and women and for our country. I am convinced the U.S. Olympic Committee has done everything in its power to get to the bottom of allegations, punish those who deserve it, and return the focus of the Olympic Movement back where it should be, with the athletes.

Most people don't realize that unlike many of the world's Olympic teams, the U.S. Olympic Team gets not one dime of federal money to subsidize its sports operations. Our Olympic Team is solely supported by the contributions of millions of Americans and American businesses and corporations which are dedicated to the Olympic Movement.

The Olympic Movement will endure and prosper only by the continued vigilance and the ongoing commitment of organizers and supporters, and by our unwavering support of the athletes who are the future of the modern Olympic Games.

As we begin the countdown towards the first Olympic Games of the new millennium, my resolution would designate June 23, 2000, as Olympic Day in recognition of the anniversary of the founding of the modern Olympic Movement. I urge my colleagues to support prompt passage of this resolution.

AMENDMENTS SUBMITTED

THE NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2000

MURKOWSKI AMENDMENT NO. 2808

Mr. LOTT (for Mr. MURKOWSKI) proposed an amendment to the bill (S. 1287) to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes; as follows:

Beginning on page 1, strike all after the enacting clause and insert the following:

"SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Nuclear Waste Policy Amendments Act of 2000'.

"SEC. 2. DEFINITIONS.

''For purposes of this Act—

''(1) the term ''contract holder'' means a party to a contract with the Secretary of Energy for the disposal of spent nuclear fuel or high-level radioactive waste entered into pursuant to section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)); and

''(2) the terms ''Administrator'', ''civilian nuclear power reactor'', ''Commission'', ''Department'', ''disposal'', ''high-level radioactive waste'', ''Indian tribe'', ''repository'', ''reservation'', ''Secretary'', ''spent nuclear fuel'', ''State'', ''storage'', ''Waste Fund'', and ''Yucca Mountain site'' shall have the meanings given such terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

"TITLE I—STORAGE AND DISPOSAL

"SEC. 101. PROGRAM SCHEDULE.

''(a) IN GENERAL.—The President, the Secretary, and the Nuclear Regulatory Commission shall carry out their duties under this Act and the Nuclear Waste Policy Act of 1982 by the earliest practicable date consistent with the public interest and applicable provisions of law.

''(b) MILESTONES.—

''(1) The Secretary shall make a final decision whether to recommend the Yucca Mountain site for development of the repository to the President by December 31, 2001;

''(2) The President shall make a final decision whether to recommend the Yucca Mountain site for development of the repository to the Congress by March 31, 2002;

''(3) The Nuclear Regulatory Commission shall make a final decision whether to authorize construction of the repository by January 31, 2006; and

''(4) As provided in subsection (c), the Secretary shall begin receiving waste at the repository site at the earliest practicable date and no later than eighteen months after receiving construction authorization from the Nuclear Regulatory Commission.

''(c) RECEIPT FACILITIES.—

''(1) As part of the submission of an application for a construction authorization pursuant to section 114(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(b)), the Secretary shall apply to the Commission to receive and possess spent nuclear fuel and high-level radioactive waste at surface facilities within the geologic repository operations area for the receipt, handling, packaging, and storage prior to emplacement.

''(2) As part of the issuance of the construction authorization under section 114(b) of the Nuclear Waste Policy Act of 1982, the Commission shall authorize construction of surface facilities described in subsection (c)(1) and the receipt and possession of spent nuclear fuel and high-level radioactive waste at such surface facilities within the geologic repository operations area for the purposes in subsection (c)(1), in accordance with such standards as the Commission finds are necessary to protect the public health and safety.

"SEC. 102. BACKUP STORAGE CAPACITY.

''(a) Subject to section 105(d), the Secretary shall enter into a contract under this subsection with any person generating or owning spent nuclear fuel that meets the requirements of section 135(b)(1)(A) and (B) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10155(b)(1)(A) and (B)) to—

''(1) take title at the civilian nuclear power reactor site to such amounts of spent nuclear fuel from the civilian nuclear power reactor as the Commission determines cannot be stored onsite; and

''(2) transport such spent nuclear fuel to, and store such spent nuclear fuel at—

''(A) the repository site after the Commission has authorized construction of the repository without regard to the Secretary's Acceptance Priority Ranking report or Annual Capacity Report; or

''(B) a privately owned and operated independent spent fuel storage facility licensed by the Nuclear Regulatory Commission.

SEC. 103. REPOSITORY LICENSING.

(a) ADOPTION OF STANDARDS.—

(1) The Administrator of the Environmental Protection Agency may adopt a rule pursuant to section 801 of the Energy Policy Act of 1992 (42 U.S.C. 10141 note) before June 1, 2001, if, after consultation with the National Academy of Sciences, the Administrator and the Nuclear Regulatory Commission can agree on a standard that will protect public health and safety and the environment and that is reasonable and attainable.

(2) In the absence of an agreement described in paragraph (1), the Administrator may not publish or adopt a rule pursuant to section 801 of the Energy Policy Act of 1992 (42 U.S.C. 10141 note) before June 1, 2001.

(b) CONSULTATION AND REPORTS TO CONGRESS.—

(1) Not later than 30 days after the enactment of this Act, the Administrator shall provide the Commission and the National Academy of Sciences—

(A) a detailed written comparison of the provisions of the proposed Environmental Protection Standards for Yucca Mountain, Nevada, published in the Federal Register on August 27, 1999 (64 Fed. Reg. 46,975) with the recommendations made by the National Academy of Sciences in its report, Technical Bases for Yucca Mountain Standards, pursuant to section 801(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note); and

(B) the scientific basis for the proposed rule.

(2) Not later than April 1, 2001, the Commission and the National Academy of Sciences shall, based on the proposed rule and the information provided by the Administrator under paragraph (1), each submit a report to Congress on whether the proposed rule—

(A) is consistent with section 801(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note);

(B) provides a reasonable expectation that the public health and safety and the environment will be adequately protected from the hazards posted by high-level radioactive waste and spent nuclear fuel disposed of in the repository;

(C) is based on the best reasonably obtainable scientific and technical information concerning the need for, and consequences of, the rule; and

(D) imposes the least burden, consistent with obtaining the regulatory objective of protecting the public health and safety and the environment.

(3) In the event that either the Commission or the National Academy of Sciences finds that the proposed rule does not meet one or more of the criteria listed in paragraph (2), it shall notify the Administrator not later than April 1, 2001 of its finding and the basis for such finding.

(c) APPLICATION OF CONGRESSIONAL REVIEW PROCEDURES.—Any final rule promulgated under section 801(a)(1) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note) shall be treated as a major rule for purposes of chapter 8 of title 5, United States Code, and shall be subject to all the requirements and procedures pertaining to a major rule in such chapter.

''(d) CAPACITY.—Section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) is amended by striking 'The Commission decision approving the first such application * * *' through the period at the end of the sentence.

"SEC. 104. NUCLEAR WASTE FEE.

The last sentence of section 302(a)(4) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(4)) is amended to read as follows:

'The adjusted fee proposed by the Secretary shall be effective upon enactment of a joint resolution or other provision of law specifically approving the adjusted fee.'

"SEC. 105. SETTLEMENT AGREEMENTS.

''(a) IN GENERAL.—The Secretary may, upon the request of any person with whom he has entered into a contract under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)), enter into a settlement agreement with the contract holder to—

''(1) relieve any harm caused by the Secretary's failure to meet the Department's commitment, or

''(2) settle any legal claims against the United States arising out of such failure.

''(b) TYPES OF RELIEF.—Pursuant to a settlement agreement entered into under this section, the Secretary may—

''(1) take title to the contract holder's spent nuclear fuel, notwithstanding section 302(a)(5) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(5));

''(2) provide spent nuclear fuel storage casks to the contract holder;

''(3) compensate the contract holder for the cost of providing spent nuclear fuel storage at the contract holders' storage facility; or

''(4) provide any combination of the foregoing.

''(c) SCOPE OF RELIEF.—The Secretary's obligation to provide the relief under subsection (b) shall be consistent with the Secretary's obligation to accept delivery of such spent fuel under the terms of the Secretary's contract with such contract holder under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)).

''(d) WAIVER OF CLAIMS.—(1) The Secretary may not enter into a settlement agreement under subsection (a) or (f) or a backup contract under section 102(a) with any contract holder unless the contract holder, as part of such settlement agreement or backup contract, waives any claim for damages against the United States arising out of the Secretary's failure to begin disposing of such person's high-level waste or spent nuclear fuel by January 31, 1998.

''(2) Nothing in this subsection shall be read to require a contract holder to waive any future claim against the United States arising out of the Secretary's failure to meet any new obligation assumed under a settlement agreement or back up storage agreement, including the acceptance of spent fuel and high-level waste in accordance with the acceptance schedule established pursuant to section 106.

''(e) SOURCE OF FUNDS.—Notwithstanding section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)), the Secretary may not make expenditures from the Nuclear Waste Fund for any costs that may be incurred by the Secretary pursuant to a settlement agreement or backup storage contract under this Act except—

''(1) the cost of acquiring and loading spent nuclear fuel casks;

''(2) the cost of transporting spent nuclear fuel from the contract holder's site to the repository; and

''(3) any other cost incurred by the Secretary required to perform a settlement agreement or backup storage contract that would have been incurred by the Secretary under the contracts entered into under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) notwithstanding their amendment pursuant to this Act.

''(f) REACTOR DEMONSTRATION PROGRAM.—(1) Not later than 120 days after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, and notwithstanding Section 302(a)(5) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(5)), the Secretary is authorized to take title to the spent nuclear fuel withdrawn from the demonstration reactor remaining from the Cooperative Power Reactor Demonstration Program (Pub. L. No. 87–315, Sec. 109, 75 Stat. 679), the Dairyland Power Cooperative La Crosse Boiling Water Reactor. Immediately upon the Secretary's taking title to the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel, the Secretary shall assume all responsibility and liability for the interim storage and permanent disposal thereof and is authorized to compensate Dairyland Power Cooperative for any costs related to operating and maintaining facilities necessary for such storage, from the date of taking title until the Secretary removes the spent nuclear fuel from the Dairyland Power Cooperative La Crosse Boiling Water Reactor site. The Secretary's obligation to take title or compensate the holder of the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel under this subsection shall include all of such fuel, regardless of the delivery commitment schedule for such fuel under the Secretary's contract with the Dairyland Power Cooperative as the contract holder under Section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) or the acceptance schedule for such fuel under Section 106 of this Act.

''(2) As a condition to the Secretary's taking of title to the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel, the contract holder for such fuel shall enter into a settlement agreement containing a waiver of claims against the United States as provided in this section.

''(g) SAVINGS CLAUSE.—(1) Nothing in this section shall limit the Secretary's existing authority to enter into settlement agreements or address shutdown reactors and any associated public health and safety or environmental concerns that may arise.

''(2) Nothing in this Act diminishes obligations imposed upon the Federal Government by the United States District Court of Idaho in an order entered on October 17, 1995 in *United States* v. *Batt* (No. 91–0054–S–EJL). To the extent this Act imposes obligations on the Federal Government that are greater than those imposed by the court order, the provisions of this Act shall prevail.''

''SEC. 106. ACCEPTANCE SCHEDULE.

''(a) PRIORITY RANKING.—Acceptance priority ranking shall be determined by the Department's 'Acceptance Priority Ranking' report.

''(b) ACCEPTANCE RATE.—As soon as practicable after construction authorization, but no later than eighteen months after the year of issuance of a license to receive and possess spent nuclear fuel and high-level radioactive waste under section 101(c), the Secretary's total acceptance rate for all spent nuclear fuel and high-level waste shall be a rate no less than the following as measured in metric tonnes uranium (MTU), assuming that each high-level waste canister contains 0.5 MTU: 500 MTU in year 1, 700 MTU in year 2, 1300 MTU in year 3, 2100 MTU in year 4, 3100 MTU in year 5, 3300 MTU in years 6, 7, and 8, 3400 MTU in years 9 through 24, and 3900 MTU in year 25 and thereafter.

''(c) OTHER ACCEPTANCES.—Subject to the conditions contained in the license to receive and possess spent nuclear fuel and high-level radioactive waste issued under section 101(c), of the amounts provided for in paragraph (b) for each year, not less than one-sixth shall be—

''(1) spent nuclear fuel or civilian high-level radioactive waste of domestic origin from civilian nuclear power reactors that have permanently ceased operation on or before the date of enactment of the Nuclear Waste Policy Act Amendments of 2000;

''(2) spent nuclear fuel from foreign research reactors, as necessary to promote nonproliferation activities; and

(3) spent nuclear fuel and high-level radioactive waste from research and atomic energy defense activities, including spent nuclear fuel from naval reactors.

Provided, however, That the Secretary shall accept not less than 7.5 percent of the total quantity of fuel and high-level radioactive waste accepted in any year from the categories of radioactive materials described in paragraphs (2) and (3) in subsection (c). If sufficient amounts of radioactive materials are not available to utilize this allocation, the Secretary shall allocate this acceptance capacity to other contract holders.

''(4) EFFECT ON SCHEDULE.—The contractual acceptance schedule shall not be modified in any way as a result of the Secretary's acceptance of any material other than contract holders' spent nuclear fuel and high-level radioactive waste.

''(5) MULTI-YEAR SHIPPING CAMPAIGNS.—Consistent with the acceptance schedule, the Secretary shall, in conjunction with contract holders, define a specified multi-year period for each shipping campaign and establish criteria under which the Secretary could accept contract holders' cumulative allocations of spent nuclear fuel during the campaign period at one time and thereby enhance the efficiency and cost-effectiveness of spent nuclear fuel and high-level waste acceptance.

''SEC. 107. LOCAL RELATIONS.

''(a) Section 170 of the Nuclear Waste Policy Act of 1982 is amended to read as follows:

'SEC. 170. BENEFITS AGREEMENTS.

'(a) IN GENERAL.—

'(1) SEPARATE AGREEMENTS.—The Secretary shall offer to enter into separate agreements with Nye County, Nevada, and Lincoln County, Nevada, concerning the repository program.

'(2) AGREEMENT CONTENT.—Any agreement shall contain such terms and conditions, including such financial and institutional arrangements, as the Secretary and agreement entity determine to be reasonable and appropriate and shall contain such provisions as are necessary to preserve any right to participation or compensation of Nye County, Nevada, and Lincoln County, Nevada.

'(b) AMENDMENT.—An agreement entered into under subsection (a) may be amended only with the mutual consent of the parties to the amendment and terminated only in accordance with subsection (c).

'(c) TERMINATION.—The Secretary shall terminate an agreement under subsection (a) if any element of the repository program may not be completed.

'(d) LIMITATION.—Only 1 agreement each for Nye County, Nevada, and Lincoln County, Nevada, may be in effect at any one time.

'(e) JUDICIAL REVIEW.—Decisions of the Secretary under this section are not subject to judicial review.'.

''(b) Section 171 of the Nuclear Waste Policy Act of 1982 is amended to read as follows:

SEC. 171. CONTENT OF AGREEMENTS.

'(a) IN GENERAL.—

'(1) SCHEDULE.—The Secretary, subject to appropriations, shall make payments to the party of a benefits agreement under section 170(a) in accordance with the following schedule:

BENEFITS SCHEDULE

[Amounts in millions]

Event	Payment
(A) Annual payments prior to first receipt of fuel	$2.5
(B) Upon first spent fuel receipt	5
(C) Annual payments after first spent fuel receipt until closure of facility	5

'(2) DEFINITIONS.—For purposes of this section, the term—

'(A) 'spent fuel' means high-level radioactive waste or spent nuclear fuel; and

'(B) 'first spent fuel receipt' does not include receipt of spent fuel or high-level radioactive waste for purposes of testing or operational demonstration.

'(3) ANNUAL PAYMENTS.—Annual payments prior to first spent fuel receipt under line (A) of the benefit schedule shall be made on the date of execution of the benefits agreement and thereafter on the anniversary date of such execution. Annual payments after the first spent fuel receipt until closure of the facility under line (C) of the benefit schedule shall be made on the anniversary date of such first spent fuel receipt.

'(4) REDUCTION.—If the first spent fuel payment under line (B) is made within 6 months after the last annual payment prior to the receipt of spent fuel under line (A) of the benefit schedule, such first spent fuel payment under line (B) of the benefit schedule shall be reduced by an amount equal to 1/12 of such annual payment under line (A) of the benefit schedule for each full month less than 6 that has not elapsed since the last annual payment under line (A) of the benefit schedule.

'(b) CONTENTS.—A benefits agreement under section 170 shall provide that—

'(1) the parties to the agreement shall share with one another information relevant to the licensing process for the interim storage facility or repository, as it becomes available; and

'(2) the affected unit of local government that is party to such agreement may comment on the development of the repository program and on documents required under law or regulations governing the effects of the system on the public health and safety.

'(c) CONSTRUCTION.—The signature of the Secretary on a valid benefits agreement under section 170 shall constitute a commitment by the United States to make payments in accordance with such agreement.'.

''(c) Section 172 of the Nuclear Waste Policy Act of 1982 is amended to read as follows:

'SEC. 172. ACCEPTANCE OF BENEFITS.

'(a) CONSENT.—The acceptance or use of any of the benefits provided under this title by any affected unit of local government shall not be deemed to be an expression of consent, express or implied, either under the Constitution of the State of Nevada or any

law thereof, to the siting of the repository in the State of Nevada, any provision of such Constitution or laws to the contrary notwithstanding.

'(b) ARGUMENTS.—Neither the United States nor any other entity may assert any argument based on legal or equitable estoppel, or acquiescence, or waiver, or consensual involvement, in response to any decision by the State of Nevada, to oppose the siting in Nevada of the repository premised upon or related to the acceptance or use of benefits under this title.

'(c) LIABILITY.—No liability of any nature shall accrue to be asserted against the State of Nevada, its Governor, any official thereof, or any official of any governmental unit thereof, premised solely upon the acceptance or use of benefits under this title.'.

''(d) Section 173 of the Nuclear Waste Policy Act of 1982 is amended to read as follows:

'SEC. 173. RESTRICTION ON USE OF FUNDS.

'None of the funding provided under this title may be used—

'(1) directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in section 1913 of title 18, United States Code;

'(2) for litigation purposes; or

'(3) to support multistate efforts or other coalition-building activities inconsistent with the purposes of this Act.'.

''SEC. 108. INITIAL LAND CONVEYANCES.

''(a) CONVEYANCES OF PUBLIC LANDS.—One hundred and twenty days after enactment, all right, title and interest of the United States in the property described in subsection (b), and improvements thereon, together with all necessary easements for utilities and ingress and egress to such property, including, but not limited to, the right to improve those easements, are conveyed by operation of law to the County of Nye, County of Lincoln, or the City of Caliente, Nevada, unless the county notifies the Secretary of the Interior or the head of such other appropriate agency in writing within 60 days of such date that it elects not to take title to all or any part of the property, except that any lands conveyed to the County of Nye under this subsection that are subject to Federal grazing permit or lease or a similar federally granted permit or lease shall be conveyed between 60 and 120 days of the earliest time the Federal agency administering or granting the permit or lease would be able to legally terminate such right under the statutes and regulations existing at the date of enactment of this Act, unless Nye County and the affected holder of the permit or lease negotiate an agreement that allows for an earlier conveyance.

''(b) SPECIAL CONVEYANCES.—Subject to valid existing rights and notwithstanding any other law, the Secretary of the Interior or the head of the other appropriate agency shall convey:

''(1) To the County of Nye, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: Proposed Pahrump Industrial Park Site

Map 2: Proposed Lathrop Wells (Gate 510) Industrial Park Site

Map 3: Pahrump Landfill Sites

Map 4: Amargosa Valley Regional Landfill Site

Map 5: Amargosa Valley Municipal Landfill Site

Map 6: Beatty Landfill/Transfer station Site

Map 7: Round Mountain Landfill Site

Map 8: Tonopah Landfill Site

Map 9: Gabbs Landfill Site.

''(2) To the County of Nye, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: Beatty

Map 2: Ione/Berlin

Map 3: Manhattan

Map 4: Round Mountain/Smoky Valley

Map 5: Tonopah

Map 6: Armargosa Valley

Map 7: Pahrump

''(3) To the County of Lincoln, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 2: Lincoln County, Parcel M, Industrial Park Site, Jointly with the City of Caliente

Map 3: Lincoln County, Parcels F and G, Mixed Use, Industrial Sites

Map 4: Lincoln County, Parcels H and I, Mixed Use and Airport Expansion Sites

Map 5: Lincoln County, Parcels J and K, Mixed Use, Airport and Landfill Expansion Sites

Map 6: Lincoln County, Parcels E and L, Mixed Use, Airport and Industrial Expansion Sites.

''(4) To the City of Caliente, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: City of Caliente, Parcels A, B, C and D, Community Growth, Landfill Expansion and Community Recreation Sites

Map 2: City of Caliente, Parcel M, Industrial Park Site, jointly with Lincoln County.

''(5) To the City of Caliente, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: City of Caliente, Industrial Park Site Expansion.

''(c) CONSTRUCTION.—The maps and legal descriptions of special conveyances referred to in subsection (b) shall have the same force and effect as if they were included in this Act. The Secretary may correct clerical and typographical errors in the maps and legal descriptions and make minor adjustments in the boundaries of the sites.

''(d) EVIDENCE OF TITLE TRANSFER.—Upon the request of the County of Lincoln or the County of Nye, Nevada, the Secretary of the Interior shall provide evidence of title transfer.

''TITLE II—TRANSPORTATION

''SEC. 201. TRANSPORTATION PLANNING.

''(a) TRANSPORTATION READINESS.—The Secretary—

''(1) shall take such actions as are necessary and appropriate to ensure that the Secretary is able to transport safely spent nuclear fuel and high-level radioactive waste from any site where such spent nuclear fuel or high-level radioactive waste is generated or stored to the Yucca Mountain site, using routes that minimize, to the maximum practicable extent and consistent with Federal requirements governing transportation of hazardous materials, transportation of spent nuclear fuel and high-level radioactive waste through populated areas; and

''(2) as soon as is practicable following the enactment of this Act, the Secretary shall, in consultation with the Secretary of Transportation and affected States and tribes, and after an opportunity for public comment, develop and implement a comprehensive management plan that ensures safe transportation of spent nuclear fuel and high-level radioactive waste from the sites designated by the contract holders to the Yucca Mountain site.

''(b) TRANSPORTATION PLANNING.—In conjunction with the development of the logistical plan in accordance with subsection (a), the Secretary shall update and modify, as necessary, the Secretary's transportation institutional plans to ensure that institutional issues are addressed and resolved on a schedule to support the commencement of transportation of spent nuclear fuel and high-level radioactive waste to the Yucca Mountain site no later than January 31, 2006. Among other things, such planning shall provide a schedule and process for addressing and implementing, as necessary, transportation routing plans, transportation contracting plans, transportation training in accordance with section 202, public education regarding transportation of spent nuclear fuel and high-level radioactive waste, and transportation tracking programs.

''(c) SHIPPING CAMPAIGN TRANSPORTATION PLANS.—

''(1) IN GENERAL.—The Secretary shall develop a transportation plan for the implementation of each shipping campaign (as that term in defined by the Secretary) from each site at which spent nuclear fuel or high-level nuclear waste is stored, consistent with the principles and procedures stated in Department of Energy Order No. 460.2 and the Program Manager's Guide.

''(2) REQUIREMENTS.—A shipping campaign transportation plan shall—

''(A) be fully integrated with State and tribal government notification, inspection, and emergency response plans along the preferred shipping route or State-designated alternative route identified under subsection (d) (unless the Secretary certifies in the plan that the State or tribal government has failed to cooperate in fully integrating the shipping campaign transportation plan with the applicable State or tribal government plans); and

''(B) be consistent with the principles and procedures developed for the safe transportation of transuranic waste to the Waste Isolation Pilot Plant (unless the Secretary certifies in the plan that a specific principle or procedure is inconsistent with a provision of this Act.)

''(d) SAFE SHIPPING ROUTES AND MODES.—

''(1) IN GENERAL.—The Secretary shall evaluate the relative safety of the proposed shipping routes and shipping modes from each shipping origin to the repository compared with the safety of alternative modes and routes.

''(2) DESIGNATION OF PREFERRED SHIPPING ROUTE AND MODE.—Following the evaluation under paragraph (1)—

''(A) PREFERRED SHIPPING ROUTES.—The Secretary shall select and cause to be used preferred shipping routes for the transportation of spent nuclear fuel and high level radioactive waste from each shipping origin to the repository—

''(i) in accordance with the regulations promulgated by the Secretary of Transportation under authority of the Hazardous Materials Transportation Act (chapter 51 of title 49, United States Code) and by the Nuclear Regulatory Commission under authority of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.),

''(ii) consistent with federal highway bridge and tunnel restrictions regarding radioactive materials, and

''(iii) avoiding highways with down grades of more than seven percent.

''(B) STATE REROUTING.—For purposes of this section, a preferred route shall be an Interstate System highway for which an alternative route is not designated by a State routing agency, or a State-designated route designated by a State routing agency pursuant to section 397.103 of Title 49 Code of Federal Regulations.

''(3) SELECTION OF PRIMARY SHIPPING ROUTE.—If the Secretary designates more than 1 preferred route under paragraph (3), the Secretary shall select a primary route after considering, at a minimum, historical

accident rates, population, significant hazards, shipping time, shipping distance, and mitigating measures such as limits on the speed of shipments.

''(4) USE OF PRIMARY SHIPPING ROUTE AND MODE.—Except in cases of emergency, for all shipments conducted under this Act, the Secretary shall cause the primary shipping route and mode or State-designated alternative route under chapter 51 of title 49, United States Code, to be used. If a route is designated as a primary route for any reactor or Department of Energy facility, the Secretary may use that route to transport spent nuclear fuel or high-level radioactive waste from any other reactor or Department of Energy facility.

''(5) TRAINING AND TECHNICAL ASSISTANCE.—Following selection of the primary shipping routes, or State-designated alternative routes, the Secretary shall focus training and technical assistance under section 202(c) on those routes.

''(6) PREFERRED RAIL ROUTES.—

''(A) REGULATION.—Not later than 1 year after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, the Secretary of Transportation, pursuant to authority under other provisions of law, shall promulgate a regulation establishing procedures for the selection of preferred routes for the transportation of spent nuclear fuel and high-level radioactive waste by rail.

''(B) INTERIM PROVISION.—During the period beginning on the date of enactment of the Nuclear Waste Policy Act of 2000 and ending on the date of issuance of a final regulation under subparagraph (A), rail transportation of spent nuclear fuel and high-level radioactive waste shall be conducted in accordance with regulatory requirements in effect on that date and with this section.

''SEC. 202. TRANSPORTATION REQUIREMENTS.

''(a) PACKAGE CERTIFICATION.—No spent nuclear fuel or high-level radioactive waste may be transported by or for the Secretary under this Act except in packages that have been certified for such purposes by the Commission.

''(b) STATE NOTIFICATION.—The Secretary shall abide by regulations of the Commission regarding advance notification of State and tribal governments prior to transportation of spent nuclear fuel or high-level radioactive waste under this Act.

''(c) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—

''(A) STATES AND INDIAN TRIBES.—As provided in paragraph (3), the Secretary shall provide technical assistance and funds to States and Indian tribes for training of public safety officials of appropriate units of State, local, and tribal government. A State shall allocate to local governments within the State a portion of any funds that the Secretary provides to the State for technical assistance and funding.

''(B) EMPLOYEE ORGANIZATIONS.—The Secretary shall provide technical assistance and funds for training directly to nonprofit employee organizations, voluntary emergency response organizations, and joint labor-management organizations that demonstrate experience in implementing and operating worker health and safety training and education programs and demonstrate the ability to reach and involve in training programs target populations of workers who are or will be directly engaged in the transportation of spent nuclear fuel and high-level radioactive waste or emergency response or post-emergency response with respect to such transportation.

''(C) TRAINING.—Training under this section—

''(i) shall cover procedures required for safe routine transportation of materials and procedures for dealing with emergency response situations;

''(ii) shall be consistent with any training standards established by the Secretary of Transportation under subsection (h); and

''(iii) shall include—

''(I) a training program applicable to persons responsible for responding to emergency situations occurring during the removal and transportation of spent nuclear fuel and high-level radioactive waste;

''(II) instruction of public safety officers in procedures for the command and control of the response to any incident involving the waste; and

''(III) instruction of radiological protection and emergency medical personnel in procedures for responding to an incident involving spent nuclear fuel or high-level radioactive waste being transported.

''(2) NO SHIPMENTS IF NO TRAINING.—

''(A) There shall be no shipments by the Secretary of spent nuclear fuel and high-level radioactive waste through the jurisdiction of any State or the reservation lands of any Indian tribe eligible for grants under paragraph 3(B) to the repository until the Secretary has made a determination that personnel in all State, local, and tribal jurisdictions on primary and alternative shipping routes have met acceptable standards of training for emergency responses to accidents involving spent nuclear fuel and high-level radioactive waste, as established by the Secretary, and unless technical assistance and funds to implement procedures for the safe routine transportation and for dealing with emergency response situations under paragraph (1)(A) have been available to a State or Indian tribe for at least 3 years prior to any shipment: *Provided, however,* That the Secretary may ship spent nuclear fuel and high-level radioactive waste if technical assistance or funds have not been made available because of—

''(i) an emergency, including the sudden and unforeseen closure of a highway or rail line or the sudden and unforeseen need to remove spent fuel from a reactor because of an accident, or

''(ii) the refusal to accept technical assistance by a State or Indian tribe, or

''(iii) fraudulent actions which violate Federal law governing the expenditure of Federal funds.

''(B) In the event the Secretary is required to transport spent fuel or high-level radioactive waste through a jurisdiction prior to 3 years after the provision of technical assistance or funds to such jurisdiction, the Secretary shall, prior to such shipment, hold meetings in each State and Indian reservation through which the shipping route passes in order to present initial shipment plans and receive comments. Department of Energy personnel trained in emergency response shall escort each shipment. Funds and all Department of Energy training resources shall be made available to States and Indian tribes along the shipping route no later than three months prior to the commencement of shipments: *Provided, however,* That in no event shall such shipments exceed 1,000 metric tons per year: *Provided further,* That no such shipments shall be conducted more than four years after the effective date of the Nuclear Waste Policy Amendments Act of 2000.

''(3) GRANTS.—

''(A) IN GENERAL.—To implement this section, the Secretary may make expenditures from the Nuclear Waste Fund to the extent provided for in appropriation acts.

''(B) GRANTS FOR DEVELOPMENT OF PLANS.—

''(i) IN GENERAL.—The Secretary shall make a grant of at least $150,000 to each State through the jurisdiction of which and each federally recognized Indian tribe through the reservation lands of which one or more shipments of spent nuclear fuel or high-level radioactive waste will be made under this Act for the purpose of developing a plan to prepare for such shipments.

''(ii) LIMITATION.—A grant shall be made under clause (i) only to a State or a federally recognized Indian tribe that has the authority to respond to incidents involving shipments of hazardous material.

''(C) GRANTS FOR IMPLEMENTATION OF PLANS.—

''(i) IN GENERAL.—Annual implementation grants shall be made to States and Indian tribes that have developed a plan to prepare for shipments under this Act under subparagraph (B). The Secretary, in submitting the annual departmental budget to Congress for funding of implementation grants under this section, shall be guided by the State and tribal plans developed under subparagraph (B). As part of the Department of Energy's annual budget request, the Secretary shall report to Congress on—

''(I) the funds requested by States and federally recognized Indian tribes to implement this subsection;

''(II) the amount requested by the President for implementation; and

''(III) the rationale for any discrepancies between the amounts requested by States and federally recognized Indian tribes and the amounts requested by the President.

''(ii) ALLOCATION.—Of funds available for grants under this subparagraph for any fiscal year—

''(I) 25 percent shall be allocated by the Secretary to ensure minimum funding and program capability levels in all States and Indian tribes based on plans developed under subparagraph (B); and

''(II) 75 percent shall be allocated to States and Indian tribes in proportion to the number of shipment miles that are projected to be made in total shipments under this Act through each jurisdiction.

''(4) AVAILABILITY OF FUNDS FOR SHIPMENTS.—Funds under paragraph (1) shall be provided for shipments to a repository, regardless of whether the repository is operated by a private entity or by the Department of Energy.

''(5) MINIMIZING DUPLICATION OF EFFORT AND EXPENSES.—The Secretaries of Transportation, Labor, and Energy, Directors of the Federal Emergency Management Agency and National Institute of Environmental Health Sciences, the Nuclear Regulatory Commission, and Administrator of the Environmental Protection Agency shall review periodically, with the head of each department, agency, or instrumentality of the Government, all emergency response and preparedness training programs of that department, agency, or instrumentality to minimize duplication of effort and expense of the department, agency, or instrumentality in carrying out the programs and shall take necessary action to minimize duplication.

''(d) PUBLIC INFORMATION.—The Secretary shall conduct a program, in cooperation with corridor states and tribes, to inform the public regarding the transportation of spent nuclear fuel and high-level radioactive waste, with an emphasis on those States, units of local government, and Indian tribes through whose jurisdiction the Secretary plans to transport substantial amounts of spent nuclear fuel or high-level radioactive waste.

''(e) USE OF PRIVATE CARRIERS.—The Secretary, in providing for the transportation of spent nuclear fuel and high-level radioactive waste under this Act, shall contract with private industry to the fullest extent possible in each aspect of such transportation. The Secretary shall use direct Federal services for such transportation only upon a determination by the Secretary of Transportation, in consultation with the Secretary,

that private industry is unable or unwilling to provide such transportation services at a reasonable cost.

''(f) COMPLIANCE WITH TRANSPORTATION REGULATIONS.—Any person that transports spent nuclear fuel or high-level radioactive waste under the Nuclear Waste Policy Amendments Act of 2000, pursuant to a contract with the Secretary, shall comply with all requirements governing such transportation issued by the Federal, State and local governments, and Indian tribes, in the same way and to the same extent that any person engaging in that transportation that is in or affects interstate commerce must comply with such requirements, as required by section 5126 of title 49, United States Code.

''(g) EMPLOYEE PROTECTION.—Any person engaged in the interstate commerce of spent nuclear fuel or high-level radioactive waste under contract to the Secretary pursuant to this Act shall be subject to and comply fully with the employee protection provisions of section 20109 of title 49, United States Code (in the case of employees of railroad carriers) and section 31105 of title 49, United States Code (in the case of employees operating commercial motor vehicles), or the Commission (in the case of all other employees).

''(h) TRAINING STANDARD.—

''(1) REGULATION.—No later than 12 months after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, the Secretary of Transportation, pursuant to authority under other provisions of law, in consultation with the Secretary of Labor and the Commission, shall promulgate a regulation establishing training standards applicable to workers directly involved in the removal and transportation of spent nuclear fuel and high-level radioactive waste. The regulation shall specify minimum training standards applicable to workers, including managerial personnel. The regulation shall require that the employer possess evidence of satisfaction of the applicable training standard before any individual may be employed in the removal and transportation of spent nuclear fuel or high-level radioactive waste.

''(2) SECRETARY OF TRANSPORTATION.—If the Secretary of Transportation determines, in promulgating the regulation required by paragraph (1), that existing Federal regulations establish adequate training standards for workers, then the Secretary of Transportation can refrain from promulgating additional regulations with respect to worker training in such activities. The Secretary of Transportation and the Commission shall, by Memorandum of Understanding, ensure coordination of worker training standards and to avoid duplicative regulation.

''(3) TRAINING STANDARDS CONTENT.—(A) If training standards are required to be promulgated under paragraph (1), such standards shall, among other things deemed necessary and appropriate by the Secretary of Transportation, provide for—

''(i) a specified minimum number of hours of initial off site instruction and actual field experience under the direct supervision of a trained, experienced supervisor;

''(ii) a requirement that onsite managerial personnel receive the same training as workers, and a minimum number of additional hours of specialized training pertinent to their managerial responsibilities; and

''(iii) a training program applicable to persons responsible for responding to and cleaning up emergency situations occurring during the removal and transportation of spent nuclear fuel and high-level radioactive waste.

''(B) The Secretary of Transportation may specify an appropriate combination of knowledge, skills, and prior training to fulfill the minimum number of hours requirements of subparagraphs (i) and (ii).

''(4) EMERGENCY RESPONDER TRAINING STANDARDS.—The training standards for persons responsible for responding to emergency situations occurring during the removal and transportation of spent nuclear and high level radioactive waste shall, in accordance with existing regulations, ensure their ability to protect nearby persons, property, or the environment from the effects of accidents involving spent nuclear fuel and high-level radioactive waste.

''(5) AUTHORIZATION.—There is authorized to be appropriated to the Secretary of Transportation, from general revenues, such sums as may be necessary to perform his duties under this subsection.

''TITLE III—DEVELOPMENT OF NATIONAL SPENT NUCLEAR FUEL STRATEGY

''SEC. 301. FINDINGS.

''(1) Prior to permanent closure of the geologic repository in Yucca Mountain, Congress must determine whether the spent fuel in the repository should be treated as waste subject to permanent burial or should be considered an energy resource that is needed to meet future energy requirements;

''(2) Future use of nuclear energy may require construction of a second geologic repository unless Yucca Mountain can safely accommodate additional spent fuel. Improved spent fuel strategies may increase the capacity of Yucca Mountain.

''(3) Prior to construction of any second permanent geologic repository, the nation's current plans for permanent burial of spent fuel should be re-evaluated.

''SEC. 302. OFFICE OF SPENT NUCLEAR FUEL RESEARCH

''(a) ESTABLISHMENT.—There is hereby established an Office of Spent Nuclear Fuel Research within the Office of Nuclear Energy Science and Technology of the Department of Energy. The Office shall be headed by the Associate Director, who shall be a member of the Senior Executive Service appointed by the Director of the Office of Nuclear Energy Science and Technology, and compensated at a rate determined by applicable law.

''(b) ASSOCIATE DIRECTOR.—The Associate Director of the Office of Spent Nuclear Fuel Research shall be responsible for carrying out an integrated research, development, and demonstration program on technologies for treatment, recycling, and disposal of high-level nuclear radioactive waste and spent nuclear fuel, subject to the general supervision of the Secretary. The Associate Director of the Office shall report to the Director of the Office of Nuclear Energy Science and Technology. The first such Associate Director shall be appointed within 90 days of the enactment of the Nuclear Waste Policy Amendments Act of 2000.

''(c) GRANT AND CONTRACT AUTHORITY.—In carrying out his responsibilities under this Section, the Secretary may make grants, or enter into contracts, for the purposes of the research projects and activities described in (d)(2).

''(d)(1) DUTIES.—The Associate Director of the Office shall involve national laboratories, universities, the commercial nuclear industry, and other organizations to investigate technologies for the treatment, recycling, and disposal of spent nuclear fuel and high-level radioactive waste.

''(2) The Associate Director of the Office shall:

''(A) develop a research plan to provide recommendations by 2015;

''(B) identify promising technologies for the treatment, recycling, and disposal of spent nuclear fuel and high-level radioactive waste;

''(C) conduct research and development activities for promising technologies;

''(D) ensure that all activities include as key objectives minimization of proliferation concerns and risk to the health of the general public or site workers, as well as development of cost-effective technologies;

''(E) require research on both reactor- and accelerator-based transmutation systems;

''(F) require research on advanced processing and separations;

''(G) encourage that research efforts include participation of international collaborators;

''(H) be authorized to fund international collaborators when they bring unique capabilities not available in the United States and their host country is unable to provide for their support;

''(I) ensure that research efforts with this Office are coordinated with research on advanced fuel cycles and reactors conducted within the Office of Nuclear Energy Science and Technology.

''(e) REPORT.—The Associate Director of the Office of Spent Nuclear Fuel Research shall annually prepare and submit a report to the Congress on the activities and expenditures of the Office that discusses progress being made in achieving the objectives of paragraph (b).

''TITLE IV—GENERAL AND MISCELLANEOUS

''SEC. 401. DECOMMISSIONING PILOT PROGRAM.

''(a) AUTHORIZATION.—The Secretary is authorized to establish a Decommissioning Pilot Program to decommission and decontaminate the sodium-cooled fast breeder experimental test-site reactor located in northwest Arkansas.

''(b) FUNDING.—No funds from the Nuclear Waste Fund may be used for the Decommissioning Pilot Program.

''SEC. 402. REPORTS.

''(a) The Secretary is directed to report within 90 days from enactment of this Act regarding all alternatives available to Northern States Power Company and the Federal government which would allow Northern States Power Company to operate the Prairie Island Nuclear Generating Plant until the end of the term of its current NRC licenses, assuming existing state and federal laws remain unchanged.

''(b) Within six months of enactment of this Act, the General Accounting Office is directed to report back to the Senate Committee on Energy and Natural Resources and the House Committee on Commerce on the potential economic impacts to Minnesota ratepayers should the Prairie Island Nuclear Generating Plant cease operations once it has met its state imposed storage limitation, including the costs of new generation, decommissioning costs, and the costs of continued operation of on-site storage of spent fuel storage.''.

''SEC. 403. SEPARABILITY.

''If any provision of this Act, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.''.

WYDEN AMENDMENT NO. 2809

(Ordered to lie on the table.)

Mr. WYDEN submitted an amendment intended to be proposed by him to amendment No. 2808 proposed by Mr. MURKOWSKI, to the bill, S. 1287, supra; as follows:

On page 17, between lines 13 and 14, insert the following:

SEC. 107. LIMITATION ON USE OF THE HANFORD NUCLEAR RESERVATION FOR WASTE STORAGE OR DISPOSAL.

Notwithstanding any other provision of law, the Hanford Nuclear Reservation in the State of Washington shall not be used for storage or disposal of—

(1) spent nuclear fuel or high-level radioactive waste from any civilian nuclear power reactor; or

(2) any spent nuclear fuel or high-level nuclear waste generated by or in connection with operation of the Fast Flux Test Facility, except for fuel or waste generated solely and directly from production of isotopes for medical diagnosis or treatment.

BINGAMAN AMENDMENTS NOS. 2810–2812

(Ordered to lie on the table.)

Mr. BINGAMAN submitted three amendments intended to be proposed by him to amendment No. 2808 proposed by Mr. MURKOWSKI to the bill, S. 1287, supra; as follows:

AMENDMENT NO. 2810

On page 23, strike line 19 and all that follows through page 25, line 8 and renumbered subsequent sections accordingly.

AMENDMENT NO. 2811

On page 9, after line 8, add the following:

''(3) Nothing in this Act shall be construed to subject the United States to financial liability for the Secretary's failure to meet any deadline for the acceptance or emplacement of spent nuclear fuel or high-level radioactive waste for storage or disposal under this Act.''

AMENDMENT NO. 2812

On page 17, after line 15, add the following:

''SEC. 109. ONE-TIME FEE.

''Notwithstanding section 302(c)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)(1), all receipts, proceeds, and recoveries realized by the Secretary under section 302(a)(3) of such Act that are received before the date on which section 110 of this Act takes effect shall be retained by the Secretary and shall be available for expenditure for purposes of radioactive waste disposal activities under titles I and II of the Nuclear Waste Policy Act of 1982 and section 110 of this Act, without further appropriation, but subject to limitations that may be included in appropriation acts.

''SEC. 110. REPOSITORY FUNDING.

''(a) USE OF FUND.—Section 302(e)(2) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(e)(2)) is amended by striking the last two sentences and inserting the following:

'''The Secretary may make expenditures from the Waste Fund without further appropriation, but subject to limitations that may be included in appropriation acts.'.

''(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of subsequent legislation that amends the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)), except for subsequent legislation that alters or affects such limits in strict conformance with section 251(b) of such Act (2 U.S.C. 901(b)), in effect on the date of enactment of this section.''.

MURKOWSKI AMENDMENT NO. 2813

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to amendment No. 2808 proposed by him to the bill, S. 1287, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Nuclear Waste Policy Amendments Act of 2000'.

''SEC. 2. DEFINITIONS.

''For purposes of this Act—

''(1) the term 'contract holder' means a party to a contract with the Secretary of Energy for the disposal of spent nuclear fuel or high-level radioactive waste entered in pursuant to section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)); and

''(2) the terms ''Administrator'', ''civilian nuclear power reactor'', ''Commission'', ''Department'', ''disposal'', ''high-level radioactive waste'', ''Indian tribe'', ''repository'', ''reservation'', ''Secretary'', ''spent nuclear fuel'', ''State'', ''storage'', ''Waste Fund'', and ''Yucca Mountain site'' shall have the meanings given such terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

''TITLE I—STORAGE AND DISPOSAL

''SEC. 101. PROGRAM SCHEDULE.

''(a) IN GENERAL.— The President, the Secretary, and the Nuclear Regulatory Commission shall carry out their duties under this Act and the Nuclear Waste Policy Act of 1982 by the earliest practicable date consistent with the public interest and applicable provisions of law.

''(b) MILESTONES.—

''(1) The Secretary shall make a final decision whether to recommend the Yucca Mountain site for development of the repository to the President by December 31, 2001;

''(2) The President shall make a final decision whether to recommend the Yucca Mountain site for development of the repository to the Congress by March 31, 2002;

''(3) The Nuclear Regulatory Commission shall make a final decision whether to authorize construction of the repository by January 31, 2006; and

''(4) As provided in subsection (c), the Secretary shall begin receiving waste at the repository site at the earliest practicable date and no later than eighteen months after receiving construction authorization from the Nuclear Regulatory Commission.

''(c) RECEIPT FACILITIES.—

''(1) As part of the submission of an application for a construction authorization pursuant to section 114(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(b)), the Secretary shall apply to the Commission to receive and possess spent nuclear fuel and high-level radioactive waste at surface facilities within the geologic repository operations area for the receipt, handling, packaging, and storage prior to emplacement.

''(2) As part of the issuance of the construction authorization under section 114(b) of the Nuclear Waste Policy Act of 1982, the Commission shall authorize construction of surface facilities described in subsection (c)(1) and the receipt and possession of spent nuclear fuel and high-level radioactive waste at such surface facilities within the geologic repository operations area for the purposes in subsection (c)(1), in accordance with such standards as the Commission finds are necessary to protect the public health and safety.

''SEC. 102. BACKUP STORAGE CAPACITY.

''(a) Subject to section 105(d), the Secretary shall enter into a contract under this subsection with any person generating or owning spent nuclear fuel that meets the requirements of section 135(b)(1)(A) and (B) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10155(b)(1)(A) and (B)) to—

''(1) take title at the civilian nuclear power reactor site to such amounts of spent nuclear fuel from the civilian nuclear power reactor as the Commission determines cannot be stored onsite; and

''(2) transport such spent nuclear fuel to, and store such spent nuclear fuel at, the repository site after the Commission has authorized construction of the repository without regard to the Secretary's Acceptance Priority Ranking report or Annual Capacity Report.

SEC. 103. REPOSITORY LICENSING.

(a) ADOPTION OF STANDARDS.—Notwithstanding the time schedule in section 801(a)(1) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note), the Administrator shall not publish or adopt public health and safety standards for the protection of the public from releases from radioactive materials stored or disposed of in the repository at the Yucca Mountain site—

(1) except in accordance with this section; and

(2) before June 1, 2001.

(b) CONSULTATION AND REPORTS TO CONGRESS.—

(1) Not later than 30 days after the enactment of this Act, the Administrator shall provide the Commission and the National Academy of Sciences—

(A) a detailed written comparison of the provisions of the proposed Environmental Protection Standards for Yucca Mountain, Nevada, published in the Federal Register on August 27, 1999 (64 Fed. Reg. 46,975) with the recommendations made by the National Academy of Sciences in its report, Technical Bases for Yucca Mountain Standards, pursuant to section 801(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note); and

(B) the scientific basis for the proposed rule.

(2) Not later than April 1, 2001, the Commission and the National Academy of Sciences shall, based on the proposed rule and the information provided by the Administrator under paragraph (1), each submit a report to Congress on whether the proposed rule—

(A) is consistent with section 801(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note);

(B) provide a reasonably expectation that the public health and safety and the environment will be adequately protected from the hazards posed by high-level radioactive waste and spent nuclear fuel disposed of in the repository;

(C) is based on the best reasonably obtainable scientific and technical information concerning the need for, and consequences of, the rule; and

(D) imposes the least burden, consistent with obtaining the regulatory objective of protecting the public health and safety and the environment.

(3) In the event that either the Commission or the National Academy of Sciences finds that the proposed rule does not meet one or more of the criteria listed in paragraph (2), it shall notify the Administrator not later than April 1, 2001 of its finding and the basis for such finding.

(c) APPLICATION OF CONGRESSIONAL REVIEW PROCEDURES.—Any final rule promulgated under section 801(a)(1) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note) shall be treated as a major rule for purposes of chapter 8 of title 5, United States Code, and shall be subject to all the requirements and procedures pertaining to a major rule in such chapter.

''(d) CAPACITY.—Section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) is amended by striking 'The Commission decision approving the first such application . . .' through the period at the end of the sentence.

"SEC. 104. NUCLEAR WASTE FEE.

The last sentence of section 302(a)(4) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(4)) is amended to read as follows:

''The adjusted fee proposed by the Secretary shall be effective upon enactment of a joint resolution or other provision of law specifically approving the adjusted fee.''

"SEC. 105. SETTLEMENT AGREEMENTS.

''(a) IN GENERAL.—The Secretary may, upon the request of any person with whom he has entered into a contract under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)), enter into a settlement agreement with the contract holder to—

''(1) relieve any harm caused by the Secretary's failure to meet the Department's commitment, or

''(2) settle any legal claims against the United States arising out of such failure.

''(b) TYPES OF RELIEF.—Pursuant to a settlement agreement entered into under this section, the Secretary may—

''(1) provide spent nuclear fuel storage casks to the contract holder;

''(2) compensate the contract holder for the cost of providing spent nuclear fuel storage at the contract holders' storage facility; or

''(3) provide any combination of the foregoing.

''(c) SCOPE OF RELIEF.—The Secretary's obligation to provide the relief under subsection (b) shall not exceed the Secretary's obligation to accept delivery of such spent fuel under the terms of the Secretary's contract with such contract holder under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)), including any otherwise permissible assignment of rights.

''(d) WAIVER OF CLAIMS.—(1) The Secretary may not enter into a settlement agreement under subsection (a) or (f) or a backup contract under section 102(a) with any contract holder unless the contract holder—

''(A) notifies the Secretary within 180 days after the date of enactment of this Act of its intent to enter into a settlement negotiations, and

''(B) as part of such settlement agreement or backup contract, waives any claim for damages against the United States arising out of the Secretary's failure to begin disposing of such person's high-level waste or spent nuclear fuel by January 31, 1998.

''(2) Nothing in this subsection shall be read to require a contract holder to waive any future claim against the United States arising out of the Secretary's failure to meet any new obligation assumed under a settlement agreement or backup storage agreement, including any obligation related to the movement of spent fuel by the Department.

''(e) SOURCE OF FUNDS.—Notwithstanding section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)), the Secretary may not make expenditures from the Nuclear Waste Fund for any costs that may be incurred by the Secretary pursuant to a settlement agreement or backup storage contract under this Act except—

''(1) the cost of acquiring and loading spent nuclear fuel casks;

''(2) the cost of transporting spent nuclear fuel from the contract holder's site to the repository; and

''(3) any other cost incurred by the Secretary required to perform a settlement agreement or backup storage contract that would have been incurred by the Secretary under the contracts entered into under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) notwithstanding their amendment pursuant to this Act.

''(f) REACTOR DEMONSTRATION PROGRAM.—(1) Not later than 120 days after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, and notwithstanding Section 302(a)(5) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(5)), the Secretary is authorized to take title to the spent nuclear fuel withdrawn from the demonstration reactor remaining from the Cooperative Power Reactor Demonstration Program (Pub. L. No. 87–315, Sec. 109, 75 Stat. 679), the Dairyland Power Cooperative La Crosse Boiling Water Reactor. Immediately upon the Secretary's taking title to the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel, the Secretary shall assume all responsibility and liability for the interim storage and permanent disposal thereof and is authorized to compensate Dairyland Power Cooperative for any costs related to operating and maintaining facilities necessary for such storage, from the date of taking title until the Secretary removes the spent nuclear fuel from the Dairyland Power Cooperative La Crosse Boiling Water Reactor site. The Secretary's obligation to take title or compensate the holder of the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel under this subsection shall include all of such fuel, regardless of the delivery commitment schedule for such fuel under the Secretary's contract with the Dairyland Power Cooperative as the contract holder under Section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) or the acceptance schedule for such fuel under Section 106 of this Act.

''(2) As a condition to the Secretary's taking of title to the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel, the contract holder for such fuel shall enter into a settlement agreement containing a waiver of claims against the United States as provided in this section.

''(g) SAVINGS CLAUSE.—(1) Nothing in this section shall limit the Secretary's existing authority to enter into settlement agreements or address shutdown reactors and any associated public health and safety or environmental concerns that may arise.

''(2) Nothing in this Act diminishes obligations imposed upon the Federal Government by the United States District Court of Idaho in an order entered on October 17, 1995 in *United States* v. *Batt* (No. 91–0054–S–EJL). To the extent this Act imposes obligations on the Federal Government that are greater than those imposed by the court order, the provisions of this Act shall prevail.''

"SEC. 106. ACCEPTANCE SCHEDULE.

''(a) PRIORITY RANKING.—Acceptance priority ranking shall be determined by the Department's 'Acceptance Priority Ranking' report.

''(b) ACCEPTANCE RATE.—As soon as practicable after construction authorization, but no later than eighteen months after the year of issuance of a licence to receive and possess spent nuclear fuel and high-level radioactive waste under section 101(c), the Secretary's total acceptance rate for all spent nuclear fuel and high-level waste shall be a rate no less than the following as measured in metric tonnes uranium (MTU), assuming that each high-level waste canister contains 0.5 MTU: 500 MTU in year 1, 700 MTU in year 2, 1300 MTU in year 3, 2100 MTU in year 4, 3100 MTU in year 5, 3300 MTU in years 6, 7, and 8, 3400 MTU in years 9 through 24, and 3900 MTU in year 25 and thereafter.

''(c) OTHER ACCEPTANCES.—Subject to the conditions contained in the license to receive and possess spent nuclear fuel and high-level radioactive waste issued under section 101(c), of the amounts provided for in paragraph (b) for each year, not less than one-sixth shall be—

''(1) spent nuclear fuel or civilian high-level radioactive waste of domestic origin from civilian nuclear power reactors that have permanently ceased operation on or before the date of enactment of the Nuclear Waste Policy Act Amendments of 2000;

''(2) spent nuclear fuel from foreign research reactors, as necessary to promote nonproliferation activities; and

(3) spent nuclear fuel and high-level radioactive waste from research and atomic energy defense activities, including spent nuclear fuel from naval reactors.

Provided, however, That the Secretary shall accept not less than 7.5 percent of the total quantity of fuel and high-level radioactive waste accepted in any year from the categories of radioactive materials described in paragraphs (2) and (3) in subsection (c). If sufficient amounts of radioactive materials are not available to utilize this allocation, the Secretary shall allocate this acceptance capacity to other contract holders.

''(4) EFFECT ON SCHEDULE.—The contractual acceptance schedule shall not be modified in any way as a result of the Secretary's acceptance of any material other than contract holders' spent nuclear fuel and high-level radioactive waste.

''(5) MULTI-YEAR SHIPPING CAMPAIGNS.—Consistent with the acceptance schedule, the Secretary shall, in conjunction with contract holders, define a specified multi-year period for each shipping campaign and establish criteria under which the Secretary could accept contract holders' cumulative allocations of spent nuclear fuel during the campaign period at one time and thereby enhance the efficiency and cost-effectiveness of spent nuclear fuel and high-level waste acceptance.

"SEC. 107. INITIAL LAND CONVEYANCES.

''(a) CONVEYANCES OF PUBLIC LANDS.—One hundred and twenty days after enactment, all right, title and interest of the United States in the property described in subsection (b), and improvements thereon, together with all necessary easements for utilities and ingress and egress to such property, including, but not limited to, the right to improve those easements, are conveyed by operation of law to the County of Nye, County of Lincoln, or the City of Caliente, Nevada, unless the county notifies the Secretary of the Interior or the head of such other appropriate agency in writing within 60 days of such date that it elects not to take title to all or any part of the property, except that any lands conveyed to the County of Nye under this subsection that are subject to a Federal grazing permit or lease or a similar federally granted permit or lease shall be conveyed between 60 and 120 days of the earliest time the Federal agency administering or granting the permit or lease would be able to legally terminate such right under the statutes and regulations existing at the date of enactment of this Act, unless Nye County and the affected holder of the permit or lease negotiate an agreement that allows for an earlier conveyance.

''(b) SPECIAL CONVEYANCES.—Subject to valid existing rights and notwithstanding any other law, the Secretary of the Interior or the head of the other appropriate agency shall convey:

''(1) To the County of Nye, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: Proposed Pahrump Industrial Park Site

Map 2: Proposed Lathrop Wells (Gate 510) Industrial Park Site

Map 3: Pahrump Landfill Sites

Map 4: Amargosa Valley Regional Landfill Site

Map 5: Amargosa Valley Municipal Landfill Site

Map 6: Beatty Landfill/Transfer station Site
Map 7: Round Mountain Landfill Site
Map 8: Tonopah Landfill Site
Map 9: Gabbs Landfill Site.

''(2) To the County of Nye, Nevada, the following public lands depicted on the maps dated February 1, 2000 and on file with the Secretary:
Map 1: Beatty
Map 2: Ione/Berlin
Map 3: Manhattan
Map 4: Round Mountain/Smoky Valley
Map 5: Tonopah
Map 6: Armargosa Valley
Map 7: Pahrump

''(3) To the County of Lincoln, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:
Map 2: Lincoln County, Parcel M, Industrial Park Site, Jointly with the City of Caliente
Map 3: Lincoln County, Parcels F and G, Mixed Use, Industrial Sites
Map 4: Lincoln County, Parcels H and I, Mixed Use and Airport Expansion Sites
Map 5: Lincoln County, Parcels J and K, Mixed Use, Airport and Landfill Expansion Sites
Map 6: Lincoln County, Parcels E and L, Mixed Use, Airport and Industrial Expansion Sites.

''(4) To the City of Caliente, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:
Map 1: City of Caliente, Parcels A, B, C and D, Community Growth, Landfill Expansion and Community Recreation Sites
Map 2: City of Caliente, Parcel M, Industrial Park Site, jointly with Lincoln County.

''(5) To the City of Caliente, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:
Map 1: City of Caliente, Industrial Park Site Expansion.

''(c) CONSTRUCTION.—The maps and legal descriptions of special conveyance referred to in subsection (b) shall have the same force and effect as if they were included in this Act. The Secretary may correct clerical and typographical errors in the maps and legal descriptions and make minor adjustments in the boundaries of the sites.

''(d) EVIDENCE OF TITLE TRANSFER.—Upon the request of the County of Lincoln or the County of Nye, Nevada, the Secretary of the Interior shall provide evidence of title transfer.

''(e)(1) CONSENT.—The acceptance or use of any of the benefits provided under this title by any affected unit of local government shall not be deemed to be an expression of consent, express or implied, either under the Constitution of the State of Nevada or any law thereof, to the siting of the repository in the State of Nevada, any provision of such Constitution or laws to the contrary notwithstanding.

''(2) ARGUMENTS.—Neither the United States nor any other entity may assert any argument based on legal or equitable estoppel, or acquiescence, or waiver, or consensual involvement, in response to any decision by the State of Nevada, to oppose the siting in Nevada of the repository premised upon or related to the acceptance or use of benefits under this title.

''(3) LIABILITY.—No liability of any nature shall accrue to be asserted against the State of Nevada, its Governor, any official thereof, or any official of any governmental unit thereof, premised solely upon the acceptance or use of benefits under this title.

''TITLE II—TRANSPORTATION

''SEC. 201. TRANSPORTATION.

Section 180 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10175) is amended to read as follows:

''TRANSPORTATION

''SEC. 180. (a) IN GENERAL.—The transportation of spent nuclear fuel and high-level radioactive waste from any civilian nuclear power reactor to any other civilian nuclear power reactor or to any Department of Energy Facility, by or for the Secretary, or by or for any person who owns or generates spent nuclear fuel or high-level radioactive waste, shall be subject to licensing and regulation by the Commission and the Secretary of Transportation under all applicable provisions of existing law.

''(1) PREFERRED SHIPPING ROUTES.—The Secretary shall select and cause to be used preferred shipping routes for the transportation of spent nuclear fuel and high level radioactive waste from each shipping origin to the repository in accordance with the regulations promulgated by the Secretary of Transportation under authority of Hazardous Materials Transportation Act (chapter 51 of title 49, United State Code) and by the Nuclear Regulatory Commission under authority of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.).

''(2) STATE REROUTING.—For purposes of this section, a preferred route shall be an Interstate System highway for which an alternative route is not designated by a State routing agency, or a State-designated route designated by a State routing agency pursuant to section 397.103 of Title 49, Code of Federal Regulations.

''(b) SHIPPING CONTAINERS.—No spent nuclear fuel or high-level radioactive waste may be transported by or for the Secretary under this Act except in packages—

''(1) the design of which has been certified by the Commission; and

''(2) that have been determined by the Commission to satisfy its quality assurance requirements.

''(c) NOTIFICATION.—The Secretary shall provide advance notification to States and Indian tribes through whose jurisdiction the Secretary plans to transport spent nuclear fuel or high-level radioactive waste.

''(d) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—

''(A) STATES AND INDIAN TRIBES.—As provided in paragraph (3), the Secretary shall provide technical assistance and funds to States and Indian tribes for training of public safety officials or appropriate units of State, local, and tribal government. A State shall allocate to local governments within the State a portion of any funds that the Secretary provides to the State for technical assistance and funding.

''(B) EMPLOYEE ORGANIZATIONS.—The Secretary shall provide technical assistance and funds for training directly to nonprofit employee organizations, voluntary emergency response organizations, and joint labor-management organizations that demonstrate experience in implementing and operating worker health and safety training and education programs and demonstrate the ability to reach and involve in training programs target populations of workers who are or will be directly engaged in the transportation of spent nuclear fuel and high-level radioactive waste or emergency response or post-emergency response with respect to such transportation.

''(C) TRAINING.—Training under this section—

''(i) shall cover procedures required for safe routine transportation of materials and procedures for dealing with emergency response situations;

''(ii) shall be consistent with any training standards established by the Secretary of Transportation under subsection (h); and

''(iii) shall include—

''(I) a training program applicable to persons responsible for responding to emergency situations occurring during the removal and transportation of spent nuclear fuel and high-level radioactive waste;

''(II) instruction of public safety officers in procedures for the command and control of the response to any incident involving the waste; and

''(III) instruction of radiological protection and emergency medical personnel in procedures for responding to an incident involving spent nuclear fuel or high-level radioactive waste being transported.

''(2) NO SHIPMENTS IF NO TRAINING.—

''(A) There shall be no shipments by the Secretary of spent nuclear fuel and high-level radioactive waste through the jurisdiction of any State or the reservation lands of any Indian tribe eligible for grants under paragraph (3)(B) to the repository until the Secretary has made a determination that personnel in all State, local, and tribal jurisdictions on primary and alternative shipping routes have met acceptable standards of training for emergency responses to accidents involving spent nuclear fuel and high-level radioactive waste, as established by the Secretary, and unless technical assistance and funds to implement procedures for the safe routine transportation and for dealing with emergency response situations under paragraph (1)(A) have been available to a State or Indian tribe for at least 3 years prior to any shipment: *Provided, however,* That the Secretary may ship spent nuclear fuel and high-level radioactive waste if technical assistance or funds have not been made available because of—

''(i) an emergency, including the sudden and unforeseen closure of a highway or rail line or the sudden and unforeseen need to remove spent fuel from a reactor because of an accident, or

''(ii) the refusal to accept technical assistance by a State or Indian tribe, or

''(iii) fraudulent actions which violate Federal law governing the expenditure of Federal funds.

''(B) In the event the Secretary is required to transport spent fuel or high-level radioactive waste through a jurisdiction prior to 3 years after the provision of technical assistance or funds to such jurisdiction, the Secretary shall, prior to such shipment, hold meetings in each State and Indian reservation through which the shipping route passes in order to present initial shipment plans and receive comments. Department of Energy personnel trained in emergency response shall escort each shipment. Funds and all Department of Energy training resources shall be made available to States and Indian tribes along the shipping route no later than three months prior to the commencement of shipments: *Provided, however,* That in no event shall such shipments exceed 1,000 metric tons per year: *Provided further,* That no such shipments shall be conducted more than four years after the effective date of the Nuclear Waste Policy Amendments Act of 2000.

''(3) GRANTS.—

''(A) IN GENERAL.—To implement this section, the Secretary may make expenditures from the Nuclear Waste Fund to the extent provided for in appropriation acts.

''(B) GRANTS FOR DEVELOPMENT OF PLANS.—

''(i) IN GENERAL.—The Secretary shall make a grant of at least $150,000 to each State through the jurisdiction of which and each federally recognized Indian tribe through the reservation lands of which one or more shipments of spent nuclear fuel or high-level radioactive waste will be made under this Act for the purpose of developing a plan to prepare for such shipments.

''(ii) LIMITATION.—A grant shall be made under clause (i) only to a State or a federally recognized Indian tribe that has the authority to respond to incidents involving shipments of hazardous material.

''(C) GRANTS FOR IMPLEMENTATION OF PLANS.—

''(i) In general.—Annual implementation grants shall be made to States and Indian tribes that have developed a plan to prepare for shipments under this Act under subparagraph (B). The Secretary, in submitting the annual departmental budget to Congress for funding of implementation grants under this section, shall be guided by the State and tribal plans developed under subparagraph (B). As part of the Department of Energy's annual budget request, the Secretary shall report to Congress on—

''(I) the funds requested by States and federally recognized Indian tribes to implement this subsection;

''(II) the amount requested by the President for implementation; and

''(III) the rationale for any discrepancies between the amounts requested by States and federal recognized Indian tribes and the amounts requested by the President.

''(ii) ALLOCATION.—Of funds available for grants under this subparagraph for any fiscal year—

''(I) 25 percent shall be allocated by the Secretary to ensure minimum funding and program capability levels in all States and Indian tribes based on plans developed under subparagraph (B); and

''(II) 75 percent shall be allocated to States and Indian tribes in proportion to the number of shipment miles that are projected to be made in total shipments under this Act through each jurisdiction.

''(4) AVAILABILITY OF FUNDS FOR SHIPMENTS.—Funds under paragraph (1) shall be provided for shipments to a repository, regardless of whether the repository is operated by a private entity or by the Department of Energy.

''(5) MINIMIZING DUPLICATION OF EFFORT AND EXPENSES.—The Secretaries of Transportation, Labor, and Energy, Directors of the Federal Emergency Management Agency and National Institute of Environmental Health Sciences, the Nuclear Regulatory Commission, and Administrator of the Environmental Protection Agency shall review periodically, with the head of each department, agency, or instrumentality of the Government, all emergency response and preparedness training programs of that department, agency, or instrumentality to minimize duplication of effort and expense of the department, agency, or instrumentality in carrying out the programs and shall take necessary action to minimize duplication.

''(e) PUBLIC INFORMATION.—The Secretary shall conduct a program, in cooperation with corridor states and tribes, to inform the public regarding the transportation of spent nuclear fuel and high-level radioactive waste, with an emphasis on those States, units of local government, and Indian tribes through whose jurisdiction the Secretary plans to transport substantial amounts of spent nuclear fuel or high-level radioactive waste.

''(f) USE OF PRIVATE CARRIERS.—The Secretary, in providing for the transportation of spent nuclear fuel and high-level radioactive waste under this Act, shall contract with private industry to the fullest extent possible in each aspect of such transportation. The Secretary shall use direct Federal services for such transportation only upon a determination by the Secretary of Transportation, in consultation with the Secretary, that private industry is unable or unwilling to provide such transportation services at a reasonable cost.

''(g) COMPLIANCE WITH TRANSPORTATION REGULATIONS.—Any person that transports spent nuclear fuel or high-level radioactive waste under the Nuclear Waste Policy Amendments Act of 2000, pursuant to a contract with the Secretary, shall comply with all requirements governing such transportation issued by the Federal, State and local governments, and Indian tribes, in the same way and to the same extent that any person engaging in that transportation that is in or affects interstate commerce must comply with such requirements, as required by section 5126 of title 49, United States Code.

''(h) EMPLOYEE PROTECTION.—Any person engaged in the interstate commerce of spent nuclear fuel or high-level radioactive waste under contract to the Secretary pursuant to this Act shall be subject to and comply fully with the employee protection provisions of section 20109 of title 49, United States Code (in the case of employees of railroad carriers) and section 31105 of title 49, United States Code (in the case of employees operating commercial motor vehicles), or the Commission (in the case of all other employees).

''(i) TRAINING STANDARD.—

''(1) REGULATION.—No later than 12 months after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, the Secretary of Transportation, pursuant to authority under other provisions of law, in consultation with the Secretary of Labor and the Commission, shall promulgate a regulation establishing training standards applicable to workers directly involved in the removal and transportation of spent nuclear fuel and high-level radioactive waste. The regulation shall specify minimum training standards applicable to workers, including managerial personnel. The regulation shall require that the employer possess evidence of satisfaction of the applicable training standard before any individual may be employed in the removal and transportation of spent nuclear fuel and high-level radioactive waste.

''(2) SECRETARY OF TRANSPORTATION.—If the Secretary of Transportation determines, in promulgating the regulation required by paragraph (1), that existing Federal regulations establish adequate training standards for workers, then the Secretary of Transportation can refrain from promulgating additional regulations with respect to worker training in such activities. The Secretary of Transportation and the Commission shall, by Memorandum of Understanding, ensure coordination of worker training standards and to avoid duplicative regulation.

''(3) TRAINING STANDARDS CONTENT.—(A) If training standards are required to be promulgated under paragraph (1), such standards shall, among other things deemed necessary and appropriate by the Secretary of Transportation, provide for—

''(i) a specified minimum number of hours of initial off site instruction and actual field experience under the direct supervision of a trained, experienced supervisor;

''(ii) a requirement that onsite managerial personnel receive the same training as workers, and a minimum number of additional hours of specialized training pertinent to their managerial responsibilities; and

''(iii) a training program applicable to persons responsible for responding to and cleaning up emergency situations occurring during the removal and transportation of spent nuclear fuel and high-level radioactive waste.

''(B) The Secretary of Transportation may specify an appropriate combination of knowledge, skills, and prior training to fulfill the minimum number of hours requirements of subparagraphs (i) and (ii).

''(4) EMERGENCY RESPONDER TRAINING STANDARDS.—The training standards for persons responsible for responding to emergency situations occurring during the removal and transportation of spent nuclear and high level radioactive waste shall, in accordance with existing regulations, ensure their ability to protect nearby persons, property, or the environment from the effects of accidents involving spent nuclear fuel and high-level radioactive waste.

''(5) AUTHORIZATION.—There is authorized to be appropriated to the Secretary of Transportation, from general revenues, such sums as may be necessary to perform his duties under this subsection.

''TITLE III—DEVELOPMENT OF NATIONAL SPENT NUCLEAR FUEL STRATEGY

''SEC. 301. FINDINGS.

''(1) Prior to permanent closure of the geologic repository in Yucca Mountain, Congress must determine whether the spent fuel in the repository should be treated as waste subject to permanent burial or should be considered an energy resource that is needed to meet future energy requirements;

''(2) Future use of nuclear energy may require construction of a second geologic repository unless Yucca Mountain can safely accommodate additional spent fuel. Improved spent fuel strategies may increase the capacity of Yucca Mountain.

''(3) Prior to construction of any second permanent geologic repository, the nation's current plans for permanent burial of spent fuel should be re-evaluated.

''SEC. 302. OFFICE OF SPENT NUCLEAR FUEL RESEARCH.

''(a) ESTABLISHMNENT.—There is hereby established an Office of Spent Nuclear Fuel Research within the Office of Nuclear Energy Science and Technology of the Department of Energy. The Office shall be headed by the Associate Director, who shall be a member of the Senior Executive Service appointed by the Director of the Office of Nuclear Energy Science and Technology, and compensated at a rate determined by applicable law.

''(b) ASSOCIATE DIRECTOR.—The Associate Director of the Office of Spent Nuclear Fuel Research shall be responsible for carrying out an integrated research, development, and demonstration program on technologies for treatment, recycling, and disposal of high-level nuclear radioactive waste and spent nuclear fuel, subject to the general supervision of the Secretary. The Associate Director of the Office shall report to the Director of the Office of Nuclear Energy Science and Technology. The first such Associate Director shall be appointed within 90 days of the enactment of the Nuclear Waste Policy Amendments Act of 2000.

''(c) GRANT AND CONTRACT AUTHORITY.—In carrying out his responsibilities under this Section, the Secretary may make grants, or enter into contracts, for the purposes of the research projects and activities described in (d)(2).

''(d)(1) DUTIES.—The Associate Director of the Office shall involve national laboratories, universities, the commercial nuclear industry, and other organizations to investigate technologies for the treatment, recycling, and disposal of spent nuclear fuel and high-level radioactive waste.

''(2) The Associate Director of the Office shall:

''(A) develop a research plan to provide recommendations by 2015:

''(B) identify promising technologies for the treatment, recycling, and disposal of spent nuclear fuel and high-level radioactive waste;

''(C) conduct research and development activities for promising technologies;

''(D) ensure that all activities include as key objectives minimization of proliferation concerns and risk to the health of the general public or site workers, as well as development of cost-effective technologies;

''(E) require research on both reactor- and accelerator-based transmutation systems;

''(F) require research on advanced processing and separations;

''(G) ensure that research efforts with this Office are coordinated with research on advanced fuel cycles and reactors conducted within the Office of Nuclear Energy Science and Technology.

''(e) REPORT.—The Associate Director of the Office of Spent Nuclear Fuel Research shall annually prepare and submit a report to the Congress on the activities and expenditures of the Office that discusses progress being made in achieving the objectives of paragraph (b).

''TITLE IV—GENERAL AND MISCELLANEOUS

''SEC. 401. DECOMMISSIONING PILOT PROGRAM.

''(a) AUTHORIZATION.—The Secretary is authorized to establish a Decommissioning Pilot Program to decommission and decontaminate the sodium-cooled fast breeder experimental test-site reactor located in northwest Arkansas.

''(b) FUNDING.—No funds from the Nuclear Waste Fund may be used for the Decommissioning Pilot Program.

''SEC. 402. REPORTS.

''(a) The Secretary is directed to report within 90 days from enactment of this Act regarding all alternatives available to Northern States Power Company and the Federal government which would allow Northern States Power Company to operate the Prairie Island Nuclear Generating Plant until the end of the term of its current NRC licenses, assuming existing state and federal laws remain unchanged.

''(b) Within six months of enactment of this Act, the General Accounting Office is directed to report back to the Senate Committee on Energy and Natural Resources and the House Committee on Commerce on the potential economic impacts to Minnesota ratepayers should the Prairie Island Nuclear Generating Plant cease operations once it has met its state imposed storage limitation, including the costs of new generation, decommissioning costs, and the costs of continued operation of on-site storage of spent nuclear fuel storage.''.

''SEC. 403. SEPARABILITY.

''If any provision of this Act, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.''.

''SEC. 404. FAST FLUX TEST FACILITY.

''Any spent nuclear fuel associated with the Fast Flux Test Facility at the Hanford Reservation shall be transported and stored at the repository site as soon as practicable after the Commission has authorized the construction of the repository.''

CONRAD AMENDMENT NO. 2814

(Ordered to lie on the table.)

Mr. CONRAD submitted an amendment intended to be proposed by him to amendment No. 2808 proposed by Mr. MURKOWSKI to the bill, S. 1287, supra; as follows:

On page 33, line 20, strike ''Minnesota'' and insert ''Minnesota, North Dakota, South Dakota, Wisconsin, and Michigan.''

DEWINE AMENDMENT NO. 2815

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to amendment No. 2808 proposed by Mr. MURKOWSKI to the bill, S. 1287, supra; as follows:

Strike section 302(b) and all that follows through section 402 and insert the following:

(b) ASSOCIATE DIRECTOR.—

(1) IN GENERAL.—The Associate Director of the Office of Spent Nuclear Fuel Research (referred to in this section as the ''Associate Director'') shall be responsible for carrying out an integrated research, development, and demonstration program on technologies for treatment, recycling, and disposal of high level nuclear radioactive waste, spent nuclear fuel, and depleted uranium hexafluoride, subject to the general supervision of the Secretary.

(2) LINE OF AUTHORITY.—The Associate Director shall report to the Director of the Office of Nuclear Energy Science and Technology.

(3) INITIAL APPOINTMENT.—The first Associate Director shall be appointed not later than 90 days after the date of enactment of this Act.

(c) GRANT AND CONTRACT AUTHORITY.—In carrying out the responsibilities of the Secretary under this section, the Secretary may make grants, or enter into contracts, for the purposes of the research projects and activities described in subsection (d)(2).

(d) DUTIES.—

(1) INVOLVEMENT OF ENTITIES IN THE INVESTIGATION OF TECHNOLOGIES.—The Associate Director shall involve national laboratories, universities, the commercial nuclear industry, and other organizations to investigate technologies for the treatment, recycling, and disposal of spent nuclear fuel and high level radioactive waste.

(2) SPECIFIC ACTIVITIES.—The Associate Director shall—

(A) develop a research plan to provide recommendations by 2015;

(B) identify promising technologies for the treatment, recycling, and disposal of spent nuclear fuel and high level radioactive waste;

(C) conduct research and development activities for promising technologies;

(D) ensure that all activities include as key objectives—

(i) minimization of proliferation concerns and risk to the health of the general public or site workers; and

(ii) development of cost-effective technologies;

(E) require research on reactor-based and accelerator-based transmutation systems;

(F) require research on advanced processing and separations;

(G) encourage that research efforts include participation of international collaborators;

(H) fund international collaborators that bring unique capabilities not available in the United States if the host country is unable to provide support to such a collaborator; and

(I) ensure that research efforts by the Office are coordinated with research on advanced fuel cycles and reactors conducted by the Office of Nuclear Energy Science and Technology.

(e) REPORT.—The Associate Director shall annually submit to Congress a report on the activities and expenditures of the Office that discusses progress being made in achieving the objectives of subsection (b).

TITLE IV—GENERAL AND MISCELLANEOUS PROVISIONS

SEC. 401. DECOMMISSIONING PILOT PROGRAM.

(a) AUTHORIZATION.—The Secretary may establish a Decommissioning Pilot Program to decommission and decontaminate the sodium-cooled fast breeder experimental test-site reactor located in northwest Arkansas.

(b) FUNDING.—No funds from the Nuclear Waste Fund may be used for the Decommissioning Pilot Program.

SEC. 402. REPORTS.

(a) BY THE SECRETARY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing all alternatives available to Northern States Power Company and the Federal Government that would allow Northern States Power Company to operate the Prairie Island Nuclear Generating Plant until the end of the term of its current Nuclear Regulatory Commission licenses, based on the assumption that Federal and State laws in effect on the date of enactment of this Act will remain unchanged.

(b) BY THE COMPTROLLER GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Commerce of the House of Representatives a report on the potential economic impacts to Minnesota ratepayers should the Prairie Island Nuclear Generating Plant cease operations once the Plant has met its State-imposed storage limitation, including the costs of new generation, decommissioning costs, and the costs of continued operation of onsite storage of spent nuclear fuel storage.

(c) USEC.—The Secretary shall annually submit to Congress a report on the status of the United States Enrichment Corporation Fund established by section 1308 of the Atomic Energy Act of 1954 (42 U.S.C. 2297b–7) and the Working Capital Account established under section 1316 of the Atomic Energy Act of 1954 (42 U.S.C. 2297b–15).

COLLINS (AND OTHERS) AMENDMENT NO. 2816

(Ordered to lie on the table.)

Ms. COLLINS (for herself, Mr. JEFFORDS, Mr. GRAMS, and Ms. SNOWE) submitted an amendment intended to be proposed by them to amendment No. 2808, proposed by Mr. MURKOWSKI to the bill, S. 1287, supra; as follows:

On page 6, in the new section 105(b) strike ''(1) take title to the contract holder's spent nuclear fuel, notwithstanding section 302(a)(5) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(5));'' and renumber the remaining paragraphs accordingly.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on February 9, 2000, in SR–328A at 9 a.m. The purpose of this meeting will be to review dairy policy.

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on February 10, 2000, in SH–216 at 9 a.m. The purpose of this meeting will be to review the findings of the President's Working Group's Report on ''Over the Counter Derivatives Markets and the Commodity Exchange Act.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public a change in the agenda of the hearing previously scheduled before the Committee on Energy and Natural Resources for Thursday, February 10 at 10

a.m. Instead of S. 1192 (a bill to designate national forest land managed by the Forest Service in the Lake Tahoe Basin as the ''Lake Tahoe National Scenic Forest and Recreation Area,'' and to promote environmental restoration around the Lake Tahoe Basin), the committee will receive testimony on S. 1925 (a bill to promote environmental restoration around the Lake Tahoe basin).

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a field hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Monday, February 14 at 2 p.m. at the Albuquerque Convention Center, West Building, Cochiti/Taos Rooms, 401 Second St., NW, Albuquerque, NM.

The title of this hearing is Industry-Laboratory Partnerships, and the role of S. 1756, a bill to enhance the ability of the National Laboratories to meet Department of Energy missions and for other purposes.

Those wishing to testify or who wish to submit written statements should contact the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please contact Howard Useem, senior professional staff member, at (202) 224–6567.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing previously scheduled before the subcommittee on Tuesday, February 22, 2000 at 3 p.m. on S. 1722, a bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any one State, and for other purposes; and its companion bill, H.R. 3063, a bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any one State, and for other purposes; and S. 1950, a bill to amend the Mineral Leasing Act of 1920 to ensure the orderly development of coal, coalbed methane, natural gas, and oil in the Powder River Basin, Wyoming and Montana, and for other purposes, has been moved to Thursday, February 24, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

In addition, a hearing has been scheduled before the subcommittee on Tuesday, February 22, 2000 at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC. The purpose of this hearing is to conduct oversight on the Administration's effort to review approximately 40 million acres of national forest lands for increased protection.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey (202) 224–2878.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, February 8, 2000, at 9:30 a.m., in open session, to receive testimony on the defense authorization request for fiscal year 2001 and the future years defense program.

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

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate Committee on Finance be authorized to meet during the session of the Senate on February 8, 2000 at 10 a.m. to hear testimony regarding the President's fiscal year 2001 budget and tax proposals.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 8, 2000, at 10:30 a.m. to hold a hearing.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, February 8, 2000 at 2 p.m. to hold a closed hearing on intelligence matters.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be allowed to meet during the session of the Senate on Tuesday, February 8, 2000. The purpose of this meeting will be to discuss Federal dairy policy.

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

SPECIAL COMMITTEE ON AGING

Mr. LOTT. Mr. President, I ask unanimous consent that the Special Committee on Aging be permitted to meet on February 8, 2000 from 9:30 a.m.–12 p.m. in Dirksen 562 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON ECONOMIC POLICY

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Economic Policy of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, February 8, 2000, to conduct a hearing on ''S. 1879, the International Monetary Stability Act.''

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

PRIVILEGES OF THE FLOOR

Mr. LOTT. Mr. President, I ask unanimous consent a fellow for Senator DOMENICI, Pete Lyons, be given the privilege of the floor for the duration of the consideration of the nuclear waste bill, S. 1287.

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

Mr. MURKOWSKI. I ask unanimous consent that privileges of the floor be granted to Tina Kreisher, Dave Sundwall, Kristin Phillips, Kjersten Scott, Betty Nevitt, Colleen Deegan, and Mr. Jim Beirne during the pendency of S. 1287.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Sally Phillips of my staff be granted the privilege of the floor for the duration of the statements of Senator SPECTER and myself on the Medical Errors Reduction Act, S. 2038.

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

Mr. BRYAN. Mr. President, I ask unanimous consent that members of my staff be extended the privilege of the floor throughout the duration of the debate on this legislation, S. 1287; specifically, Joe Barry, Jean Marie Neal, Brock Richter, and Brent Heberlee.

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

ADDITIONAL STATEMENTS

HONORING HAYS, KANSAS, PRINCIPAL ALAN PARK

● Mr. BROWNBACK. Mr. President, I rise to recognize an outstanding elementary school principal from Hays, Kansas. Alan Park, through dedication and hard work, has created an excellent after school program that has profoundly changed the lives of many young children in a positive way. The ''Serve Our Children'' program at Washington Elementary School has connected economically disadvantaged students with vital community services. The beneficial results are numerous: free child care, extensive leadership development opportunities, and many tutorial programs. Not only has Mr. Park integrated the use of computers within the school, he has helped pass a district bond to create a new addition to the school.

Mr. President, I am proud to recognize the outstanding accomplishments of this elementary school principal.

Mr. Park is an exemplary role model for young people in Kansas as well as our nation. I congratulate Mr. Alan Park for all he has done for Washington Elementary School and the community of Hays, Kansas.●

COMMENDING THE STUDENT INVESTMENT FUND

● Mr. MURKOWSKI. Mr. President, I rise today to commend the students of the University of Alaska-Fairbanks, School of Management, Student Investment Fund, who have invested an original stake of $100,000 into stocks and CDs and now have a portfolio valued at over half a million dollars.

With the money earned while learning, the students participating in the Fund have donated $8,000 in scholarships to UAF students. They have created two scholarship funds, the Michael L. Rice Scholarship and the Vanna K. Husby Scholarship, which are awarded to students who are in the School of Management and are enrolled in the Student Investment Fund for the following academic year. They have also donated $4,000 to the UAF National Merit Scholarship to encourage talented students to attend the University of Alaska-Fairbanks.

The class began in 1991, when then Chancellor O'Rourke transferred $100,000 of University endowment money into the Student Investment Fund at Dean Witter. The account has been wholly managed by the students since its inception. Only during the first year of the fund did it fall below a value of $100,000. It has grown every year since and has a return of 71 percent.

This class and its philanthropy are wonderful examples of how higher education can benefit not only students, but the entire community.●

CORRECTING TECHNICAL ERRORS IN THE ENROLLMENT OF H.R. 764

Mr. MURKOWSKI. I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 245, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 245) to correct technical errors in the enrollment of the bill, H.R. 764.

There being no objection, the Senate proceeded to the immediate consideration of the concurrent resolution.

Mr. MURKOWSKI. I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 245) was agreed to.

ORDERS FOR WEDNESDAY, FEBRUARY 9, 2000

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m. on Wednesday, February 9. I further ask 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 then begin a period of morning business until 11:30 a.m., with Senators speaking for up to 5 minutes each, with the following exceptions: The first 30 minutes under the control of Senator DURBIN, or his designee; the second 30 minutes under the control of Senator THOMAS, or his designee.

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

Mr. MURKOWSKI. Further, I ask consent that following morning business, the Senate then resume consideration of S. 1287, the nuclear waste disposal bill.

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

PROGRAM

Mr. MURKOWSKI. For the information of all Senators, the Senate will be in a period of morning business until 11:30 a.m. Following morning business, the Senate will resume consideration of S. 1287, the nuclear waste disposal bill. As a reminder, second-degree amendments must be filed by 12:00 noon to the pending substitute amendment. Negotiations regarding the number of amendments and debate time on the nuclear waste bill are still underway. However, amendments are expected to be offered during tomorrow's session. Therefore, Senators can expect votes throughout the day. Senators who have amendments should work with the bill managers on a time to offer their amendments.

ORDER FOR FILING OF AMENDMENTS

Mr. MURKOWSKI. Now I ask unanimous consent that notwithstanding adjournment, Senators have until 6 o'clock p.m. today to file first-degree amendments.

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

ORDER FOR ADJOURNMENT

Mr. MURKOWSKI. If there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order following the remarks of Senator MURRAY.

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

THE PRESIDENT'S EDUCATION BUDGET

Mrs. MURRAY. Mr. President, I have come to the floor today to talk about the budget the President has presented to Congress this year. Every budget is a statement of priorities, and I wanted to share with my colleagues how this budget matches up with the priorities of the people I represent. I will spend a moment talking about how we should consider budgets in this remarkable period of economic strength.

The President's FY 2001 budget comes at a time of great prosperity and also great challenges. I take the budget decisions we will make this year very seriously. We have an historic opportunity to meet our long-term commitments and make vital investments. In looking at the budget, I am focused on two priorities.

First, we cannot squander the surplus. It has been too hard to reach this point of progress. When I came to the Senate in 1993, our fiscal house was a mess. But we made the tough, fiscally responsible decisions that have brought us to this point. The surplus is not here by accident. We made very difficult choices, and now is not the time to abandon our steady, responsible approach.

We have a responsibility to use the surplus in ways that will meet our long-term commitments and continue our economic growth. We know that Social Security and Medicare are running out of money. These are promises from one generation to the next. And it would be wrong—fiscally and morally—not to save those programs while we have the chance.

We should also remember that these surplus projections are just that—projections. I worry that some of the projections my Republican colleagues have used are too rosy—in part because they are based on faulty assumptions, and they do not account for any slowing down of our economy. I think we should use the most realistic estimates available.

Second, we have to continue to make the responsible investments that will help our economy grow. We must maintain our investments in areas like education, R&D, infrastructure, criminal justice, agriculture, and defense. We must strengthen Social Security and Medicare. And we must provide targeted tax relief. I am pleased that the President has presented a responsible plan for meeting those objectives.

One important investment is paying down the debt. We are responsible for paying down a major portion of the public debt. A commitment of $2.5 trillion over ten years—as called for by the President—would make us debt free within 13 years. Mr. President, now is the time to pay down the debt—while the economy is strong.

I know there will be a lot of debate over tax cuts this year. There is room for tax cuts—but they need to be responsible. We should remember that just last year Republicans were pushing an irresponsible, $790 billion tax cut. I am glad the American people rejected it. And this year, some presidential candidates appear willing to roll the dice on even riskier schemes.

This year we should be on the look out for tax cuts that do not help our country. When looking at tax cuts, I will be asking: Do they contribute to our future and promote our economic growth by investing in workers and education?

I would like to turn to the investments we have to make in education.

When I think of the types of investments that have real returns for America's families—education tops the list. Investing in education pays dividends in boosting our country's productivity and expanding our people's potential. We must continue to invest in education so that every American will have the tools and skills to succeed in the global economy. We know that by reducing class size, investing in teacher quality, and making higher education more accessible, we are improving the prospects for our nation and our people. And I am proud of the many education investments this budget makes.

We must stay on the path of hiring 100,000 fully-qualified teachers to reduce class size. We know that kids learn the basics and have fewer discipline problems in smaller classes. The budget boosts funding to $1.75 billion, an increase of $450 million over the current level. That's enough to hire about 49,000 teachers, nearly half-way to our long term goal. So I commend the president's budget for its commitment to reducing class size. By working together over the past two years, we've already made the classroom a better, more productive place for 1.7 million students—and with the President's latest commitment, we can bring the benefits of smaller classes to many more students.

We know that when we reduce the number of students in each classroom—we need more classrooms, so I am pleased the President's budget also follows through on our efforts to boost school construction.

The President's budget also takes greats steps forward to improve teacher quality. As I listened to the President's State of the Union Address last month, I was excited to see that efforts to boost teacher quality are finally getting the national attention they deserve.

We need to have a plan to recruit, train and reward great teachers; a plan to help high-poverty school districts attract great teachers through better pay and higher standards; and a plan to reward school districts that make progress in reducing the number of uncertified teachers and teachers teaching outside their subject area. These would all represent great steps forward.

We need to boost hometown teacher recruitment, to help professionals from diverse fields make the transition to the classroom, and to promote professional development for school leaders.

But there is more we should do to boost teacher quality. That's why, last year, I introduced the Quality and Accountability are Best for Children Act—Quality ABCs (S. 1926). After talking with parents, teachers and students, I wrote a bill that will hold educators accountable for their students' progress. It will help keep great teachers in the classroom by offering them improved professional development and career ladders. It will reward and recognize great educators. It will offer a meaningful financial bonus for states to improve teacher pay and it will ensure teachers have the training they need to use technology in the classroom.

I believe the President's budget—and his State of the Union Address—are a great start to boosting teacher quality across America.

The President's budget also makes important investments in early education, in Headstart funding, in preventing youth violence, and in expanding college access.

Mr. President, clearly this is a budget that recognizes the importance of education. It matches our funding with our priorities.

But there are some initiatives that do not require a budget allocation. And I would like to spend a moment highlighting some of the efforts I will fight for as we reauthorize the Elementary and Secondary Education Act.

First, there is a lot we can do to boost parental involvement. Parents are a child's first and best teachers, and studies have shown that when families are involved in education their children do better in school. Today, it is difficult for parents and family members to participate in their children's education—either because they do not feel welcomed by schools or because their time is limited by work and other constraints.

That is why I've introduced two bills to make it easier for parents to help their children succeed in school.

First, I introduced the Time for Schools Act, S. 1304, which allows parents to take up to 24 hours of unpaid leave from work each year to attend academic events at school.

And second, with input from parents and teachers, I wrote the Parent-Family School Partnership Act, S. 1772, which will encourage families to participate in schools, will train educators in the best ways to involve parents, will invest in family involvement efforts, and will use technology and community college partnerships to boost parental involvement.

A great classroom and a great teacher only go so far, these bills will go a long way to ensuring that students get the most from school by having a parent involved.

We should also do more to expand technology in the classroom. In 1997, we made sure that new teachers get the technology training they need before they enter the classroom. This year, we should work to make sure that current teachers receive technology training as part of an on-going professional development. That effort is part of my ''Quality ABCs'' bill that I just referred to.

And I support increasing resources for, and access to, education technology, improving coordination and effective uses of education technology—including distance learning and advanced placement services. And finally, protecting students from inappropriate material on the Internet.

We should offer students a voice in education decisions. I have always believed that young people should have a role in the decisions that affect them. That's why I introduced the ''Youth and Adult School Partnership Act,'' S. 1773, which will create more meaningful roles for students in their schools and communities, invest in successful student-adult partnerships, and continue researching the link between student involvement and student achievement.

Finally, we should promote the types of local partnerships that help students succeed. As I have visited schools throughout my State, I have been impressed by how well they have formed partnerships with local business and non-profit organizations. I visited one community, where the local chamber of commerce runs a Teacher Internship Program—where teachers spend their summers in the business world—seeing—first-hand—the skills their students will need. And those efforts can have great results for our students. So we must continue to promote these local partnerships.

I have laid out my vision—the Democratic vision—for how we can improve public education. I have been working on this for many years, and it seems that the response from the other side is always ''Schools are failing, and local control is the answer.''

Education in our country is already under local control. I served on a local school board, and I can tell you that as a fact. Do we need to reduce paperwork? Yes. Do we need to be more flexible? Yes. But the real question is: What are we doing to support education? This budget—and the ideas I just mentioned—offer a specific blueprint—for how we can improve education.

I fear that instead of giving these tools to our educators, the majority would rather criticize our public schools.

Too often, their rhetoric tears down, when we should be building up. The majority's education agenda too often resembles an effort to assign blame. I believe a better approach—the Democratic approach—is to strengthen the partnerships that improve education.

We Democrats—in the Senate and the House along with the President—are offering something positive—and I hope that this agenda of excellence is greeted by honest examination and constructive debate focused on helping students learn—and not the usual partisan blame game.

We have a chance to lead. We have a chance to really improve public education for all Americans. Let's not

abandon the principles that have made our nation great. Let's not let partisan gamesmanship stand in the way of progress. Let's take this unprecedented opportunity in our nation's history to make the investments we need, and to do right by our nation's parents, our nation's educators, and—most importantly—our nation's future—the children attending our public schools.

I yield the floor.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m. on Wednesday, February 9, 2000.

Thereupon, the Senate, at 5:50 p.m., adjourned until Wednesday, February 9, 2000, at 10:30 a.m.

EXTENSIONS OF REMARKS

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

HON. JERRY WELLER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. WELLER. Mr. Speaker, I rise today to highlight what is arguably the most unfair provision in the U.S. Tax Code: the marriage tax penalty. I want to thank you for your long term interest in bringing parity to the tax burden imposed on working married couples compared to a couple living together outside of marriage.

I want to thank both you and Chairman ARCHER for the pledge to bring H.R. 6, the Marriage Tax Elimination Act, to the floor for consideration before Valentine's Day. This is truly one of the best Valentine's Day presents we can give to America's working couples. As you know, H.R. 6, as considered by the Ways and Means Committee, will provide $182 billion in marriage penalty relief over 10 years. This is a significant increase over the $45 billion proposal offered by President Clinton just before this year's State of the Union Address. Ultimately, as a result of H.R. 6, 28 million working couples will receive up to $1,400 in marriage tax penalty relief.

This month President Clinton gave his State of the Union Address outlining many of the things he will spend the budget surplus on. House Republicans want to preserve 100 percent of the Social Security surplus for Social Security and Medicare and use the non-Social Security surplus for paying down the debt and to bring fairness to the Tax Code.

A surplus provided by the bipartisan budget agreement which: cut waste; put America's fiscal house in order; and held Washington's feet to the fire to balance the budget.

While President Clinton parades a long list of new spending totaling $72 billion in new programs—we believe that a top priority after saving Social Security and paying down the national debt should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these questions: Do Americans feel it's fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel it's fair that the average married working couple pays almost $1,400 more in taxes than a couple with almost identical income living together outside of marriage? Is it right that our Tax Code provides an incentive to get divorced? In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong!

Since 1969, our tax laws have punished married couples when both spouses work. For no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our Tax Code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes $30,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home $30,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE

	Machinist	School teacher	Couple	H.R. 6
Adjusted Gross Income	$31,500	$31,500	$63,000	$63,000
Less Personal Exemption and Standard Deduction	6,950	6,950	12,500	13,900 (Singles x2)
Taxable Income	24,550	24,550	50,500	49,100
	(x .15)	(x .15)	(Partial x .28)	(x .15)
Tax Liability	3682.5	3682.5	8635	7,365
Marriage Penalty			1270	
Relief				1270

But if they chose to live their lives in holy matrimony, and now file jointly, their combined income of $61,000 pushes them into a higher tax bracket of 28 percent, producing a tax penalty of $1,400 in higher taxes.

On average, America's married working couples pay up to $1,400 more a year in taxes than individuals with the same incomes. That's serious money. Millions of married couples are still stinging from April 15th's tax bite and more married couples are realizing that they are suffering the marriage tax penalty.

Particularly if you think of it in terms of: a down payment on a house or a car; one year's tuition at a local community college; or several months' worth of quality child care at a local day car center.

To that end, U.S. Representative DAVID MCINTOSH (R–IN) and U.S. Representative PAT DANNER (D–MO) and I have authored H.R. 6, The Marriage Tax Elimination Act.

H.R. 6, The Marriage Tax Elimination Act, as considered by the House Ways and Means Committee, will increase the 15 percent tax bracket (currently at 15 percent for the first $26,250 for singles, whereas married couples filing jointly pay 15 percent on the first $43,850 of their taxable income) to twice that enjoyed by singles; H.R. 6 would extend a married couple's 15 percent tax bracket to $52,500. Thus, married couples would enjoy an additional $8,650 in taxable income subject to the low 15 percent tax rate as opposed to the current 28 percent tax rate and would result in up to $1,200 in tax relief.

Additionally the bill will increase the standard deduction for married couples (currently $7,350) to twice that of singles (currently at $4,400). Under H.R. 6, the standard deduction for married couples filing jointly would be increased to $8,800.

H.R. 6 enjoys the bipartisan support of 233 cosponsors along with family groups, including: American Association of Christian Schools, American Family Association, Christian Coalition, Concerned Women for America, Ethics and Religious Liberty Commission of the Southern Baptist Convention, Family Research Council, Home School Legal Defense Association, the National Association of Evangelicals and the Traditional Values Coalition.

It isn't enough for President Clinton to suggest tax breaks for child care. The President's child care proposal would help a working couple afford, on average, three weeks of day care. Elimination of the marriage tax penalty would give the same couple the choice of paying for three months of child care—or addressing other family priorities. After all, parents know better than Washington what their family needs.

We fondly remember the 1996 State of the Union address when the President declared emphatically that, ''the era of big government is over.'' We must stick to our guns, and stay the course. There never was an American appetite for big government. But there certainly is for reforming the existing way government does business. And what better way to show the American people that our government will continue along the path to reform and prosperity than by eliminating the marriage tax penalty.

Ladies and Gentlemen, we are running a $3 trillion surplus. It's basic math. It means Americans are already paying more than is needed for government to do the job we expect of it. What better way to give back than to begin with mom and dad and the American family—the backbone of our society.

We ask that President Clinton join with Congress and make elimination of the marriage tax penalty . . . a bipartisan priority. During

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the State of the Union Address this year, the President signaled his willingness to work to eliminate the marriage tax penalty. We must send him a bill to eliminate the marriage penalty suffered by 28 million American working couples.

The proposal offered by the President to reduce the marriage tax penalty is a good start, but it is not enough! By doubling the standard deduction, only couples who do not itemize their income taxes receive the benefits of tax relief. In order to provide relief to couples who itemize, mainly homeowners, we must address the difference in the income tax brackets. If we follow only the President's plan, the result will be a marriage tax penalty against couples who are homeowners and couples who contribute to charities. This is not right and it is not fair!

Speaker HASTERT and House Republicans have made eliminating the marriage tax penalty a top priority. In fact, we plan to move legislation out of the House before Valentine's Day.

Last year, President Clinton and Vice-President GORE vetoed our efforts to eliminate the marriage tax penalty for almost 28 million married working people. The Republican effort would have provided about $120 billion in marriage tax relief. Unfortunately, President Clinton and Vice-President GORE said they would rather spend the money on new government programs than eliminate the marriage tax penalty.

This year we ask President Clinton and Vice-President GORE to join with us and sign into law a stand-alone bill to eliminate the marriage tax penalty.

Of all the challenges married couples face in providing home and health to America's children, the U.S. Tax Code should not be one of them. The greatest accomplishment of the Republican Congress this past year was our success in protecting the Social Security Trust Fund and adopting a balanced budget that did not spend one dime of Social Security—the first balanced budget in over 30 years that did not raid Social Security.

Let's eliminate The Marriage Tax Penalty and do it now!

RECOGNIZING THE SUPER BOWL CHAMPION LONGMEADOW HIGH SCHOOL FOOTBALL TEAM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to recognize the unprecedented accomplishments of the 1999 Longmeadow High School football team. Longmeadow became the first Western Massachusetts team to win three straight titles. The Lancers captured the Division II Super Bowl with a 36–21 victory over Shrewsbury.

Longmeadow could not have asked for a better beginning as they scored on all five possessions in the first half. Running back Winston McGregor led the way with 162 yards rushing and three touchdowns. Quarterback Justin Vincent was impressive with 118 yards passing, and the Lancer defense shut out their opponents in the fourth quarter. As always, credit must be given to the linemen who gave Vincent the time to pick apart the Shrewsbury defense and McGregor the holes through which to run.

Longmeadow Head Coach Alex Rotsko has built an impressive program at Longmeadow. The Lancers, having now three Super Bowls in a row, will be the odds on favorite in the coming season. Despite losing leaders like McGregor and Ryan McCarthy to graduation, Coach Rotsko will have his charges ready to defend their title once more, a situation with which the Lancers are intimately familiar.

Mr. Speaker, I am proud and honored to congratulate the 1999 Longmeadow High School football team. Winning a title once is something to be remembered, but winning three in a row is the start of a dynasty. I wish Coach Rotsko and his Lancers the best of luck in the 2000 season, as they return once again to defend their Super Bowl title.

HONORING JUDGE BRUCE BALTER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Judge Bruce Balter, who received the Holocaust Education award in recognition of his outstanding efforts to teach lessons of the Shoah to today's generation. The award was presented by Joe Hynes, District Attoroney in Brooklyn, who commended Judge Balter for his remarkable work.

Judge Balter has a long and distinguished record of public service to the Jewish community of New York. He is a recipient of the State Medal of Israel, and has written and produced three television documentaries on the Holocaust, which have been shown on PBS and other television shows throughout the country. In addition to his television work, he has coordinated and hosted the Civil Court Holocaust Memorial Remembrance each year since being elected to the judiciary. He lectures and takes student groups on tours of the Museum of Jewish Heritage and the U.S. Holocaust Museum in Washington, D.C.

Judge Balter's list of accomplishments, though, far exceeds just his work for the Holocaust. He holds the rank of Lt. Colonel in the New York guard. He is the current chairman of the surrogate's court committee of the Brooklyn Bar Association. He lectures high school students throughout the city on African-American, Jewish, and Hispanic relations. The Judge was also past counsel for prominent Sephardic schools and organizations and currently is a board member of the Council of Jewish Organizations of Flatbush and Director of the Association of Jewish Court Attaches.

It is Judge Balter's drive for accomplishment and concern for the community that has garnered him the Community Justice Award from the Appellate Division—the highest court in Brooklyn. It is important that we continue to honor such individuals, whose efforts and accomplishments are an inspiration to us all. Please join me in acknowledging the outstanding community service of Judge Bruce Balter.

PERSONAL EXPLANATION

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. BASS. Mr. Speaker, I was regrettably absent on Tuesday, February 1, and consequently missed a recorded vote on H.R. 1838. Had I been present, I would have voted ''yea'' on rollcall vote No. 5.

TRIBUTE TO LOS ANGELES MISSION COLLEGE

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. BERMAN. Mr. Speaker, I rise today to recognize an outstanding educational institution in my community, Los Angeles Mission College. On February 10, 2000, Los Angeles Mission College will celebrate its 25th Anniversary.

Los Angeles Mission College was established to serve the northeast San Fernando Valley communities of Sylmar, San Fernando, Mission Hills, Lakeview Terrace, Arleta, Pacoima, Panorama City, Granada Hills, North Hills, Chatsworth, Porter Ranch, Sun Valley And Sunland-Tujunga. From an initial class of 1,228 students, enrollment has grown to include over 7,000 students per year. It has the fastest-growing enrollment in the L.A. Community College District. The College has enabled more than 100,000 students to earn college degrees and occupational certificates, or transfer to baccalaureate granting institutions.

With its strong record for developing innovative community based programs, Los Angeles Mission College has proven not just to be a leader among community colleges, but to be the embodiment of those values and ideals that make community colleges special. The College has developed successful employment directed programs, occupational transfer curricula, dynamic partnerships with local business and civic organizations, inventive technology applications and numerous workforce development programs. The College is unsurpassed in ensuring that its predominant first generation college students succeed in today's competitive marketplace. All of this is especially remarkable considering that its student population and financial needs have grown exponentially faster than available resources.

I have attended and enjoyed many programs at Mission College and can, therefore, attest firsthand to the high spirit and love of learning to be found on its campus. Furthermore, I have regularly relied on Mission College students to assist me in my district office where they have served as interns and staff. I am greatly impressed by the caliber and dedication of Mission College students, faculty and administration.

It is a pleasure to ask my colleagues to join me in saluting the Los Angeles Mission College on its 25th Anniversary. It has been an honor to have such a fine institution in the 26th Congressional District and I look forward to its continued evolution and success over the next 25 years.

RECOGNIZING THE MASSACHUSETTS STATE CHAMPION LUDLOW HIGH SCHOOL BOYS SOCCER TEAM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. NEAL. Mr. Speaker, I rise today to recognize the achievements of the 1991 Ludlow High School boys soccer team. The Ludlow boys soccer team reclaimed the Massachusetts State title last November by trouncing their opponents from Needham 4–0. The Ludlow team finished the season with a record of 17–3–1, but their final game was their most impressive as they dominated Needham from start to finish. This team, like many Ludlow teams before it, played a skillful soccer style which allowed them to outplay virtually every opponent they faced.

Ludlow has been the heart of Western Massachusetts soccer for as long as anyone can remember. The town residents follow the high school teams with a fanaticism rarely seen in the United States, and during the 1990s, they have had a lot to cheer about. The Lions won the Western Massachusetts title five of the last six years, and won the state title in 1995, 1997, and 1999.

The success of the Ludlow Boys Soccer team can be linked directly to the coach. Head Coach Tony Goncalves has built a dominating program centered around skill and class. His knowledge of soccer is unparalleled in Western Massachusetts, and his coaching style is one that commands respect from his players, his opponents, and his fellow coaches. Coach Goncalves is quick to praise others, he is gracious in victory or defeat, and he is an inexhaustible resource for young coaches. He is the center of, and driving force behind, the success of the Ludlow High School boys soccer team.

Mr. Speaker, allow me to recognize here the players, coaches, and managers of the Ludlow High School boys soccer team of 1999. The players include Seniors Jonathon Witowski, Jason Chelo, Jason Dacruz, Justin Bruneau, John Reilly, Dave Fonseca, Dave Gwozdz, Rich Zina, Kevin Crespo, and Dan S. Santos, and Juniors Joe Jorge, Jason Devlin, Steve Jorge, Helder Pires, Mike Pio, Brian Cochenour, Chris Chelo, Manny Goncalves, Tim Romanski, Ray Cheria, Paul Martins, and Dennis Carvalho. The team is lead by Head Coach Tony Goncalves, long time Assistant Coach Jack Vilaca, assistants, Greg Kolodziey and Jonathon Cavallo, and managers Audrey Vilaca, Sarah Russell, Jennifer Russell, and Jillian Dube. Mr. Speaker, once again I am proud and honored to congratulate the 1999 Massachusetts State Champion boys soccer team from Ludlow High School in Ludlow, Massachusetts.

HONORING THE 60TH BIRTHDAY OF REVEREND VALENTINE H. SHEPPARD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Reverend Valentine H. Sheppard. Reverend Sheppard's compassionate spirit touches all of those who know him.

Through vision, diligence and dedication he founded Hebron Baptist Church in 1983. Seventeen years later the Church is a thriving house of worship and love. He is not only the founder and pastor of Hebron Baptist Church, but also an active member of the Brooklyn community.

Reverend Sheppard is a past-president of the Baptist Pastor's and Church's Union of Brooklyn and Long Island. He is the program chairperson for their Annual Emancipation Day Service and Annual Martin Luther King, Jr. Observance Service. He has held several offices in the Eastern Baptist Association and is a member of the executive board of the Hampton University Minister's Conference. Reverend Sheppard is a graduate of Nzazrene Theological Seminary of Trinidad and is in his 40th year in the ministry. He is a graduate of the American Institute of Banking and a winner of their Regional Public Speaking contest for 3 consecutive years. He served as chairperson of the Board of Directors of the Roundtable Senior Citizen Center of Brooklyn.

Reverend Valentine H. Sheppard is the father of three children and the spiritual father of countless others. Mr. Speaker, I would like you along with my colleagues from both sides of the aisle to join me honoring Reverend Valentine H. Sheppard on his 60th birthday.

HONORING RICHARD DESILVA

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. ROUKEMA. Mr. Speaker, I rise to honor Richard A. DeSilva, a businessman and community leader in northern New Jersey who has made many contributions to our local schools, economy and quality of life. Mr. DeSilva is a hard-working entrepreneur who has found success and, in the tradition of many successful businessmen before him, has chosen to ''give back'' to the community. He is one of our outstanding citizens and a role model for our young people..

Mr. DeSilva, the owner of Liberty Subaru Inc., in Oradell, New Jersey, last month received the Time Magazine Quality Dealer Award, presented each year jointly by Time Magazine and the Goodyear Tire and Rubber Co. Last year, he received the All-Star Dealer Award from the American International Automobile Dealers Association. Both of these awards are presented not just in recognition of excellence in automobile sales and service but also for excellence in community service.

Mr. DeSilva started in the retail automobile business as a teenager working at the Ford dealership where his father was the service manager. He graduated from Bowling Green State University with a degree in marketing in 1974 and sold new cars for a short period before opening a used-car dealership in Paterson. His ''big break'' came in 1976, when he and his brother acquired a franchise from Subaru. The brothers started off selling an average 14 cars a month, but the dealership now sells nearly 1,100 a year.

As might be expected, Mr. DeSilva has been active within the automobile industry. He is a member of the AIADA board of directors, has been on the Subaru National Dealer Advisory Board since 1989 and has served as chairman three times. He is also active with the New Jersey Coalition of Automotive Retailers.

It has been Mr. DeSilva's level of involvement in his community, however, that has brought him recognition. Mr. DeSilva and his wife, Wendy, a grammar school and physical education teacher, have been involved in the Mahwah public school system for many years. Mr. DeSilva coached wrestling and was active in the Mahwah Sports Booster program while their sons were in school. In 1991 and 1992, he chaired the demographics committee for the Mahwah Schools facilities Ad Hoc Committee, a group charged with studying future student enrollment and making recommendations to the school board. In 1995, he was selected to finish the term of a former school board member. He was elected to his first full, three-year term on the board in 1996 and re-elected last year.

Mr. Speaker, Rick DeSilva is an outstanding member of our community. He is a successful businessman who helps drive the local economy. He is an active and respected member of the local school board, helping guide the education and future of our youth. And he has been an involved parent, coaching young people on the athletic field and instilling the spirit of teamwork that is so crucial to success in the adult world. He has been recognized by his peers in his own industry. I ask my colleagues in the House of Representatives to join in that recognition by congratulating him on the work he has done and wishing him the best in the future.

REMARKS OF SENATOR JOSEPH I. LIEBERMAN AT THE 48TH NATIONAL PRAYER BREAKFAST

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. LANTOS. Mr. Speaker, last Thursday morning the 48th National Prayer Breakfast was held here in Washington. This annual event dates to 1952 when the first gathering was held to pray for President-elect Dwight Eisenhower and his administration. Each year since 1952, the President and Vice President, Cabinet Secretaries, Members of Congress, international government leaders, clergy and others have met to reaffirm their faith and to seek divine guidance in making critical decisions.

At the National Prayer Breakfast last week, our colleague from the Senate, JOSEPH LIEBERMAN of Connecticut, was one of the principal speakers, and his remarks were outstanding. Mr. Speaker, I ask that Senator LIEBERMAN's remarks be placed in the RECORD, and I urge my colleagues in the House to give his speech careful and thoughtful attention.

REMARKS OF SENATOR JOSEPH I. LIEBERMAN AT THE 48TH NATIONAL PRAYER BREAKFAST

Mr. President and Mrs. Clinton, Speaker Hastert, Reverend Clergy, Nuncio Montalvo, Dr. Graham, General and Mrs. Ralston, other head table guests and honored guests in the hall, ladies and gentlemen: To each and every one of you I say, Blessed be they who come in the name of the Lord.

This morning, in this place, this very temporal city comes together to reach up to touch the timeless. It brings to mind the story of the man who is blessed to be able to speak with G-d, and in awe of the Lord's freedom from human constraints of time and space, he asks: ''Lord, what is a second like to you?''

And G-d answers, ''A second to me is like a thousand years.''

The man then asks, ''And Lord, what is a penny like to you?''

''To me,'' the Lord declares, ''a penny is a like a million dollars.''

The man pauses, thinks for a minute, and then asks, ''Lord, would you give me a penny?''

And G-d answers, ''I will. In a second.''

I am honored to have been asked to speak to you this morning, but as the story shows, I proceed with a profound sense of my own human limitations.

I want to begin by talking with you about the weekly Senate Prayer Breakfasts—those still-small gatherings that have, along with their counterpart in the House, spawned this magnificent National Prayer Breakfast as well as similar meetings in every American state and so many countries around the world.

When I was first invited years ago to the Senate Prayer Breakfast, I found a lot of excuses not to go. Some were good—like my reluctance to leave my family so early on a weekday morning. But some excuses were not-so-good—like my apprehension that the Senate Prayer Breakfast was really a Christian breakfast and that, because I am Jewish, I might feel awkward or my presence might inhibit my Christian friends in their expressions of faith. I was wrong on both counts.

The regular participants in the breakfast, and our wonderful chaplain, Lloyd Ogilvie, persisted and finally convinced me to attend by employing a tactic that usually works with us politicians: they asked me to be the speaker.

That was a very important morning in my now 11 years in Washington. We began with prayer and readings from the bible and then called on the chaplain, who told us about some people in the Senate family we might want to pray for, because they were ill or had lost loved ones. Then it was my turn. I spoke about the Passover holiday and answered some very thoughtful questions. At the end, we joined hands and prayed together.

All in all, it lasted less than an hour, but I was moved that morning. More than that, I felt at home.

Today, I can tell you that the weekly Prayer Breakfasts have become the time in my hectic life in the Senate when I feel most at home, most tied to a community. Because we are at those breakfasts not as Senators; not as Republicans or Democrats, or liberals or conservatives; not even particularly as Christians or Jews. We are there as men and women of faith linked by a bond that transcends all the other descriptors and dividers—our shared love of G-d and acceptance of His Sovereignty over us, and our common commitment to try to live according to the universal moral laws of the Lord.

I pray that all of you who have come here this morning feel those same unifying, humanizing, elevating sentiments. And I also pray, as we begin this new session of Congress, that your presence will inspire those of us who are privileged to serve in government to appreciate the truth that is so palpable at these breakfasts: What unites us is much greater than what divides us.

The work that needs to be done for the people we in government serve will best be done if we work together, and we will work together best if we understand that we are blessed not only to be citizens of the same beloved country, but children of the same awesome G-d.

Praying for the Lord's guidance and strength as we begin a new Congress has been the traditional purpose of this National Prayer Breakfast. But there is another stated aspiration and that is ''to reaffirm our faith and renew the dedication of our Nation and ourselves to God and his purposes.'' I want to speak with you about that second goal this morning because I believe it is critically important at this moment in our national history when our economic life is thriving, but our moral life is stagnating. Although so much is so good in our country today, there are other ways in which we desperately need to do better. There is compelling evidence, for example, that our culture has coarsened; that our standards of decency and civility have eroded; and that the traditional sources of values in our society—faith, family, and community—are in a life-and-death struggle with the darker forces of immorality, inhumanity, and greed.

From the beginning of our existence, we Americans have known where to turn in such times of moral challenge. ''Our Constitution was made only for a moral and religious people,'' John Adams wrote. George Washington warned us never to ''indulge the supposition that morality can be maintained without religion.'' That is why we pledge our allegiance to ''one nation under G-d.'' And why faith has played such a central role in our nation's history. Great spiritual awakenings have brought strength and purpose to the American experience. In the 18th Century, the first Great Awakening put America on the road to independence, freedom, and equality. In the 19th Century, the Second Awakening gave birth to the abolitionist movement, which removed the stain of slavery from American life and made the promise of equality more real. And in the early 20th Century, a third religious awakening led to great acts of justice and charity toward the poor and the exploited, which expressed themselves ultimately in a progressive burst of social legislation.

In recent years, I believe, there have been clear signs of a new American spiritual awakening. This one began in the hearts of millions of Americans who felt threatened by the vulgarity and violence in our society, and turned to religion as the best way to rebuild a wall of principle and purpose around themselves and their families. Christians flocked to their churches, Jews to their synagogues, Muslims to their Mosques, and Buddhists and Hindus to their temples. Others chose alternate spiritual movements as their way to values, order, and peace of mind. It has been as if millions of modern men and women were hearing the ancient voice of the prophet Hosea saying, ''Thou hast stumbled in thine iniquity . . . Therefore, turn to thy G-d . . . keep mercy and justice.''

This morning, I want to ask all who are here to think about how we can strengthen and expand the current spiritual awakening so it not only inspires us individually and within our separate faith communities, but also renews and elevates the moral and cultural life of our nation?

Let me suggest that we begin by talking more to each other about our beliefs and our values, talking in the spirit of this prayer breakfast—open, generous, and mutually respectful—so that we may strengthen each other in our common quest. The Catholic theologian, Michael Novak, has written wisely:″

''Americans are starved for good conversations about important matters of the human spirit. In Victorian England, religious devotion was not a forbidden topic of conversation, sex was. In America today, the inhibitions are reversed.''

So let us break through those inhibitions to talk together, study together, and pray together, remembering the call in Chronicles to ''give thanks to G-d, to declare His name and make His acts known among the peoples . . . to sing to Him and speak of all His wonders.''

We who believe and observe have an additional opportunity and responsibility to reach out to those who may neither believe nor observe, to reassure them that we share with them the core values of America, that our faith is not inconsistent with their freedom, and that our values do not make us intolerant of their differences.

Discussion, study, and prayer are only the beginning, because we know that in the end we will be judged by our behavior. In the Koran, the Prophet says: ''So woe to the praying ones who are unmindful of their prayer—and refrain from acts of kindness.'' Isaiah summarizes the Torah in two acts: ''Keep justice and do righteousness.'' And the Beatitudes inspire and direct us: ''Blessed are they who hunger and thirst after righteousness for they shall be filled; blessed are the merciful for they shall obtain mercy. Blessed are the pure in heart for they shall see G-d. Blessed are the peacemakers for they will be called the children of G-d.''

Turning faith into action is particularly appropriate in this millennial year, whose significance will be determined not by turning a page on our calendars at home or work, but by turning a page on the calendar of our hearts and deeds.

To make a difference, we must take our religious beliefs and values—our sense of justice, of right and wrong—into America's cultural and communal life.

In fact, that has begun to happen. In our nation's public places, including our schools, people are finding constitutional ways to honor and express faith in G-d. In the entertainment industry, a surge of persistent public pressure—a revolt of the revolted—has prodded at least some executives to acknowledge their civic and moral responsibility to our society and our children. It's even happening in government, where we have come together in recent years under President Clinton's leadership to embrace some of our best values by enacting new laws and programs that help the poor by reforming welfare, that protect the innocent by combating crime, and that restore responsibility by balancing our budget.

In communities across America, people of faith are working to repair some of the worst effects of our damaged moral and cultural life, like teenage pregnancy, family disintegration, drug dependency, and homelessness. Charitable giving is up, more of the young are turning to community service, and because our economy is booming, or perhaps in spite of it, people are finding they need more than material wealth to achieve happiness. They want spiritual fulfillment, cultural elevation, more time with their families, and more confidence that they are making a difference for the better.

So there is reason in this millennial year to go forward from this 48th National Prayer Breakfast with hope, ready to serve God with gladness by transforming these good beginnings into America's next Great Spiritual Awakening—one that will secure the moral future of our nation and raise up the quality of life of all our people.

''Let your light shine before others,'' Jesus said, ''so that they may see your good works and give glory to your Father in heaven.''

If we do, then in time, as Isaiah prophesied: ''Every valley will be exalted, and every mountain and hill will be made low. The crooked will become straight, and the

rough places smooth. For the earth will be full of the glory of the Lord.''

TRIBUTE TO LT. COL. EARL SMITH, U.S. ARMY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. GILMAN. Mr. Speaker, as we carry out the business of the American people here in Washington, we are occasionally fortunate enough to get to know some truly outstanding individual Americans. Today, I would like to mention one such person, who has become a good friend to many of us.

It is a great pleasure to rise today to recognize Lieutenant Colonel Earl Smith, who is retiring from the U.S. Army on April 1st of this year after 22 years of service to our nation.

Along with many other Members, I came to know Lt. Col. Smith in his capacity as Congressional Liaison Officer to the House of Representatives. Lt. Col. Smith and I have traveled to many places together, where I have always found him to define the Army's values of Loyalty, Duty, Respect, Selfless Service, Honor, Integrity and Personal Courage.

The American diplomat George Kennan wrote that ''only he is capable of exercising leadership over others who is capable of some real degree of mastery over himself.'' Lt. Col. Smith is a living example of the truth of that statement.

Mr. Speaker, Lt. Col. Smith distinguished himself in numerous command and staff positions overseas, as well as in the continental United States. His career began as an Infantry Rifle Platoon Leader in West Berlin, Germany, during the final decade of the Cold War. As recently as 1996, he served in Bosnia as an Operations Officer on the Joint/Combined Staff for the military headquarters responsible for implementing the Dayton Peace Agreement.

The American position in the world—that of lone superpower—is due to the sacrifices made by Lt. Col. Smith and men and women like him. Without their selfless dedication, America would not enjoy the peace and prosperity it is blessed with today.

We all should congratulate Lt. Col. Smith on a career marked by the finest personal qualities and professional excellence. We wish Earl and his wife, Arnette, our best on this important milestone and good luck in the future.

RECOGNIZING THE WESTERN MASSACHUSETTS CHAMPION LUDLOW HIGH SCHOOL GIRLS SOCCER TEAM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today to recognize the accomplishments of the 1999 Ludlow High School girls soccer team. The Ludlow girls soccer team won the program's third Western Massachusetts title last year by defeating defending state champion Cathedral High School. The Lions defeated Central Massachusetts Champion Shrewsbury en route to the state final match, where they fell just short of their goal.

The Ludlow girls soccer team finished the year with a record of 19–2–1. Ludlow was able to dominate a tough league in Western Massachusetts in 1999 by employing a highly skillful style of play. A team that was tough when it needed to be, Ludlow was capable of outclassing most of its opponents. As a result of their high class style, the Lions enjoyed the fervent support of the residents of the Town of Ludlow throughout the season.

Head Coach Jim Calheno has built a very successful program at Ludlow High School. Coach Calheno is well-respected in the coaching community and his team is duly feared. The Ludlow talent pool runs very deep, and the Lions are certain to be the team to beat in 2000. Two All-America selections, Liz Dyjak and Stephanie Santos, are among a group of talented Juniors who will be looking to claim the state title next season.

Mr. Speaker, allow me to recognize here the players, coaches, and managers of the 1999 Ludlow High School girls soccer team. The Seniors are: Melissa Dominique, Sandy Salvador, Angela Goncalves, Jen Crespo, Marcy Bousquet, Lynsey Calheno, Jenn Genovevo, and Leana Alves. The Juniors are: Nicole Gebo, Lindsay Robillard, Lindsay Haluch, Kara Williamson, Sarah Davis, Liz Dyjak, Stephanie Santos, Tina Santos, and Jessica Vital. The Sophomores are: Michele Goncalves, Lindsey Palatino, and Kristine Goncalves. The Freshmen are: Natalie Gebo, Lauren Pereira, Beth Cochenour, Darcie Rickson, and Amy Rodrigues. The Head Coach is Jim Calheno, and he is assisted by Saul Chelo, Nuno Pereira, Melanie Pszeniczny, and Mario Monsalve. The managers are Melissa Santos and Elizabeth Barrow.

Mr. Speaker, once again, allow me to congratulate the Ludlow High School girls soccer team on a season well played. I wish them the best of luck for the 2000 season.

TRIBUTE TO LEWANDA DENISE MILLER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to Lewanda Denise Miller, a woman described by those who know her as a Christian, a family person, an educator, a community helper, a mentor, and a friend.

As the daughter of Roy Lee and Mildred Miller, and as a lifelong member of St. Paul Community Baptist Church, Lewanda credits her southern, Christian upbringing and family, as sources of strength that have helped to teach her ways to help others.

In 1993, Lewanda received her Bachelor's Degree with SUNY College at Old Westbury. While studying Accounting and Business, Lewanda quietly yearned to teach. In her last year of undergraduate study, she applied for a teaching license. Immediately after graduation, she obtained her temporary license in Business. She taught many programs at Boys and Girls High School. Two years later, Lewanda enrolled in Brooklyn College's graduate program to become an English teacher. After studying on an undergraduate and graduate level, she successfully completed her studies in 1999. Lewanda graduates this millennium with her Masters of Arts in Secondary Education-English. During this time, she obtained provisional certification in English and Business. Lewanda still mentors and tutors students daily at Boys and Girls High School.

Professionally, Ms. Miller has worked on several committees to improve the academic experience for her students. She worked on the Curriculum Interdisciplinary Team, staff developer of ELA Regents Curriculum, and taught one of the Saturday School programs at Boys and Girls High School for the last five years.

Since 1998, Lewanda has been a member of The Women's Caucus, a volunteer organization of women who work closely with me on community activities, and the Interfaith Medical Auxiliary.

I urge my colleagues to join me in recognizing positive young role models, like Lewanda Denise Miller.

IN CELEBRATION OF LUNAR NEW YEAR 4698, THE YEAR OF THE DRAGON

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mrs. MALONEY of New York. Mr. Speaker, I rise today to join members of the Asian American Business Development Center in celebration of the Lunar New Year, the largest and most festive of all celebrations in most of Asia. The Lunar New Year is a time when families and friends congregate, when social bonds are strengthened, and life celebrated.

The celebration of the Lunar New Year, Mr. Speaker, underscores many commonalities throughout our diverse cultures, like an appreciation for the cyclical nature of life and the need for reunion and renewal. I wish everyone in America and throughout Asia who celebrates this occasion a very happy New Year full of good fortune and good health.

This Lunar New Year 4698, which falls on February 5, is a special one marking the Year of the Dragon. In Chinese mythology, the Dragon is a symbol of supreme power, controlling the wind and rain to benefit the earth or, sometimes, unleashing a destructive typhoon.

Dragons, as we know, are found in Western mythology as well, carved on the helm of Viking ships and woven into children's stories about European Princesses and gallant knights. The Dragon, then, is very much a part of our world culture as is the celebration of the annual renewal of life.

Mr. Speaker, today in New York City, I joined the Asian American Business Development Center in celebrating the Lunar New Year. The Lunar New Year is a triumphant occasion for millions of people throughout the world. Mr. Speaker, I ask my fellow Members of Congress to join me and the Asian American Business Development Center in celebration of this special holiday.

THE FOUR YEAR ANNIVERSARY OF THE TELECOMMUNICATIONS ACT OF 1996

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. OXLEY. Mr. Speaker, on the fourth anniversary of the passage of the Telecommunications Act, the benefits of deregulation are plainly evident. Consumers are paying the lowest prices in history for telecommunications services and enjoying new technologies that were unimaginable just 4 years ago. The deregulation that resulted from the act has provided tremendous stimulation to the telecommunications industry and the American economy.

Unfortunately, future progress is being held hostage by a Federal agency resistant to change. The telecommunications industry now moves on Internet time but is regulated by an FCC that relies on Depression-era rules and regulations. The FCC is too big, too powerful, and too unresponsive to the mandates of the law, congressional intent, and the needs of the American consumer.

Congress thought it deregulated the telecommunications industry 4 years ago, and to a large extent we did. What we didn't know was the extent to which the FCC would subvert congressional intent and implement its own agenda. The prologue of the 1996 act states that its goal is to reduce regulation. What we now know is that the only way to do so is to sharply curtail the power of the FCC.

PROMOTING AND PROTECTING DEMOCRACY IN MONTENEGRO

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. SMITH of New Jersey. Mr. Speaker, last week I chaired a hearing before the Commission on Security and Cooperation in Europe on promoting and protecting democracy in Montenegro. Montenegro is a small republic with only about 700,000 inhabitants, and yet it is among the strongest proponents of democratic change in the Balkans. As a result, Montenegro has the potential of being the target of the next phase of the Yugoslav conflict which began in 1991.

Montenegro, with a south Slavic population of Eastern Orthodox heritage, is the Only other former Yugoslav republic to have maintained ties in a federation with Serbia. Since 1997, Montenegro has moved toward democratic reform, and its leaders have distanced themselves from earlier involvement in the ethnic intolerance and violence which devastated neighboring Croatia, Bosnia, and Kosovo. In contrast, the Belgrade regime of Slobodan Milosevic has become more entrenched in power and more determined to bring ruin to Serbia, if necessary to maintain this power. The divergence of paths has made the existing federation almost untenable, especially in the aftermath of last year's conflict in Kosovo. We now hear reports of a confrontation with Milosevic and possible conflict in Montenegro as a result.

One witness Janusz Bugajski of the Center for Strategic and International Studies, presented the conflict scenarios. He said: ''Other than surrendering Montenegro altogether, Belgrade has three options: a military coup and occupation; the promotion of regional and ethnic conflicts; or the provocation of civil war. More likely Milosevic will engage in various provocations, intimidations and even assassinations to unbalance the Montenegrin leadership. He will endeavor to sow conflict between the parties in the governing coalition, heat up tensions in the Sandjak region of Montenegro by pitting Muslims against Christian Orthodox, and threaten to partition northern Montenegro if Podgorica [the capital of Montenegro] pushes toward statehood. The political environment will continue to heat up before the planned referendum'' on independence.

In addition to the ongoing operations to keep the peace and provide justice and democratic governance in Bosnia and Kosovo, Mr. Speaker, the United States and the rest of the international community will face the challenge this year of promoting and protecting democracy in Montenegro. Srdjan Darmanovic, head of the Center for Democracy and Human rights in Montenegro, said it is logical and understandable that the international community encourages the Montenegrin authorities to follow a policy of ambiguity on the republic's future. On the one hand, the international community already has the burden of two peacekeeping operations in the former Yugoslav region and doesn't want another, yet it does not want Milosevic to seize Montenegro and stop the democratic development taking place there. Darmonovic concluded, however, that this situation ''creates a very narrow space in which the Montenegrin Government has to play a dangerous chess game with the Milosevic regime in which the price of failure or miscalculation could be very high. . . . The 'politics of ambiguity' has very dangerous limits. It cannot last forever.''

Veselin Vukotic, head of the Center for Entrepreneurship in Montenegro, described the economic steps which Montenegro has taken to distance itself from Serbia. He said that Montenegrin citizens cannot wait for the day when Milosevic resigns, which may never come. Economic change must begin now. The introduction of the Deutsche mark as a second currency has allowed the Montenegrin economy to move away from that of Yugoslavia as a whole. This has led to a decrease in Serbian-Montenegrin commerce and permits Montenegro to receive outside assistance even as Serbia remains under international sanctions. Still, he noted that the Montenegrin economy needs to be transformed into a market economy. This will require transparency to deter the continuing problem of corruption, as well as the development of a more open society.

Fortunately, Mr. Speaker, Montenegro is no longer alone in seeking to base its future on multi-ethnic accord, democracy and openness, rather than the nationalism of the 1990s. Beginning in late 1998, a similar trend began in Macedonia, and now in Croatia, new government leaders were elected who will reverse the nationalist authoritarianism of the Tudjman years. Hopefully, this will resonate in Serbia itself, where change is needed. The bottom line, as the Assistant Secretary of State for European Affairs Marc Grossman said in a conversation, is that there must be change in Serbia itself. As long as Milosevic is in power, there will be regional instability.

In testimony before the Senate Committee on Armed Services last week, Director of Central Intelligence George Tenet made clear: ''Of the many threats to peace and stability in the year ahead, the greatest remains Slobodan Milosevic—the world's only sitting president indicted for crimes against humanity. . . . He retains control of the security forces, military commands, and an effective media machine.''

With good judgment and resolve, Mr. Speaker, conflict can be avoided in Montenegro, and those seeking conflict deterred. As democracy is strengthened in Montenegro, the international community can also give those in Serbia struggling to bring democracy to their republic a chance to succeed. The people of Serbia deserve support. Democracy-building is vital for Serbs, Montenegrins and others living in the entire southeastern region of Europe.

Mr. Speaker, in the past decade, those of us who follow world affairs have had an in-depth lesson in the history, geography and demography of southeastern Europe. Places like Bosnia-Herzegovina, Macedonia and Kosovo were little known and little understood. Unfortunately, too many policymakers became aware of them only as the news reports of ethnic cleansing began to pour in.

The Helsinki Commission, which I have now had the honor of chairing for the past 5 years, has sought for over two decades to inform Members of Congress, the U.S. Government and the American public, of developing issues in countries of Europe, the Caucasus and Central Asia. Hopefully, with timely and well-informed attention, we can more effectively and quickly respond to a potential crisis, and perhaps save lives.

HONORING THE CAREER OF GENE DIXON

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. GORDON. Mr. Speaker, today I rise to recognize the long-time service of Gene Dixon of Murfreesboro, Tennessee, who will soon retire as the golf professional at The Country Club at Stones River. Gene has been a tremendous ambassador for the game of golf throughout Tennessee and the nation.

A native Tennessean, Gene attended the University of Memphis. His college roommate was 1975 U.S. Open Champion Lou Graham. Gene was the 1958 Tennessee State Amateur Champion, the Memphis City Champion and finished fourth in the NCAA Championship.

After serving his country in the U.S. Army, Gene arrived at Stones River Country Club in 1967. An outstanding golfer in his own right, winning numerous PGA Chapter Championships and participating in four Senior PGA Championships, he has helped develop and mentor many young golfers. Several of these youngsters earned collegiate scholarships, and two have been Tennessee State High School Champions.

Described by Tennessee PGA Executive Director Dick Horton as ''the cream of the crop'', Dixon will leave a void in the state golfing community when he retires. I congratulate Gene Dixon on his admirable and distinguished career and wish him well in his retirement.

TRIBUTE TO CLEO DUNAWAY CRAIG

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to Cleo Dunaway Craig. Later this week in Marion, Illinois, she will celebrate her 110th birthday. Cleo Dunaway Craig was born on February 12, 1890 in Marion, to Thomas and Emma Dunaway. In 1909 she married Edgar Craig and together they had one daughter, Elizabeth, who passed away when she was fifty-five years old. Edgar passed away in 1958. She has two grandsons, Craig Brosi who resides in Hackessin, Delaware and Brian Brosi, who lives in Marion and visits his grandmother daily.

Cleo Craig taught for one year at Lincoln Grade School and during World War I she worked as a reporter for her hometown newspaper. In 1928 she and her husband moved to Metropolis, Illinois and in 1930 her family moved to Chicago until the passing of her husband. After Chicago, Cleo moved back to Marion and lived with her sister until she was one hundred years old. In 1990 she moved to Fountains Nursing Home and still is residing there. Everyday Cleo reads the Chicago Tribune, every week she reads Newsweek. She is an avid sports fan and every summer she robustly cheers on her favorite baseball team: the Chicago Cubs, who have not won a World Series since she was 18 years old. I hope she will not have to wait another 92 years to celebrate a Cub's World Series victory!

Mr. Speaker, Cleo Craig is a living example of the evolvement of our country as the strongest nation in the world. She represents the spirit of America: hard work, perseverance and a positive outlook. Perhaps the most amazing thing about Cleo, is that besides some hearing loss, she is in perfect health and does not take any medications. Everyone at the Fountains Nursing Home will be celebrating this momentous birthday with her on Friday. She is truly an inspiration to us all. Lastly, Mr. Speaker, I would like to take this opportunity to encourage all of my colleagues to join me in wishing Cleo Craig a happy 110th birthday and God's Speed.

RECOGNIZING THE SUPER BOWL CHAMPION HIGH SCHOOL OF COMMERCE FOOTBALL TEAM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to recognize the wonderful accomplishments of the football team from the High School of Commerce in Springfield, MA. The Commerce football team finished the season 10–1 and captured the first State title in school history. This was the first Super Bowl game for Commerce since 1978, and the players made the most of their chance by beating Bay Path Regional Vocational Technical 33–15.

The Commerce team became the Division IIIA Super Bowl Champions on the strength of their defense which was able to come up with three fumble recoveries and an interception. The Red Raiders scored three touchdowns in just 42 seconds during the second quarter and never looked back. Commerce amassed over 200 yards on the ground behind the superb running of Julius Walker, who gained over 100 yards by himself. Credit must be given to the offensive line. Although they are accustomed to throwing the ball, the Commerce offense adjusted to the Bay Path game plan and ran the ball successfully.

Head Coach Todd Kosel leads a program which recently endured a winless season. However, Coach Kosel has turned all of that around and now has a team feared and respected for its intelligence, its determination, and its commitment. The depth of this squad can be seen on the score sheet as touchdowns were scored by five different players: Alfonso Dixon, Brandon Bass, Wister Figueroa, Julius Walker, and Michael Vaz.

Mr. Speaker, once again, allow me to recognize and congratulate the Super Bowl Champions from the High School of Commerce. I wish all of the student-athletes on this team the best of luck in 2000 as they return to defend their title.

TRIBUTE TO JOSEPHINE BOLUS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. TOWNS. Mr. Speaker, I rise today to acknowledge the accomplishments of Ms. Josephine Bolus. As a registered nurse (RN) in New York, she has served her community well.

Ms. Bolus started her community activities during the ''Korean conflict'', as a member of the Civilian Air Patrol, monitoring the New York City skies for foreign aircraft. She then became a volunteer for the American Red Cross; and later became a licensed practical nurse, under former President Kennedy's educational initiatives. Deciding to further her education, she attended New York City Community College, and graduated in 1971 with a degree in nursing. After graduation she started working at Brooklyn's King's County Hospital Center, and remained there until her retirement in December of 1997.

During those 27 years, Josephine continued her education and with the combined help of a new program offered by King's County Hospital and the State University Hospital of Brooklyn, she became a pediatric nurse practitioner in 1975. She testified before New York Senate Committees on the need for prescriptive privileges for nurse practitioners, as well as the need for New York State Nurse Practitioner Certification. Both issues were enacted into law by the New York State Legislature. As a member of the American Nurse Association, she also serves as the congressional liaison to the 10th congressional district.

She is an active member of the New York State Nurses Association [NYSNA] which represents over 35,000 RNs. After serving in numerous positions, she now serves on the NYSNA Board of Directors and is vice-chair of the NYSNA Political Action Committee. Josephine is also a member of the Women's Caucus, a volunteer organization of women who work on Brooklyn community services projects; the Brooklyn College Alumni Board of Directors; and the Dr. Susan Smith McKinney Community Advisory Board. She is also on the board's health committee and does special projects for New York State Senator John Sampson.

Depending on the day of the week, Ms. Bolus can be found volunteering in my office, as well as the offices of New York State Assemblyman Frank Seddio, and the campaign of Hillary Rodham Clinton. In her ''spare time'' she has organized health fairs, CPR courses, tennis lessons for asthmatics, and diabetic counseling groups. She has also created unique cloth dolls, which she exchanges for donations to her church.

Josephine is the recipient of several awards, including the 1999 NYSNA Delegate Assembly, the Central Baptist Church's ''Humanitarian Award'', and the Maggie Jacobs RN Service Award. She has conducted research in collaboration with Tuft's University School of Medicine and the State University Hospital of Brooklyn. Ms. Bolus is married to Henry A. Bolus, and they have two children.

It is an honor to pay tribute to community leaders like Ms. Josephine Bolus.

IN MEMORY OF DON HUTSON

SPEECH OF

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2000

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Don Hutson, of Lebanon, Missouri. He was 68.

Mr. Hutson was born on November 4, 1931, in Kansas City, MO, to Alpha Henry and Lola Hutson. He graduated as valedictorian from Oak Grove High School and went on to graduate with honors from Central College. In 1958, he earned a juris doctor degree with honors from George Washington University Law School. He then spent 4 years as a staff assistant to Senator Stuart Symington. This gave him an opportunity to work on many legislative issues beneficial to the state of Missouri.

Mr. Hutson was a well known and respected attorney, who practiced law in Kansas City and Lebanon for 40 years. Prior to entering private practice, he was appointed assistant prosecuting attorney for Jackson County, serving as chief trial attorney for most of the major felony cases in Kansas City. He was commended for successfully prosecuting and convicting dozens of organized-crime figures during one of the first national organized-crime drives.

Mr. Hutson was recognized for his numerous achievements throughout his life. He was named in Who's Who in American Colleges and Universities, Who's Who in America, Who's Who in the Midwest and Who's Who in American Law. In addition, he was active in his community and civic affairs. Mr. Hutson was an ordained minister in the Christian Church and served as a Christian Church minister at Oak Grove, Lone Jack and other churches in Missouri. He was the founder of the Lebanon Arts Council and involved with the Lebanon Chamber of Commerce and the Lebanon Concert Association.

I know the Members of the House will join me in extending heartfelt condolences to his family: his son, Eric; his three daughters, Sheila, Robin, and Heather; and five grandchildren.

HONORING FIRE CHIEF ANGELO PETRARCA

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. WELLER. Mr. Speaker, I rise today to honor Fire Chief Angelo Petrarca who retired on January 31, 2000 after 40 years of service in South Chicago Heights.

Fire Chief Petrarca joined the South Chicago Heights Fire Department in June 1970. He became a Lieutenant in May 1971 and was appointed Assistant Fire Chief in May 1973. On May 1, 1974, Mr. Petrarca was appointed as Fire Chief.

Chief Petrarca has been a resident of South Chicago Heights since 1959, and is known to be completely dedicated to his career as well as to ensuring the health and well-being of the community. The major highlight of Chief Petrarca's career this past year involves the improvement of the fire departments response time which was previously, on average 6–7 minutes, before November 1998. The response time is now an impressive two minutes from the time of call to the actual arrival of EMS personnel on site. This is mostly due to Chief Petrarca's decision to staff the fire department with a 24 hour a day on duty paramedic along with another EMS professional on call seven days a week.

Chief Petrarca also believes in giving of his time to various organizations both professionally and for the good of the community. Some of his affiliations include: Member of the Illinois Fire Chief Association; Past President of the WILCO Fire Chiefs Association; Member of the International Association of Arson Investigators; Chairperson of the ETSB; Member of the National Emergency Number Association; and Member of South Chicago Heights Y2K Readiness Committee.

Fire Chief Angelo Petrarca's commitment and impact on his community is not only deserving of congressional recognition, but should serve as a model for others to follow.

At a time when our nation's leaders are asking the people of this country to make serving their community a core value of citizenship, honoring Fire Chief Petrarca is both timely and appropriate.

I urge this body to identify and recognize others in their congressional districts whose actions have so greatly benefitted and enlightened America's communities.

TRIBUTE TO JOHN V. HAYS

HON. HELEN CHENOWETH-HAGE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mrs. CHENOWETH-HAGE. Mr. Speaker, I rise today to pay special tribute to Mr. John Hays, president of the Oregon Cattlemen's Association and owner/operator of Rouse Brothers Ranch in Unity, OR. John Hays is a fiercely independent man who is committed to preserving and protecting the rights of America's farmers and ranchers.

Through hard work and dedication, John has had a stellar career championing the rights of private property owners. When John is not fighting to preserve the rights of land owners, he is speaking out against the high levels of agribusiness consolidation and the many related problems affecting agricultural producers, rural communities, and consumers.

After thinking about various events in John's life, I am reminded of a passage in Theodore Roosevelt's letter to Marcus Alonzo Hanna (June 27, 1900): "I am as strong as a bull moose and you can use me to the limit."

Mr. Speaker, I must tell you, it has been an honor to know John and to be his friend. Truly, he is dedicated to preserving the unique integrity of our proud western heritage.

Mr. Speaker, in closing, I commend the example of John Hays to my colleagues, and hereby submit to the RECORD for their consideration a January 11, 2000 article appearing in The Bulletin (Bend, Oregon).

[The Bulletin, Jan. 11, 2000]

CATTLEMEN'S LEADER WORKS TO PRESERVE RANCHING

(By Jim Witty)

JOHN DAY.—It's not easy being a cattleman in Oregon at the dawn of the 21st century.

To hear John Hays tell it, the Western rancher should join the northern spotted owl, the blackfooted ferret and the gray wolf on the endangered list.

Hays, a bull of a man with a gregarious streak a mile wide and at least as deep, sees red when the topic turns to cows and those who would interfere with their unfettered husbandry.

"We kind of look at ourselves as an endangered species," Hays says. "If you look at the last five or six years, we've been nearly regulated out of business."

Hays, the newly elected president of the Oregon Cattlemen's Association, has come out with both guns blazing.

One of his first communiques is illustrative.

Shortly after a federal court ordered the Bureau of Land Management to eliminate cattle grazing along 18 miles of the Owyhee River in Southeastern Oregon, Hays shot out a press release to Oregon media outlets accusing U.S. District Judge James Redden of bias and calling the principal litigant—the Oregon Natural Desert Association of Bend—the "eliminate the food chain group of America."

Hays concluded the news release by declaring: "This type of judgment is why people fled Europe during the time of Hitler. It is a very sad time in my life as president of the Oregon Cattlemen's Association."

Strong words. But Hays is no shrinking violet.

He has vowed to fight a triple threat he believes is ripping the guts from the ranching industry: the Endangered Species Act, which cattlemen complain has produced a spate of unwanted regulations (listings or potential listings of steelhead, salmon and trout species, for instance, have restricted the way ranchers can do business on their property); the buyout of dozens of medium-size packing plants by a couple of large corporations, IBP and Con Agra; and the subsequent homogenization of the market—the loss of ranchers' ability to command a premium for premium beef.

This day, Hays is at the senior center in John day taking a break from the environmental wars, rallying the troops for an assault on the marketing front.

'We want to get back in control of our market,' says Hays, 57, sipping coffee in an anteroom before he's scheduled to outline his plans before several dozen ranchers in the main hall.

To regain that control, the former restaurateur and sports agent is promoting a premium product produced by the state's ranchers, called Oregon Trail Branded Beef, that will be processed in a cattlemen-owned plant. That way, says Hays, ranchers can sell contaminant-free beef that they control from rangeland to retailer.

'People get E. coli and who do they point to?' says Hays. 'The cattlemen, right off the bat. We don't have any control of the product.'

While the ambitious co-op marketing campaign is occupying most of his time these days, the battle on the ground is never far from his mind.

'Grazing is a target,' says Hays. '(Environmentalists) found out with the spotted oil that they could get rid of the timber industry. Grazing is the next thing they're pushing for.'

Bill Marlett of Bend-based Oregon Natural Desert Association is Hays' arch nemesis. The two have never met.

'As a human being, I give everybody a chance,' says Hays. '(But) I hate to see anything progressive being torn down.'

ONDA argues that cows have trampled riverbanks, fouled streams and chewed up fragile desert topsoil on more than 13 million acres of public land in Oregon. And the organization's goal is to remove all cattle from the state's BLM- and Forest Service-administered land.

Marlett says he doesn't quite know what to make of Hays.

'I don't know where he's coming from to be honest,' says Marlett. 'To make the inference about Nazi Germany—aside from being irrelevant—is crazy. Why would you say something like that? If he's going to base policy on rhetoric, there's probably not a lot of progress we can make communicating. . . . It's kind of extreme.'

Hays, in turn, argues that those pushing to rid the range of cattle are outside the mainstream.

'We are the table,' says Hays, referring to the cattleman's place in the scheme of things. 'I don't consider the people who don't own property as even the tablecloth, the salt and pepper shaker. . . . A lot of it is lifestyle. They could care less about lifestyle.'

But Hays is concerned that lifestyle is in trouble as are communities dependent on ranching.

He contends that ranchers are the best land stewards because their livelihoods depend on it.

'You don't make a living if you trash your ranch,' Hays says. 'We're some of the better environmentalists in the world. . . . It's like anything else, if you don't harvest the grass, it will turn to weeds.'

But Hays says he sees the Endangered Species Act being used as a tool to take cattle off the range. For instance, he says, when a threatened trout is found on a rancher's grazing allotment, they can't use the creek anymore unless they invest in a costly fencing regiment.

Hays subscribes to the theory that there is an overarching plan guiding the environmental movement that will move more and more private land into government ownership.

'These are apostles of the one world movement to get people off the land,' he says. '. . . Eventually it's a government takeover.'

Most environmentalists pooh pooh the notion, saying that it's difficult enough organizing their own groups, let alone a monolithic movement.

Although he served a 5-year stint in the Marine Corps, 17 years in the restaurant business and a few more in partnership with former NFL greats Mel Renfro and Darryl Lamonica putting together contracts, his first love is ranching, Hays says.

On his home place in Unity, about 60 miles west of the Idaho border, hays runs about 3,000 head of cattle on 23,000 privately owned acres and 80,000 acres owned by the federal government. His family has operated the Rouse ranch since the 1850s, he says.

Hays argues that society has mixed up its priorities.

'I see it in the logging industry in my hometown,' 'One fellow there had 30 some people employed there. It kept the town going. He had to let them go. Now our town's full of drugs. Some have had to leave. . . . It hurts your kids, it hurts your schools, your community.'

So, says Hays, does the Endangered Species Act.

'Why is a fish dominant over everything else?' he queries. 'People are taking this ESA and using it as a tool to get what they want.'

PERSONAL EXPLANATION

HON. LYNN N. RIVERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Ms. RIVERS. Mr. Speaker, the following is a list of votes that I missed while in Michigan recuperating from surgery. Had I been present, I would have voted as follows: Rollcall No. 2—H. Con. Res 244—''yes''; Rollcall No. 3—H.R. 2130—''yes''; Rollcall No. 4—H.R. 764—''yes''; Rollcall No. 5—H.R. 1838—''yes''; Rollcall No. 6—Instructing Conferees on H.R. 2990—''yes''; and Rollcall No. 7—H.R. 2005—''no.''

IN HONOR OF MAURY MEYERS, MAYOR OF BEAUMONT

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. LAMPSON. Mr. Speaker, I rise today in honor of Maury Meyers, who will be receiving the Jay C. Crager Award from the American Heart Association. This award is given to outstanding citizens who have distinguished themselves with unselfish civic responsibility and community service. It is fitting that Maury Meyers is receiving this award because he has dedicated his life to serving his community.

Maury meets the description of a leader, he has been involved with every aspect of the community, and taught us as a community to believe in ourselves. Maury has contributed so much to the community of Beaumont and the people who live there. He believes in Beaumont and its residents, and has unfalteringly placed his time and energy into its progression.

Maury's first two terms as Mayor, from 1978–1982, changed the face of Beaumont and the character of the community through unparalleled initiatives. Maury returned to the Mayor's office in 1986 and faced a city that was suffering economically and was experiencing problems in the public and private sectors.

The problem of economic recovery and the creation of jobs was Maury's top priority upon his return to office, he wanted to invigorate Beaumont and the people who lived there. To address this problem, he created the ''Worlds Largest Economic Development Committee'' when 8,000 residents of all ages and walks of life filled the Beaumont Civic Center to participate in an economic summit.

Maury Meyers is a people person, and he took that spirit to the Mayor's office. He believed that everybody had a role and a voice in their community, and during his time in office hundreds of private citizens served on city-appointed advisory committees, neighborhood town-hall meetings and public hearings. An organization known as ''Planning Economic Progress'' was created by Maury and brought labor and management together on issues affecting commercial and industrial growth, as well as community development.

The Texas Energy Museum is in Beaumont because of Maury's hard work and perseverance. Competition for the museum between Beaumont and other major cities and Universities was fierce, and conditions made it necessary to organize a strictly private effort. In just a few days, he was able to raise more than $1 million and brought the museum to Beaumont. He also founded the Southeast Texas Inc., a non-profit organization focusing on innovative regional economic development.

Mr. Speaker, it is my honor to speak on behalf of Mr. Maury Meyers and all of his accomplishments. He is a man that I look to for inspiration as I continue to work for the communities and neighborhoods of Texas. While I can not be with him when he receives his award, I am proud to recognize him on the floor of the House. He is a man who has committed his life not to himself, but to the people of Southeast Texas.

TRIBUTE TO MR. TOM COFFEY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. SKELTON. Mr. Speaker, it has come to my attention that the residents of Maries County, Missouri, are gathering to honor one of their leading citizens, Mr. Tom Coffey, on his 94th birthday.

Mr. Coffey has a long history of public service. He began by volunteering to defend his country in the European Theater during World War II. After the war, he returned to Vienna and has remained a lifetime resident. He adopted the people of the city of Vienna and Maries County and has made significant contributions to the community over the past 50 years. Mr. Coffey provided generous financial support to build a fire station in Vienna, donated land for a business development site and established three scholarships for graduates of Vienna High School. He also purchased land to build the American Legion Hall and then deeded the property to the city.

Additionally, Mr. Coffey has been the leading force behind the Maries County Fair for more than 40 years and was one of five citizens to establish the Old Jail and Historical Society. He is planning to continue to support the community for many years into the future as he has designated more than 30 organizations to receive annual grants from his trust. I am not surprised that the city of Vienna wants to express their gratitude to Mr. Coffey on the occasion of his 94th birthday.

Mr. Speaker, I know all Members of Congress will join me in paying tribute to Mr. Coffey for his outstanding dedication to the community and selfless public service.

HONORING THE VILLAGE OF MONEE AND ITS QUASQUICENTENNIAL CELEBRATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. WELLER. Mr. Speaker, I rise today to honor the village of Monee and its quasquicentennial celebration. The village of Monee was formed in the year 1874 and the residents of Monee have celebrated their 125 years of history with dozens of different events throughout the year 1999. It has been my great privilege and honor to serve the residents of Monee. I am pleased to recognize their strong and admirable sense of community pride.

The village of Monee, which lies in my 11th congressional district, is situated in northern Will County. Although the village is located less than 30 miles from the city of Chicago, the village has been able to maintain its small-town ambiance and sense of pride in its history and progress. Both the village and local organizations contribute time and money to hosting family-orientated events and activities.

The village of Monee was founded by Augustus Herbert in November of 1853 when he recorded his plat of land at the Will County Courthouse. The village is believed to be named for a French-Ottawa Indian woman, Marie LeFevre Bailly. The French called Marie ''Mah-ree'' but the Ottawa Indians had no sound for the letter ''r'' and called her ''Mah-nee.'' French treaty clerks later wrote the name as ''Mo-nee.'' The Indian princess, Marie was renowned as one of the most beautiful women in the northwest area. In 1833, the Treaty of Camp Tippecanoe made with the Pottawatomie Tribe made a gift of property to the four daughters of Marie and her husband Joseph Bailly. This gift of property is possibly the only connection between ''Princess Monee'' and the village named in her honor.

Today, the village of Monee has a growing population of approximately 1,044. The current village president is the Honorable Larry Kochel.

Mr. Speaker, I urge this body to identify and recognize other towns and villages in their own districts which are proudly celebrating special occasions.

THE PASSING OF DR. LAURA THOMPSON, A FRIEND OF THE CHAMORRO PEOPLE

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. UNDERWOOD. Mr. Speaker, I rise to mourn and pay tribute to the passing of a

great anthropologist and true friend of Guam, Dr. Laura Thompson. Dr. Thompson was an anthropologist who not only studied various cultures in the world, she contributed to the growth of the discipline during her lifetime. For the people of Guam and researchers everywhere, her work, ''Guam and Its People'', is the seminal work on the essence of the Chamorro culture. She was the first anthropologist to formally study the culture of the people of Guam and every student, researcher or any person interested in serious thinking about Guam must begin by reading and understanding her work.

Dr. Thompson was born in Honolulu on January 23, 1905 and died last month right after her 95th birthday. During her life, she published nine books in anthropology and more than 70 articles in professional journals. She was a compelling and provocative speaker who willingly addressed professional meetings, spoke to community groups and frequently appeared on radio and television programs. She spoke about her experience, the role of women in society and the advancement of her discipline. In the course of her work, she spoke out as an advocate for the advancement of Pacific island peoples.

Dr. Thompson came to Guam in 1938 at the invitation of the Naval Government of Guam to study the Chamorro people. She served as a consultant to the naval governor of Guam. The assumption at the time was that naval officers needed to learn more about the nature of the Chamorro people so that the task of governing Guam would be more efficiently and effectively accomplished. It was ultimately a self-defeating assumption, because the only way that Guam should have be governed was by the people of Guam themselves. Dr. Thompson stayed for six months in the village of Malesso' and learned a great deal about the rhythm of Chamorro life, particularly in the southern end of Guam which was acknowledged as the more traditional part of Guam.

Her work gave all of us insights into the hybrid culture of the Chamorro people, a mixture of Spanish, Mexican and Filipino influences interspersed with the pre-Western contact Chamorro traditions. The account of the culture was powerful because the strengths of Chamorro character and industry were being celebrated for the first time in recorded history. Under American and Spanish colonial rule, Chamorros were only discussed as a problem. For the first time, Chamorros were being discussed as human beings who had designed a dynamic and strong framework for life. It was an invigorating vision made more powerful by the fact that it was conducted in the name of science.

Guam went on to be occupied by Japan during World War II and the Chamorro people endured a new challenge to their existence. They survived and their heroic story inspired their fellow Americans at the time. However, naval officials decided that the military should continue to govern Guam even as America had just prevailed in a war to preserve democracy and defeat fascism and militarism. The post World War II military government of Guam was an anomaly whose future was dim. And one of the persons who wanted to ensure that military government would come to an end was Dr. Laura Thompson.

She was refused the opportunity to go back to Guam by the Navy and visit the Chamorro people. Along with a few friends, she worked to end military rule in Guam and advocated the granting of U.S. citizenship to the Chamorro people. Her husband, John Collier, was Director of the Bureau of Indian Affairs, She prevailed upon him, their friend, Interior Secretary Harold Ickes and others like Pearl Buck to assist her in her advocacy of Guam issues. She worked with the Institute of Ethnic Affairs and they began to issue statements on the true nature of the military government in Guam. She testified in front of numerous Congressional committees. This lobbying effort was counteracted by the Navy who established an office across the street from the Institute to issue the Navy's point of view. The objectives of their lobbying were both the Executive Branch and Congress. Congress eventually realized that the Navy must go.

The role of the Institute, the articles by Harold Ickes, the articles in Asia Magazine by Richard Wels and the letters to the editor in the New York Times facilitated by Foster Hailey in moving Guam to civilian government has not been fully understood by many except the most committed historians. In combination with the efforts of Antonio Won-Pat, F.B. Leon Guerrero and the willingness of the Guam Congress to protest the decisions of the naval governor of Guam, the people of Guam finally saw the end of naval rule. It is one of the Guam history's greatest ironies that a young woman brought out to help naval officers understand Guam more eventually ended the power of naval officers over Guam.

Dr. Thompson did not return to Guam until 1976 at my invitation to an event I organized called the Chamorro Studies Convention. She came and delivered an inspirational message of hope and understanding about the Chamorro people. The event helped rekindle her interest and subsequent contacts with the people of Guam. She became good friends with Dr. Becky Stephenson, an anthropologist at the University of Guam, who edited a publication about Dr. Thompson's life story. Entitled ''Beyond The Dream: A Search for Meaning'', the work recounts the growth of Dr. Thompson as a scholar and anthropology as a discipline. Dr. Stephenson remarked about her colleague, ''Laura was a good friend of Guam. She was a woman who loved Guam.''

Dr. Thompson obtained a B.A. from Mills College in Oakland California and a Ph.D. in Anthropology from the University of California, Berkeley in 1933. She is the 1979 recipient of the Bronislaw Malinowski Award for the Society of Applied Anthropology. She has conducted ethnographic fieldwork in Fiji, Hawaii, Iceland, West Germany, the mainland U.S. with Native American communities as well as Guam.

Si Yu'os ma'ase' Dr. Thompson for all of your efforts on behalf of the people of Guam. To her nieces and nephew and those who cared for her in her later years, we thank you for sharing her talent, her strength and her inspiration with the people of Guam.

90TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. FORBES. Mr. Speaker, it gives me great pleasure to stand before you today to honor the 90th Anniversary of the Boy Scouts of America. The organization was first established on February 8, 1910 and has since then been dedicated to the growth and maturity of young adults in America. It has given youth the opportunity to have a healthy start in life by allowing them to participate in programs dedicated to building character, developing personal fitness, and raising community service awareness. For ninety years, the Boy Scouts of America have continually renewed their commitment by nurturing our children into young adults that stand for values of honesty, integrity, and respect.

We must not forget those strong energetic individuals that have made the Boy Scouts what it is today. The organization would not be in existence if it were not for co-founders Daniel Carter Beard, Ernest Thompson Seton, William D. Boyce, and James E. West. All of these men heavily influenced the early development of the Boy Scouts. Daniel Carter Beard, remembered for his buckskin outfits, was a pioneer of the Boy Scouts who merged his own boys' organization with the Boy Scouts of America. Ernest Thompson Seton, the first Chief Scout, wrote numerous volumes on Scouting. Also worth mentioning is William D. Boyce, who incorporated the Boys Scouts of America soon after being inspired by a scout in Europe. Lastly, there was James E. West, who was the first Chief Scout Executive and also an inspiration to us all. Although orphaned and physically handicapped, Mr. West had the perseverance to graduate from lawschool and became a successful attorney. This same determination helped build Scouting into the largest and most effective youth organization in the world. When he retired in 1943, Mr. West was recognized throughout the country as the true architect of the Boy Scouts of America. All these great men contributed to making a dream into reality.

Presently over 5 million Americans are members in the Boy Scouts of America. Scouts grow up to become strong leaders with strong values. Their strong leadership can be seen even in the 106th Congress, where more than half of the Members of Congress have participated in Scouting.

The Boy Scouts of America have also been continually dedicated to community service. I commend the organization for volunteering countless hours in their communities, especially in Suffolk County, New York, where programs such as toy drives for the disadvantaged and food collection for the hungry improve the quality of life for thousands of people. The tradition of serving the community has been emphasized throughout the last ninety years, and I hope to see it continue.

Once again, congratulations to the Boy Scouts of America. They are truly an asset to our great country and I applaud them for all they have done. I wish them many more years of growth and success.

HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 1, 2000

Mr. REYES. Mr. Speaker, I too rise in strong support of House Resolution 409 honoring the Catholic Schools of America for their

invaluable contribution to the education of our children. I understand it is the first time such a resolution has been before the House. I would like to join my House colleagues in extolling the virtues of Catholic educational institutions that have provided consistently excellent alternatives to our public school system—even though I am a product of our public schools.

I am proud to represent and participate in a Catholic society as rich in culture and heritage as El Paso's. Many products of the Catholic education system can be found at all levels of society today, including Sister Elizabeth Anne Swartz, Superintendent of the Diocese Schools in El Paso, whom I would like to commend for the fine job she is doing. I would also like to take a moment to congratulate Bishop Armando X. Ochoa on the great job he is doing, too!

In my district, there are 13 Diocese schools which support 4,607 students and 300 educators. Most Diocese schools posted enrollment increases this year. One school, Father Yermo Elementary School, is celebrating its 40th year. Another, Our Lady of Mount Carmel, is celebrating its 81st year.

Last Saturday night, I was privileged to attend an event recognizing the supporters of Catholic education in El Paso. The organizers of this year's ''Supporters of Catholic Education in the El Paso Diocese,'' or SEED, Awards were: Marissa Alvarado; Elvia Borrego; Sr. Kathleen Corbett, SL; Debra Fraire; Bobbie Hernandez; the Honorable Sue Kurita; Manny Lopez; Carmen Montes; Bertha Schachtsneider; Sr. Elizabeth Anne Swartz, SSND; Olga Torres; Alfred Torres; and Luis Villalobos. I congratulate each and every one of them for all the hard work they put into making this event a great success.

I would also like to recognize the members of the Diocesan Board of Education: Sister Elizabeth Anne Swartz, SSND, Superintendent; Manny Lopez, President; Adriana Sierra-Loya, Vice-President; Marie Doyle; the Honorable Martha ''Sue'' Kurita; Robert Lopez; Rev. Marcus McFadin; Mary Alice Szostek; Rev. Msgr. Francis J. Smith; and Luis Villalobos.

I would like to congratulate the winners of the 2000 SEED awards. From Blessed Sacrament, Best Faculty/Staff; Juanita Reyes; Best Benefactor/Supporter: Elena Aguirre; Best Volunteer: Kathy Cortez; and Best Alumni: James Towle. From Cathedral High School, Best Faculty/Staff; Luz Ulrickson; Best Benefactor/Supporter: Adrian Martinez; Best Volunteer: Menira De La Fuente; and Best Alumni: Jaime Rivera. From Father Yermo Elementary, Best Faculty/Staff: Rose Chavez. From Father Yermo High School, Best Faculty/Staff: Alfredo Palacio; Best Benefactor/Supporter: Yadro Lizardo; Best Volunteer: Mary Lou Vega; and Best Alumni: Gladys Saucedo. From Holy Trinity, Best Faculty/Staff: Alena VanHouten; Best Benefactor/Supporter: Mark Smith; Best Volunteer; Jude Hicks; and Best Alumni: Carlos Sanchez. From Loretto Academy, Best Faculty/Staff: Shelly Wilson, Angie Davila, and Gerri Mearns; Best Benefactor/Supporter: Sister Mary Ann Coyle, SL; Best Volunteer: Jesus Marrufo; and Best Alumni: Cindy Manzanares. From Our Lady of Assumption, Best Faculty/Staff: Anne Johnson; Best Benefactor/Supporter: Cynthia Kelley; and Best Volunteer: Edward Martinez. From Our Lady of Mt. Carmel, Best Faculty/Staff: Edward Frias: Best Benefactor/Supporter: Jose Armendariz; Best Volunteer: Dolores Bustamante; and Best Alumni: Pedro Tapia. From St. Joseph's, Best Faculty/Staff: Irma Gemoest; Best Benefactor/Supporter: Eduardo Fuentes; Best Volunteer: Belinda Garcia; and Best Alumni: Luis Villalobos. From St. Patrick's, Best Faculty/Staff: Lee Nunez; Best Benefactor/Supporter: Noe Carreon; Best Volunteer: Richard Flores; and Best Alumni: Msgr. A. Dixon Hartford. From St. Pius X, Best Faculty/Staff: Sister Mary Ljundahl; Best Benefactor/Supporter: Margie Escobedo; Best Volunteer: Roger Razo; and Best Alumni: Patricia Martinez. From St. Raphael, Best Faculty/Staff: Tony Brown; Best Benefactor/Supporter: Bruce Galyan; and Best Volunteer: Frank Lujan. From the Diocese of El Paso, Best Benefactor/Supporter: Bishop Armando X. Ochoa and Sr. Elizabeth Anne Swartz, SSND.

And on one final note, as a representative of a largely Catholic district, I, too, am concerned about the controversy surrounding the selection of a new House Chaplain. The House has never had a Catholic Chaplain. Although a bipartisan committee gave Catholic candidate Timothy O'Brien the majority of ''first'' rankings, the House leadership was unfortunately under no obligation to follow their rankings. Instead, the House leadership conducted a final round of interviews of the three finalists. The Leadership made their decision based upon these interviews, with House minority leader DICK GEPHARDT voting for Mr. O'Brien and Speaker HASTERT and Majority Leader ARMEY recommending Charles Wright.

I believe this controversy exists, at least in part, because everyone was not clear on how the selection process would work from the outset. Many of my Democratic colleagues and I felt that if the committee had a clear consensus on a candidate, as they did on Father O'Brien, then the leadership would naturally follow. Others argue that the bipartisan committee only functioned to screen candidates, leaving the final determination to the leadership. I bear no ill-tidings toward Reverend Wright; but I believe we have missed an opportunity here, which is unfortunate.

IN MEMORY OF ROBERT BEYKIRCH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Robert (Bob) Beykirch of Sedalia, Missouri.

Bob Beykirch was born on November 24, 1928, in East St. Louis, Illinois, a son of Christopher and Marie Walters Beykirch. He was a staff sergeant in the Illinois National Guard and was stationed in Germany for a year during the Korean War. Bob was a graduate of St. Louis University, where he received a bachelor's degree in business administration in 1955.

In 1957, Bob and his family moved to Sedalia, Missouri, after acquiring an Anheuser-Busch wholesale distributorship that was renamed County Distributing Co. Bob served as president of the Missouri Beer Wholesaler Association and was a member of the Anheuser-Busch Wholesaler Advisory Panel.

Bob served on the Sedalia Park Board, was a board member of the Missouri Chamber of Commerce, was a past president of the Sedalia Area Chamber of Commerce, and was a member of the Sedalia Area Tourism Commission. In addition, Bob sat on the board of Citizens Against Spouse Abuse, Children's Therapy Center, and the Sedalia Airport Board. Bob was also involved with the Sedalia-Pettis County United Way, local sports teams, and was an active member of Sacred Heart Catholic Church.

Mr. Speaker, Bob was a successful businessman, civic leader, and a good friend. I know the Members of the House will join me in extending heartfelt condolences to his family: his wife, Dorothy; his four sons, daughter, and 12 grandchildren.

HONORING MS. ELIZABETH (BETH) S. RUYLE

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. WELLER. Mr. Speaker, I rise today to honor Ms. Elizabeth (Beth) S. Ruyle for her 21 years of service and dedication as executive director for the South Suburban Mayors and Managers Association (SSMMA).

Ms. Ruyle became the executive director of South Suburban Mayors and Managers in June 1978. South Suburban Mayors and Managers is a council of government which includes 38 municipalities in South Suburban Cook and Eastern Will Counties. Through Beth's hard work, many of the communities' goals have been realized. These goals include the development of regional planning programs in transportation, solid waste, flood management, and housing. Twenty municipalities now have an intergovernmental self insurance pool for property and casualty. Twelve municipalities can now boast they have an intergovernmental self insurance pool for employee benefits. All thirty-eight municipalities can now rely on fire, police, and public works mutual aid agreements in times of emergency. Under the direction of Ms. Ruyle, the SSMMA was one of the first entities to establish a multimunicipal bond bank which now has $50 million in assets.

Before coming to work at the SSMMA, Beth and her husband, Craig Hullinger, lived in Atlanta, GA where she had the position of governmental relations coordinator for the Atlanta Regional Commission. Beth completed her undergraduate studies at the University of Florida in 1968. In 1975, She received her M.P.A. graduate degree from the University of Georgia.

Beth has won several Urban Innovations awards during her career such as an award for Employee Assistance Program, an award for South Suburban Drug Enforcement Program, and a reward for Cost Savings/Revenue Enhancement. In January 1996, Beth was listed in ''Crain's Chicago Business'' as one of the ''100 Most Influential Women In Chicago''.

Beth Ruyle's commitment and impact on her community is not only deserving of congressional recognition, but should serve as a model for others to follow.

At a time when our Nation's leaders are asking the people of this country to make serving their community a core value of citizenship, honoring Beth Ruyle is both timely and appropriate.

I urge this body to identify and recognize others in their congressional districts whose actions have so greatly benefitted and enlightened America's communities.

IN REMEMBRANCE OF EARL LESTER COLE

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. DIXON. Mr. Speaker, I rise today to pay tribute to Earl Lester Cole, one of the great pioneers whose exemplary years of service as an educator at Grambling State University spanned nearly half a century. Earl Lester Cole's tenure at Grambling began in 1936 as a science teacher; advancing through the ranks of the faculty, becoming dean in 1946 and was appointed vice president in 1969.

''Dean Cole'' as he was affectionately called even after assuming the vice presidency, can be remembered for his active involvement in implementing curriculum which is considered to be the cornerstone to courses now being offered at Grambling State University. Even after his retirement in 1977, Earl Lester Cole continued to advise members of the faculty and administrators.

Mr. Cole was highly respected by his former colleagues and students and is described as a true professional, a good administrator, and a truly outstanding man who is credited for the positive influence in the educational advancement of his former students. Honesty and a fullness of integrity were accolades from those who knew him well. Over the years, he had been recognized for his numerous contributions to Grambling, culminating 10 years ago in the naming of the university's honors college, the Earl Lester Cole Honors College.

His influential involvement in the community brought several businesses to the university and as an active member of New Rocky Valley Baptist Church, ''Dean Cole'' was instrumental in the construction of a building for the church.

Mr. Speaker, Earl Lester Cole recently succumbed after a prolonged illness at the age of 89. He can be remembered as a man who gave much to the field of higher education at a historically black university, always exuded a commanding presence during his lifetime. In his passing ''Dean Cole'' will be deeply missed by his family, colleagues and friends. Our heartfelt sympathy to his wife, Garnett, his two children, and Elouise Martin, his sister-in-law.

MARTIN BANDA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. ORTIZ. Mr. Speaker, I ask my colleagues to join me in commending an outstanding young man from my district in South Texas, Martin Banda, who was the Southwest Region Youth of the Year in 1999 as part of the Boys and Girls Clubs of America and the National Youth of the Year Program. They only choose five winners nationally, so this was an enormous honor.

Martin Banda is an 11-year member of the Boys and Girls Club of Harlingen, Texas. The circumstances of Martin's life are the sort that would make many people lose hope. Growing up in the Lemoyne Gardens housing project in Harlingen, Martin could easily have chosen an easy but dangerous life on the streets.

But a higher power led Martin to join the Boys and Girls Club. He thanks the Lord for guiding him to the Club because it is a safe sanctuary from the street. But Martin's obstacles were not just on the streets. His father was incarcerated when Martin was just 5 years old, quickly making Martin the man of the house. This responsible young man took care of his mother and two sisters by disciplining himself and focusing his life around positive things.

I understand the trauma with losing a father early; my own father died when I was 16, leaving me the oldest male in the house. But young Martin had to face that reality and responsibility much earlier in life than I did, and under different circumstances, so it is hard to see how difficult that event marked his young life.

While Martin is grateful to them, the Boys and Girls Club and Harlingen are grateful to Martin as well. Martin is a role model for the other young people in the Boys and Girls Club. He has great athletic ability, having played on several championship football teams. But he is mostly admired for his strong leadership skills, developed first by his participation in the Torch Club and later by his service as vice president of the Keystone Club. At last count, Martin has already won $29,000 in scholarships. This is a very determined young man who will continue his education on his merit.

Martin is a senior in high school and is a member of the National Junior Honor Society with a 3.75 GPA. It isn't just a pleasure, it is an honor, for me to represent this young man in Congress. I ask my colleagues to join me today in commending Martin Banda, the Southwest Youth of the Year winner for his triumph over the odds and his dedication to excellence.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Ms. CARSON. Mr. Speaker, I was unavoidably absent Monday, January 31, 2000 through Wednesday February 2, 2000, and as a result, missed rollcall votes 2 through 7. Had I been present, I would have voted ''yes'' on rollcall vote 2, ''yes'' on rollcall vote 3, ''yes'' on rollcall vote 4, ''yes'' on rollcall vote 5, ''yes'' on rollcall vote 6, and ''no'' on rollcall vote 7.

HONORING WYCKOFF HEIGHTS MEDICAL CENTER FOR ITS DEDICATED SERVICE TO BROOKLYN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor the unwavering service and dedication of the administrators, physicians, nurses and other staff of Wyckoff Heights Medical Center, a renowned 350-bed hospital within Brooklyn's 10th Congressional District. For over 100 years, this facility has served the residents of Brooklyn with pride.

I also ask that we take a moment out of our daily business to commend Wyckoff for its extraordinary work throughout the years, and for going that extra mile this month by sponsoring the 1st annual men's health symposium. This symposium entitled ''The First Step of Empowerment is Taking Care of Your Health'' will be held on Monday, February 14, 2000, and will take the extraordinary step of focusing on men's health in Brooklyn, and throughout this nation.

Although there are numerous individuals who have worked to create this program, I want to applaud the efforts of four individuals: Dominick Gio, president & CEO; Pradeep Chandra, MD, chairman, Internal Medicine; Nirmal Matto, MD, senior vice president, Medical Affairs/director of Nephrology; and William Green, vice president, Ambulatory Services. They each have worked tirelessly to ensure that Wyckoff does not lose the focus of its mission: to provide excellence in care through prevention, education and treatment. In today's health care environment, their unwavering energy and steadfast determination toward improving our health care delivery system is truly a beacon of hope for the future.

Mr. Speaker, I ask that you and my esteemed colleagues join me in commending the work of Wyckoff Heights Medical Center and its dedicated staff. It is truly a shining star in Brooklyn!

THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM INTEGRITY ACT OF 2000

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. STARK. Mr. Speaker, I join today with Rep. SHERROD BROWN, the ranking Democrat on the Commerce Health Subcommittee, and my California colleagues Representatives HENRY WAXMAN, GEORGE MILLER, BOB MATSUI, ANNA ESHOO, TOM LANTOS, XAVIER BECERRA and LYNN WOOLSEY to introduce the State Children's Health Insurance Program Integrity Act of 2000.

This legislation would prohibit any State Children's Health Insurance Program (S–CHIP) from allowing a health plan to simultaneously administer and participate in the state plan. While it is simply a technical correction to S–CHIP, it is important technical correction that would eliminate a very real potential for conflict of interest problems caused by health plans playing dual roles in state programs.

The need for this legislation was first brought to our attention in 1998 when California initially granted a contract to a participating health plan to also administer the state CHIP plan. In fact, that health plan withdrew its application and the State went with a non-health plan alternative administrator.

We are now reintroducing the bill and urging its swift passage because it may soon be an issue in California again and could easily become an issue elsewhere since there is nothing in federal law that prohibits states from

granting such contracts. The second administrative vendor contract will be negotiated in California later this year. Without Congressional action on this issue, it is likely that there will once again be competition among participating health plans to obtain the vendor contract.

To further describe the seriousness of this conflict of interest, under California's program the administrative vendor performs a wide variety of functions including: providing trained staff on the program's toll free telephone lines, making eligibility determinations and redeterminations, collecting premiums, enrolling and disenrolling members, transmitting enrollment information and updates to participating health plans, administering the annual open enrollment process, and the list goes on and on. These are clearly functions over which a participating health plan has tremendous interest and will certainly attempt to influence in any system.

Clearly, allowing plans to play both roles creates an inherent bias. And, at a time when there are numerous alternatives to selecting a health plan with a financial interest in that market, it is a bias that can be easily avoided.

Further evidence that our legislation has real merit can be found in another provision of the Balanced Budget Act of 1997 (BBA) which included the S–CHIP program. The BBA allows state Medicaid programs to choose private enrollment brokers to handle the day-to-day enrollment functions of their Medicaid programs. However, in allowing these enrollment brokers, the law clearly stipulates that the enrollment broker be free of any conflicts of interest. Specifically, the law requires that, ''The broker is independent of any such entity and of any health care providers (whether or not any such provider participates in the State plan under this title) that provide coverage of services in the same State in which the broker is conducting enrollment activities.''

Our legislation would apply the same conflict-of-interest standard that exists in the Medicaid enrollment broker law to the S–CHIP law.

This is an important bill that would protect the integrity of S–CHIP programs across the country. We look forward to working with our colleagues for passage of the State Children's Health Insurance Program Integrity Act this year.

THE JOSEPH ILETO POST OFFICE (H.R. 3189)

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. GARY MILLER of California. Mr. Speaker, I would like to take this opportunity to inform my fellow colleagues that H.R. 3189, the Joseph Ileto Post Office in Chino Hills, California, has the support of the California congressional delegation.

Today, I am submitting the names of 19 California Members who recently agreed to support my legislation which will name the soon-to-completed U.S. Post Office in Chino Hills, CA after Mr. Joseph Ileto. These 19 names will be added to the 33 Members of the California delegation who support passage of the Joseph Ileto Post Office. H.R. 3189 passed the House of Representatives on November 8, 1999 by voice vote and currently awaits action in the U.S. Senate.

You may remember that Mr. Ileto, a resident of Chino Hills, was the postal employee who was murdered on August 10, 1999 by Buford Furrow, the gunman who shot and wounded five children and employees at the North Valley Jewish Community Center (in suburban Los Angeles).

At the time of H.R. 3189's passage, I was listed as the only sponsor of the bill. The Postal Subcommittee of the House Government Reform Committee allowed me to introduce H.R. 3189 with the understanding that I would need to seek additional support within the California delegation. Even though my California colleagues will not be listed as cosponsors of H.R. 3189, they have graciously agreed to be listed as supporters.

Therefore, Mr. Speaker, please add the following 19 Members as supporters of H.R. 3189:

Representative WALLY HERGER, Representative DOUG OSE, Representative LYNN WOOLSEY, Representative GEORGE MILLER, Representative BARBARA LEE, Representative ELLEN TAUSCHER, Representative RICHARD POMBO, Representative TOM CAMPBELL, Representative ZOE LOFGREN, Representative GARY CONDIT, Representative GEORGE RADANOVICH, Representative CALVIN DOOLEY, Representative BILL THOMAS, Representative XAVIER BECERRA, Representative LUCILLE ROYAL-ALLARD, Representative GRACE NAPOLITANO, Representative STEVE KUYKENDALL, Representative JOE BACA, and Representative RON PACKARD.

THE HOLOCAUST AND THE MILLENNIUM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. FARR of California. Mr. Speaker, just barely five weeks ago the world celebrated a new millennium. There were fireworks and galas and celebrations galore. We all hoped to wipe the slate clean and begin a new year, a new era—free of our old prejudices, free of our old nightmares.

That was a lofty goal and I endorse it wholeheartedly: we ought to strive for peace and harmony every chance we get. A new year and new millennium is as good a chance as you can get.

But that doesn't mean forgetting the sacrifices of those who have gone before us, or forgetting the history that has shaped our lives.

This weekend in Salinas in my home district, the community will honor Harold Gordon. Remember the Academy Award-winning film ''Life is Beautiful''? Harold Gordon is ''Life is Beautiful'' for real.

Harold Gordon was a shy, happy child growing up in Poland when suddenly the world turned dark. He, along with the rest of his family, was trundled off to the Polish ghetto, then work camps, then concentration camps. Most of his family was killed. All of his friends disappeared. Auschwitz, Dachau, Buchenwald . . . these are words that instill fear in all of us, even though we did not live through the torture of those places. But Harold Gordon knows it first hand.

In the movie ''Life is Beautiful'' the child survives the concentration camp because his father is clever enough to hide him each day. The child is led to believe that he is playing a game with the SS soldiers. Harold Gordon and his father survived the concentration camp through no special gimmicks. There was no fantasy and no games. This was life-and-death reality at its worst.

And yet, Harold Gordon has written of his experience during that awful time a book that is an inspiration to us all. The Last Sunrise is Harold Gordon's memoir of his daily struggles to avoid the gas chambers and give strength to those around him, even though he was just a boy at the time.

I marvel at Mr. Gordon's ability to present a story of death at a pace that reads like a Number One Bestseller on the New York Times book list. You simply cannot put it down. I think the appeal of The Last Sunrise is that its real story is not even that of the war or of the concentration camps. It is a story ultimately of hope and survival.

Despite the gruesome realities of daily existence, Harold carried with him the belief that human spirit will overcome, that the power of humanity will survive beyond the walls of the concentration camp. Certainly, even those who lost their lives during this terrible time in mankind's history have not been forgotten but serve daily as a reminder to us all not ever to let it happen again.

At one point, Harold asks himself, ''Why was I being spared?'' The answer to that question is: so we can all learn from Harold's experience. It is the same question we should all ask ourselves: why are we here and what is it that we bring to this life that will benefit others? Harold found the answer by writing a most compelling book to remind us of the value of life, the power of hope and the inspiration of another day.

Mr. Speaker and my colleagues, I commend to you The Last Sunrise and hope that you will join me in honoring Harold Gordon.

SEVENTH REPORT OF THE SPEAKER'S TASK FORCE ON THE HONG KONG TRANSITION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. BEREUTER. Mr. Speaker, I rise today to submit the Sixth Report of the Speaker's Task Force on the Hong Kong Transition. It has been approximately two and half years since Hong Kong reverted to Chinese sovereignty on July 1, 1997. Prior to that historic event, at the request of Speaker Gingrich, this Member formed the House Task Force on Hong Kong's Transition. In addition to myself as Chairman, the bipartisan Task Force includes Representatives HOWARD BERMAN, SHERROD BROWN, ENI FALEOMAVAEGA, ALCEE HASTINGS, DON MANZULLO, and MATT SALMON.

To date, the Task Force has prepared six reports assessing how the revision has affected Kong Kong. The seventh report, which I submit today, covers the period of March 31, 1999, through December 31, 1999. Mr. Speaker, I submit the following Task Force report to be printed in full in the CONGRESSIONAL RECORD.

SEVENTH REPORT—FEBRUARY 7, 2000

Presented by the Honorable Doug Bereuter, Chairman

This is the seventh report of the Task Force on the Hong Kong Transition. It follows the first report dated October 1, 1997, the second report dated February 25, 1998, the third report dated May 22, 1998, the fourth report dated July 23, 1998, the fifth report dated February 2, 1999, and the sixth report dated May 27, 1999. This report focuses on events and development relevant to United States interests in the Hong Kong Special Administrative Region (HKSAR) between May 27, 1999, and December 31, 1999.

It has been over two years since Hong Kong reverted to Chinese sovereignty on July 1, 1997. It remains a vibrant economy that the Heritage Foundation and the Cato Institute recently ranked as the freest in the world. During the past six months, Hong Kong's economy showed signs of recovering from the recession induced by the Asian regional financial crisis, although economic indicators were mixed. China's World Trade Organization (WTO) agreement with the U.S., and agreement to build a major Disney theme park in Hong Kong contributed to the mood of economic optimism and business confidence. Hong Kong continued to operate independently in economic decision-making and to voice its own views in international fora, including the WTO and APEC.

In the six months covered by this report, concerns have grown about the long term prospects for the independence of Hong Kong's judiciary. These concerns were prompted by the decision of the National People's Congress, (NPC) at the request of the Hong Kong Government, to reinterpret the Basic Law and reverse the Court of Final Appeal's (CFA) ''right of abode'' decision for mainland Chinese. The NPC's interpretation and the CFA's acknowledgement of the NPC's authority over the matter drew considerable domestic and international criticism, including that of the UN Human Rights Committee (UNHRC). On November 5, the UNHRC released a report critical of Hong Kong's post-transition record in a number of human rights related areas. (In addition to the question of judicial independence, the report expressed concern about the abolition of municipal councils, phone monitoring and freedom of association.) A recommendation by the Hong Kong Law Reform Commission to establish an independent ''privacy commission'' to monitor media excesses also created concern because of the implications for media freedoms. The Government initially remained neutral, but in October the Chief Executive expressed the hope that the press could regulate itself.

On May 21, 1999, following the mistaken bombing of the Chinese Embassy in Belgrade, the PRC halted U.S. naval and air visits to Hong Kong. At least seven military aircraft and ten warships were denied permission to visit. After a two month ban, the Chinese Government began granting permission for plane visits on July 29, 1999, and a U.S. Navy destroyer was permitted to visit in October. Since then, other visits have taken place and a carrier task force and nuclear submarine were granted permission to visit in February.

The reversion of Macau to Chinese administrative control on December 20, 1999, went smoothly. Like Hong Kong, Macau will become a Special Administrative Region within a ''One Country, Two Systems'' formula under which the legislature elected under colonial rule will remain in place. However Macau faces a number of daunting economic and political challenges. Macau's civil service is inexperienced compared to Hong Kong. The judicial system is also poorly developed and there are few trained or experienced judges. The economy is heavily reliant on gambling and tourist related industries. Crime, corruption and violence are serious problems that have begun to affect the tourist/gaming industry. For a variety of reasons, Macau's evolution under the One Country, Two Systems model is likely to differ considerably from Hong Kong's.

ECONOMIC DEVELOPMENTS

Developments on the economic front in the past six months have been positive. A survey by the Heritage Foundation and the Wall Street Journal once again ranked Hong Kong as the world's freest economy. In January 2000, the Cato Institute came to a similar conclusion in its report. Hong Kong's economy showed signs of recovering from the recession induced by the Asian regional financial crisis, although economic indicators were mixed. After four consecutive quarters of negative economic growth, the recession in Hong Kong appears to have bottomed out, with positive growth of 0.7% projected for the second quarter. In September, The IMF forecast that Hong Kong would have GDP growth of 1.2% this year and 3.6% next year. The Government projected budget deficit for the 1999–2000 fiscal year that began April 1 was estimated at HK $32 billion (US $4.1 billion), although overall foreign exchange reserves remained high at over US $90 billion. However, unemployment remained at historically high levels. The figure for the August–October quarter was 6.2%, up from 6.1% the previous quarter. Underemployment remained steady at 3.1%. Weak demand and falling asset values brought about continued significant deflation, with consumer prices falling 6.0% in September over a year earlier. Investment spending remained sluggish. Exports, tourism and retail sales were up in recent months. The stock market has more than doubled since the government decided to intervene in August 1998, although concern remains about Government intervention in the economy.

Export performance improved considerably in recent months. However, for the first ten months of 1999, the volume of re-exports was down 0.7% and the volume of domestic exports was down 12.2%. Imports for the first ten months of the year also declined by 5.6%. The trend towards increased reliance on re-exports and offshore trade makes the economy susceptible to external factors beyond Hong Kong's control. The Government sought to address this problem in part through its ambitious ''Cyberport'' project aimed at attracting world class information technology companies. While this initiative was widely welcomed, questions were raised by the government's decision to sell the land for the project without an open, transparent bidding process.

Tourism was another sector with mixed indicators. The Hong Kong Tourist Association projected in August that total arrivals would exceed 10 million, an increase of over 6% from 1998. However, although arrivals did increase 13% in the first quarter, spending was actually down by 0.8%. This reflected the changing nature of tourism in Hong Kong, with lower spending arrivals from the mainland making up an increasingly large percentage of total visitors.

Overall, Hong Kong's Government's massive intervention in the currency and stock markets in August 1998 appears to have been a success despite earlier concerns. The market rose to over 15,000 in November 1999, compared to 6,660 in March 1998 before the intervention. Trading volume has also risen sharply. The equities purchased by the Government have increased greatly in value and the Government's unprecedented ownership of significant amounts of equities, both in Hong Kong-based companies and in PRC-related ''Red Chips'' has raised questions about the potential to affect official decision-making in ways contrary to Hong Kong's traditions of free markets and transparency. To allay these fears, authorities have placed the equities in the hands of an independent appointed board and in November began the first steps to liquidate its holdings by selling approximately 20% to the public through an indexed tracking fund (''The Tracker Fund'').

Positive developments included the U.S.-China agreement on China's accession to the WTO. Most analysts believe that WTO membership for China should be an economic boon for Hong Kong, both in the short and long term. China's accession to the WTO is expected to benefit Hong Kong's business by allowing it to capture its portion of China's expanding trade and investment. However, Hong Kong is also likely to face increased competition from the mainland in several fields and will have to find new ways to keep serving as a bridge between China and its global partners. Another plus was the HKSAR's agreement with the Disney Corp. to build a major theme park. Although some questioned the terms of the deal and the fact that most of the investment would come from the Hong Kong Government, most observers felt that the development would provide a positive economic stimulus, particularly for the tourism sector.

POLITICAL DEVELOPMENTS

Under the Basic Law that serves as Hong Kong's Constitution, directly elected representatives to the Legislative Council (Legco) from geographic constituencies make up only 20 of the 60 members. That number will increase to 24 in the year 2000 and 30 in 2004. The Basic Law allows for (but does not mandate) the remaining 30 functional seats to be converted to directly elected positions. It would also permit the direct election of the Chief Executive in 2008. Some elected members of Legco, as well as other political activists, have been lobbying for some time for a faster transition to a more democratic system. On January 3, 2000, the three major political parties in Hong Kong, joined to urge full democracy by 2008, arguing that the present system is ''unsustainable.'' However, in his 1999 policy address in October, Chief Executive Tung Chee-hwa said he would restrict democratic development to that laid down by the Basic Law. He was quoted as saying, ''We must allow time for further study and for the present political system to mature.''

The current political system in Hong Kong is heavily weighted towards concentrating power in the executive rather than the legislature. Legco acts primarily as a monitoring body that can block or amend government legislation and hold hearings. In this capacity, Legco performed well, ensuring that views critical of the Government were vigorously voiced and pursued. Legco forced the Government to become more transparent than might otherwise have been the case, involving and informing the public and maintaining a vibrant political debate on issues of public concern. However, some critics complained that Legco had few tangible achievements since the Basic Law leaves the Government with an overwhelming preponderance of power. They cite Legco's inquiry into problems at the new airport, Government intervention in the stock market, the non-prosecution of a well-connected editor, acquiescence on criminal jurisdiction of the Hong Kong courts and the right of abode debate as examples of Legco's ultimate inability to affect government policies. Differences between many of Legco's elected representatives and the Executive created tensions and

caused Tung to pledge that ''my administration will make still greater efforts to maintain communication with Legco and secure its greater support.'' He said that the two had explored ways to establish a cooperative relationship.

The Government's decision to eliminate elected municipal councils by the end of the year brought widespread criticism. The UNCHR said that abolishing the councils, which are largely elected, would diminish the opportunity for the public to take part in public affairs. The report urged the government to ''take all necessary measures to maintain and strengthen democratic representation of SAR residents in public affairs.'' In addition, Chief Executive Tung's decision to appoint additional members to the 18 local level councils was seen by some as undemocratic and regressive. The Democratic Party and the pro-Beijing Democratic Alliance for the Betterment of Hong Kong (DAB) were the biggest winners with 86 and 83 seats respectively. The DAB's showing, in particular, was markedly better than in the last District Council elections.

JUDICIAL INDEPENDENCE—RIGHT OF ABODE DECISION CREATES CONCERN

A fair and independent judicial system is a critical element of international confidence in Hong Kong. However, two incidents involving the ''Right of Abode'' judgment raised concerns about whether the independence and authority of Hong Kong's judiciary would be maintained. The Hong Kong Government's request for a clarification of sections of the judgment referring to the court's right of judicial review, and the Hong Kong Government's request for interpretation by the National People's Congress of the section of the Basic Law affecting the ruling.

In January, the Court of Final Appeal issued rulings in three cases, known collectively as the ''Right of Abode'' ruling. The ruling declared some Hong Kong immigration regulations (discriminating against children born out of wedlock) inconsistent with the International Covenant on Civil and Political Rights subsumed in the Basic Law and confirmed that all children of Hong Kong residents had right of abode in Hong Kong. The ruling also asserted the Court's right of judicial review over not only the Basic Law, but also over acts of the National People's Congress as they affected Hong Kong.

In February, in response to criticism from Chinese officials, the Hong Kong Government requested an unprecedented ''clarification'' of the ruling. The Court responded with a statement stressing that it did not question the power of China's NPC to interpret the Basic Law, but reserved its power to test acts of the NPC against the Basic Law. Human rights advocates and some lawyers and legislators expressed concern that the clarification set a dangerous precedent.

In May, after releasing reports suggesting that the ruling would result in an influx of 1.6 million new immigrants, the Hong Kong Government asked the Standing Committee of the NPC to interpret two sections of the Basic Law relevant to the Right of Abode ruling. Hundreds of Hong Kong lawyers who viewed the request as a post-judicial remedy which undermined the authority and independence of Hong Kong's judiciary marched in protest. Although the NPC interpretation issued in June, did not affect the original litigants in the case, it overturned the prescriptive effect of the CFA judgment and reduced the number of people eligible for right of abode in Hong Kong to 160,000. The UN Human Rights Committee expressed concern that the interpretation could undermine the independence of the Hong Kong courts and interfere with the right to a fair trial. Legal scholars and activists said the interpretation raised the question of ''how final is the Court of Final Appeal?''

In a judgment on a separate appeal in December, the CFA upheld the NPC interpretation saying it was ''valid and binding'' on courts in Hong Kong. The decision provoked street clashes between protestors and police and caused a widespread outcry from opposition legislators academics and newspaper editorials. Legco legal sector representative, Margaret Ng, for example, said that the ruling means the NPC Standing Committee can interpret any part of the Basic Law at any time, and the interpretation has a binding effect on the Hong Kong courts. The South China Morning Post in a December 4, 1999, editorial said, ''it has now become clear that the Basic Law means only what the NPC Standing Committee wants it to mean, even if the SAR judges disagree.

Another case that generated concern among some was the CFA's December 15 decision that desecration of the national and regional flags was indeed a criminal offense. While this is the case in many countries, including Germany and Italy, some critics viewed the decision as inconsistent with the guarantee of freedom of expression and motivated by political considerations.

FREEDOM OF EXPRESSION AND INDIVIDUAL LIBERTIES

The people of Hong Kong continued to enjoy a tradition of free speech and free press. Political debate is dynamic and raucous. Thousands of demonstrations or petitions have been filed or held since the reversion. A wide and diverse range of opinions, including those critical of the Hong Kong and PRC Governments, are routinely aired in the mass media and public fora. Government owned, but independently operated, Radio and Television Hong Kong (RTHK) is among the media that has been routinely critical of the government. In August, RTHK was criticized by a member of the NPC Standing Committee for airing the views of Taiwan's unofficial representative in Hong Kong to discuss Taiwan President Lee's ''state to state'' theory of China-Taiwan relations. The NPC member urged RTHK to exercise self-censorship on this issue and not provide a channel for ''splittist views.'' The subsequent reassignment of the widely respected, long time director of broadcasting for RTHK, Cheung man-yee, in October was seen by some as Government retribution for RTHK's independent editorial policy. Democratic Party Chairman Martin Lee labeled the ''exile'' of Cheung as a Government effort to control the press. Cheung however, expressed continued confidence in the editorial integrity and independence of RHTK under her deputy and successor.

On August 20, 1999, a subcommittee of Hong Kong's Law Commission issued a recommendation that proposed establishing an independent ''privacy commission'' to deal with complaints about media excesses. The commission would be empowered to hear complaints about unwarranted or offensive media intrusions into peoples' personal lives (acknowledged even by the media to be a serious problem), to make decisions about the merits of those complaints, and to award compensation to complainants. The media and public, given until November 30, 1999, to comment on the proposal, gave the subcommittee an earful. Ms. Margaret Ng, a Legco representative of the law profession voiced the concern of many calling the proposed privacy commission a measure to control the press, not protect privacy. A Freedom Forum representative described the proposal as ''dangerous to press freedom.'' The U.S. consul general in Hong Kong also expressed concern about the proposal in a widely quoted speech. Thus far, the Government has not taken a position on the proposal and for the time being at least, Hong Kong media remains vibrant, critical and sometimes intrusive into the private lives of individuals.

Another area of concern has been the prosecution in China of Hong Kong residents for crimes committed elsewhere. The conviction and execution in China of two persons, one a Hong Kong resident and the other a PRC national, who was wanted for committing crimes in Hong Kong in December 1998, first brought the issue to public attention. Most recently, the arrest and rendition of a Hong Kong resident from Thailand to China has created fears that Hong Kong residents can be apprehended by PRC authorities while overseas.

The denial of visas for Hong Kong residents to visit China and for Chinese dissidents to visit Hong Kong was another issue of concern. In March 1999, a number of well known exiled Chinese dissidents were denied Hong Kong visas to attend an NGO organized conference on the future of democracy in China, although several of the dissidents had visited Hong Kong prior to reversion. In August, the Government refused a visa to Chang Kingyuk, a former senior Taiwan official, who wished to attend an academic conference on unification at Hong Kong University. However, a number of prominent Chinese dissidents including Labor Rights activists Han Kongfang and Information Center for Human Rights and Democracy Movements in China Director Lu Siqing continue to operate freely in Hong Kong.

In September, Legco legal representative Margaret Ng, who led public protest against the Hong Kong Government's decision to seek NPC interpretation in the Right of Abode case, had her Chinese visa revoked to prevent her from attending a legal conference on the PRC Constitution. Human Rights activists fear that the action, and the Hong Kong Government's failure to protest it, may have a ''chilling effect'' on public discourse. The Hong Kong Government's failure to include any representatives of the democratic parties on its delegations to attend National Day in Beijing or the Macau Handover Ceremony on December 20 was seen by some as an effort to placate the PRC at the expense of promoting pluralism in Hong Kong.

In May, the failure of the PRC, which has responsibility for Hong Kong's defense and foreign affairs, to allow a visit to Hong Kong by Pope John Paul II during his trip to Asia last fall was also of concern to many. Many religious, political and human rights leaders publicly expressed disappointment that the visit was canceled.

Despite China's crackdown on the Falun Gong spiritual organization, adherents continued to practice freely in Hong Kong and held a continuing demonstration outside the office of China's Xinhua News Agency. In December 1999, about 1,000 members held an international conference in Hong Kong and conducted a march through the city. Hong Kong Chief Executive Tung Chee Hwa warned that the demonstrators ''must comply strictly with Hong Kong laws and must not act in any manner which are against the interest of China, Hong Kong or 'One Country, Two Systems.'' In another development, the Hong Kong telecom authority ruled that a private company could refuse to relay messages referring to Falun Gong to subscribers on the mainland but was required by Hong Kong law to relay such messages to customers in Hong Kong.

Article 23 of the Basic Law provides that Hong Kong shall enact laws on its own to prohibit subversion, secession, treason and sedition against the Chinese Government. The Government has moved cautiously and

deliberately in this regard and has sought to conduct wide public consultations; no such legislation appears to be on the horizon. Xu Simin, a senior local adviser to the Chinese Government said in August that such laws were not urgently needed and that the time was not right to enact such legislation.

U.S. SHIP AND PLANE VISITS

Following the accidental NATO bombing of the Chinese Embassy in Belgrade last May, PRC authorities denied at least ten U.S. warships and seven planes permission to stopover or visit Hong Kong. After more than a two month ban, the Chinese government began granting permission for plane visits on July 29, 1999, and a U.S. destroyer, the O'Brien, was given permission to visit in October, 1999. In addition, a carrier task force and a nuclear submarine were given permission to visit in February 2000. No ship or plane visits have been denied since September 1999, but the Chinese authorities denied permission for several routine training flights by long-range P–3 aircraft without offering any explanation. However, Chinese authorities have not publicly stated that visits will be routinely approved as had been the case previously. It appears as though such visits are now being considered on a ''case by case'' basis creating a degree of unpredictability that may detract from Hong Kong's image of autonomy and openness.

IPR PROTECTION

The continued widespread availability of pirated movie, audio software and trademark goods remains a serious issue. An elite special task force of 185 Customs officers was established this year to deal with this issue. The Task Force is employed to keep pirate retailers off balance, while Custom's Intellectual Property Investigation Bureau (IPIB) is used to take down pirate factories and distribution networks. In the first nine months of the year, IPIB and the Task Force seized 12.3 million pirate discs, 61% of which were VCD or DVD movies. United States industry representatives have emphasized the need to extend the Task Force's mandate past December to make it permanent. At the behest of United States and local industry, the Task Force now has a permanent mandate. Under the direction of the new Customs Commissioner, John Tsang, there has been a marked improvement in IPR enforcement, although local film and music retailers are still losing millions of dollars to pirates. Hong Kong Customs has also pledged early action on outstanding legislation, including amendments to re-categorize piracy as an organized and serious crime and to criminalize the abuse of corporate licenses. Improvements in IPR enforcement led the U.S. Trade Representative to remove Hong Kong from the Special 301 Watch List after an out-of-cycle review in February 1999. The Legislative Council's January 2000 re-classification of piracy under Hong Kong's Organized and Serious Crimes Ordinance (OSCO) will provide additional tools for Custom's effort to dismantle pirate networks.

Another looming issue is the problem of internet piracy in which local distributors of counterfeit discs use U.S. or Hong Kong based web-sites to sell their products to overseas customers. U.S. industry has identified numerous sites, accessible through Hong Kong-based internet service providers that offer downloads of pirate products. Hong Kong has requested U.S. training in internet crime detection and prosecution.

MONEY LAUNDERING

To combat money laundering, the U.S. continues to urge the Hong Kong Government to adopt mandatory financial transaction and foreign exchange reporting requirements and to explore options to discourage the illicit use of non-bank remittance centers. The Hong Kong Government has begun the legislative process to bring such centers under regulatory oversight. The U.S. has also urged Hong Kong to establish mandatory minimum-value currency entry and exit reporting requirements and penalties for illicit cross-border currency movements and bank deposits.

EXPORT CONTROLS

Hong Kong has one of the finest systems of export controls in the world and the reversion to Chinese sovereignty appears to have had no major impact on the exercise of export controls. U.S. Government agencies report no evidence of Chinese interference in Hong Kong's export control system. Chinese officials have recognized that export control matters fall within the trade, rather than foreign policy area, thereby placing export controls within the Hong Kong Government's exclusive purview. Hong Kong requires both import as well as export licenses, enabling authorities to track controlled commodities as they enter or leave the HKSAR. Hong Kong also refuses to issue reexport licenses for products unless it is sure that the original exporting country would export the product to the ultimate end user.

The Hong Kong Government is exceptionally transparent regarding export controls and cooperates closely with many countries, including the United States, to ensure compliance with multilateral and country specific export control regimes. Hong Kong adheres fully to international control regimes such as the Nuclear Non-proliferation Treaty, the Missile Technology Control Regime, the Nuclear Suppliers Group, the Australia Group and the Wassenauer Agreement. United States Department of Commerce officials continue to conduct regular pre-license and post-shipment inspections as part of dual-use licensing process. United States Department of State and Customs officials also carry out pre-license and post-shipment checks of munitions items under the ''Blue Lantern'' program. In all such cases, Hong Kong officials are neither informed of such checks nor involved in making them. Hong Kong has not imposed any limitations on pre- or post-shipment verification by U.S. agencies and in some instances U.S. investigators have conducted two and even three post-shipment inspections to ensure that the end user remains in compliance with its license. American and other countries' officials have been directly seconded to work directly on export control issues. In addition, Hong Kong officials regularly receive training in the U.S. and elsewhere.

Hong Kong's record of enforcement of its export control regime is good. Examples in recent years include confiscation of a PRC armored personnel carrier that a PRC supplier attempted to return through Hong Kong after a show in Thailand, and the ''Changsha'' case involving unlicensed import and export of high speed computers to the PRC and confiscation of approximately U.S. $800,000 of aluminum percolate in 1996. A House Select Committee report issued in May 1999, (the Cox report) expressed concern about the transshipment of technology through Hong Kong, especially the lack of customs inspection of Chinese People's Liberation Army (PLA) vehicles when they cross the border between Hong Kong and China. A recent visit to Hong Kong by staff members of the House International Relations Committee found that there is no evidence to suggest that the PLA is smuggling controlled items into China. Hong Kong officials have assured the U.S. that they have full authority to stop any truck they believe is carrying contraband, but have had no intelligence to suggest the need to inspect PLA trucks beyond reviewing the manifest and making a visual inspection. Although no stops have been made, an instructive case involves the shipment of a PLA troop transporter back from a military show in Thailand. Because the PLA did not have the proper licenses, the Hong Kong authorities seized the transporter in accordance with Hong Kong law, and the Hong Kong police are currently using it.

MACAU

Like Hong Kong before it, Macau reverted to Chinese sovereignty on December 20, 1999, after 442 years as a Portuguese colony and, like Hong Kong, Macau became a special administrative region of China, under the ''One Nation, Two Systems'' concept. Macau's Basic Law is also modeled upon the Hong Kong law. The Legislative Assembly consists of 23 members, 16 indirectly elected from territorial and functional constituencies and 7 appointed by the Chief Executive. Unlike Hong Kong, the elected members of the legislature remained in office following the reversion. Moreover, there is no provision in the Macau Basic Law for the eventual direct election of all members of the Assembly. On May 15, 1999, Edmund Ho Hau-wah was elected Chief Executive by a 199 member selection committee. He in turn appointed five policy secretaries in August. Because Macau's civil service was ''localized'' only very recently by the Portuguese, Macau's bureaucracy is largely inexperienced.

Macau's judiciary is independent. After the handover, Macau's legal system is governed by conventional law derived from the Portuguese legal system and the Basic Law, Macau's mini-constitution. Human rights and legal activists have expressed concern that the shortage of experienced bilingual judges, lawyers and law officers could stymie development of the legal system.

Immediately prior to Macau's reversion to Chinese control, authorities acted to bar entry to, or in some instances deport, members of the Falun Gong spiritual movement. Shortly after the handover, Macau authorities denied permission to enter to Lui Yuklin, a member of the April 5 Movement, a Hong Kong protest group. The Government later said the denial was a mistake, the result of mistaken identity and said Ms. Lui was welcome to visit Macau.

China has established a 900 person strong garrison in Macau to ''safeguard sovereignty, unity and territorial integrity and the stability and development of Macau,'' according to Xinhua.'' Chinese officials have also said that, ''when necessary, the Macau Government may ask the Central People's Government to let the troops help maintain social order or conduct rescue work in cases of disaster.'' However, at the same time the officials have emphasized that the force ''would not interfere in the affairs of the territory.'' Crime, particularly organized crime syndicates (triads) fighting for control of the gambling and vice trade, has been a major problem in Macau. Many Macau residents welcomed the PLA, hoping the garrison would have a positive influence on Macau's serious triad (organized crime) problem. There have been 34 murders in this year alone in the tiny territory whose population is only about 500,000. Both Chief Executive Ho and many Macau residents have welcomed the introduction of Chinese troops in the hope that they will bring the crime problem under control. Macau's economy remains heavily dependent on revenues from gambling and tourism. Yet there is understandable concern that the crime problem has hurt Macau's international image and contributed to the economic slowdown that has plagued Macau since the onset of the Asian regional financial crisis.

While U.S. trade with Macau is relatively small, 40% of Macau's exports go to the U.S. Furthermore, 80% of Macau's total exports consist of textiles, and the transshipment of textiles produced elsewhere through Macau has long been a major concern. The violations of Intellectual property rights is very legitimately a major and continuing concern for the U.S. There has been marked improvement in recent months in the legislative framework for combating piracy of intellectual property, including adoption of a new copyright law. However, although millions of Patacas in fines have been levied, there have been no criminal convictions of intellectual property pirates. Macau was placed on the USTR's Priority Watch List for IPR in April 1998 as a result of widespread piracy, particularly of videos and optical disks. Certainly, corruption plays a role in contributing to the transshipment and piracy problems. Macau's laws on trade also lack effective enforcement mechanisms in the areas of money laundering and export control. The new Chief Executive has pledged to work closely with the U.S. on trying to deal with these issues. The problem of money laundering, through Macau's casinos and banks, particularly by organized crime gangs, but also on behalf on North Korea is a continuing problem.

The nature and extent of North Korean activity in Macao is emerging as a concern. Weekly flights from Pyongyang support significant activity. Press reports suggest that North Korea takes advantage of weak banking laws to launder money and facilitate the sale of ballistic missiles and their components. Recent evidence suggests that Pyongyang also has used Macao to launder counterfeit U.S. $100 bills. It also has been reported that banks in Macao serve as a repository for the proceeds of North Korea's growing trade in meth-amphetamines and other illegal drugs.

The Hong Kong Policy Act provides a legislative basis to continue to treat Hong Kong as a separate entity from China. However, although a similar Macau Policy Act was introduced in the 106th Congress, it was not enacted into legislation. This has created considerable uncertainty as to how Macau is to be treated in regard to such matters as export controls and the sale of certain items such as riot control equipment that are prohibited from shipment to China. It has also terminated availability of U.S. trade promotion programs including those of the Trade and Development Agency (TDA) and the Overseas Private Investment Corporation (OPIC) in Macau. This uncertainty in turn has created serious concerns in Macau about U.S. interest for the territory.

CONCLUSION

The picture of Hong Kong two and a half years after reversion to Chinese sovereignty is largely positive. It remains a bastion of free-market capitalism, as shown by its ranking as the world's freest economy in the recent Heritage/Wall Street journal report. After two difficult years economically, Hong Kong seems well on the road to economic recovery. It continues to formulate an independent economic policy and maintain its own membership in international economic organizations. People's Republic of China companies are subject to the same laws and prudential supervision as all other companies. Hong Kong's excellent system of export controls remains intact, although continued vigilance to potential violations or loopholes is required. Trade related issues, particularly Intellectual Property Rights piracy and money laundering, also require continued close attention.

Hong Kong's political system continues to evolve. The Hong Kong media remains free and continues to comment critically on the PRC, although concerns about self-censorship and the proposal for a ''privacy council'' watchdog over the press bear continued scrutiny. Demonstrations continue to be held. There is vigorous public debate on the issues of democracy and the law. The legislature and free press have used their roles to increase government accountability and transparency.

However, the controversy over the ''right of abode'' case has cast a pall over the issue of Hong Kong's future judicial autonomy and the rule of law. This is a fundamental issue that business and the international community will be watching closely. If the Standing Committee of the National People's Congress continues to intervene in decisions primarily affecting Hong Kong, confidence in Hong Kong's future could be seriously undermined. Willingness by the Hong Kong Government to speed up the pace of democratization of elections for Chief Executive, Legco, and local government could help ease some of the fears that the ''right of abode'' case has raised.

OSCAR ZEPEDA WINS NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION AWARD

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. PASTOR. Mr. Speaker, I rise before you today to proudly pay tribute to a fellow Arizonan—a little boy who lives in the Second Congressional District and who has proclaimed to the world his pride in being an American, an Arizonan, a Latino, and bilingual.

Oscar Zepeda, from Tucson, has recently won the 2000 Nationwide Writing Contest for Bilingual Students in the sixth to eighth grade category sponsored by the National Association for Bilingual Education. This is a tremendous accomplishment as he competed against thousands of young boys and girls who live in all parts of the United States, who are bilingual in various languages, and who have recognized the importance of being bilingual in the 21st Century.

Oscar will receive his award at the National Association for Bilingual Education's 29th Annual Conference to be held in San Antonio later this month. This is indeed a prestigious award in an acclaimed contest as the winner receives a $5,000 scholarship, roundtrip airfare and accommodation for himself, a member of his family, and his bilingual teacher, and free registration to the Conference.

As all of us serving in Congress know, we sometimes have great and illustrious debates on the values and merits of bilingual education in our school systems. We all know that English is the language of economic opportunity within the United States, but sometimes we ignore the value of knowing and speaking another language. But, I wish all my colleagues would read Oscar's essay. Oscar is proud to be bilingual and he uses the simple arguments best expressed by a child to explain why we should cherish our differences and look to diversity as one of the strengths of our country.

Oscar enjoys living in a bilingual world, and in fact, he would have it no other way. He can learn from and cherish his Latino side by celebrating the courage of Cesar Chavez and watching Tlemundo and Univision while also appreciating and developing his ''American side,'' as he puts it, by celebrating the accomplishments of Bill Clinton and watching MTV.

Oscar closes his essay by asking the simple, but poignant question, ''So why won't we just work together and make this an easier world for all of us?'' Mr. Speaker, I agree. Oscar and classmates have ignored the politics of bilingualism and just keep living their lives with the grace and courage and enthusiasm that is unique to children who are sometimes caught unknowingly in adult arguments. We should all feel proud for Oscar that he made a complex issue very simple.

I hope all my colleagues will read Oscar's essay which I am submitting for the RECORD. Oscar, we are all proud of you and your accomplishments. But mainly, we are humbled by your words. And maybe, we can live up to your dream—that we ''just work together'' to make the world an easier place for us all.

PROUD TO BE BILINGUAL

Proud to be bilingual is not a question, it's an answer that you and I would give when asked why we're proud to be bilingual. Being bilingual is a gift that GOD gave me, to use and show other people what I can do with it. Sometimes I sit and think if I weren't bilingual I wouldn't have a lot of the things I have now. Some of them may be friends, a better education and opportunities for better jobs in the future.

I was talking to a staff member of a school the other day that was speaking English very well. She started saying, ''I hate it when students come in here and don't know how to speak English''. ''I'm against bilingual education.'' ''They should learn Spanish at home and English in school.'' Meanwhile I was just looking around and ignoring her. Then I laughed as she spoke in Spanish. It was the worst Spanish I had ever heard, and she was saying that her mother had taught her; what an insult to her mother. I can't understand why a Mexican would deny her own native language; it was just incredible to me.

Let's come down to the facts of what being proud means. Being proud means having something different and positive from one another, therefore, this thing that's good should make everybody proud of themselves. It doesn't matter if you speak Chinese and Japanese, French and German, or Spanish and English you're still bilingual and unique. Being different means good. If we would all be the same, it would be a dull world.

I'm a Chicano (Mexican-American) and being proud of it means being involved in everything that goes with it, from supporting Cesar Chavez' N.F.W.A. (National Farm Workers Association) to watching ''Telemundo and Univision'' to speaking and practicing Spanish. I also have to be in touch with my American side in order to be ''cool'', anything from Bill Clinton to ''MTV and NBC'' to of course speaking English. So why won't we just work together and make this an easier world for all of us.

RECOGNIZING THE 90TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. HOLT. Mr. Speaker, I rise today in recognition of the 90th Anniversary of the Boy Scouts of America. This organization was

founded with the purpose of helping to give young men a sense of self worth and satisfaction from knowing they can accomplish the goals they set and a sense that they are part of a winning team. Today, this organization continues to provide young men with values and experiences that cultivate discipline and a sense of responsibility; traits that they carry with them throughout their lives.

The Boy Scouts of America teaches values of community and service to our Nation. In the wake of such tragedies as Columbine and an increase in the number of reports of alienation of youngsters at school, we need only to turn to the Scout Oath as a fine example for what is right with our youth. Do my best, to do my duty, to God and my country, to obey the Scout Law, and to help other people at all times. These are solid values that youth should use to build a foundation for their lives. The Boy Scouts instill values that make our community much stronger: public service, volunteerism and good citizenship. Scouting develops both self reliance and teamwork.

From its beginning in 1911, the Boy Scouts have grown in size to more than 5 million active members in 1999. In the 90 years since their incorporation, the Boy Scouts have influenced more than 100 million boys, young men and women.

While much has changed in the past 90 years, the Boy Scouts remain committed to their founding principles. The Boy Scouts have strengthened efforts to provide value-based curriculum and character building youth programs. By providing youth with the tools to make good decisions and providing the clues to their own inner strength the Boy Scouts have imbued in their members a commitment to improving the world around them.

Recently, I was honored by the Central New Jersey Council of the Boy Scouts of America as their Good Scout Honoree of 1999. I am honored and inspired by their commitment to pursuing the best for the youth of our Country. As a former Scout and Assistant Scoutmaster, I share the values set forth in the Scout Law and Scout Oath. I see them demonstrated regularly when I attend Eagle Scout Courts of Honor in my district.

I thank the Scouters, volunteers and parents who contribute their time and energy to making the Boy Scouts of America a place that young men, and now young women, can turn for guidance, leadership and worthy life experiences.

The impact of Scouting on youth is truly a life changing experience. On this 90th Anniversary of Scouting, I wish the Boy Scouts of America continued success in the future as they strive to help build character and strengthen the communities around the country for the next generations of Americans.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY BUY AMERICAN COMPLIANCE ACT

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. COLLINS. Mr. Speaker, after a strong earthquake shook Northridge, CA, the Federal Emergency Management Agency (FEMA) made funds available to the Los Angeles Department of Water and Power to improve the power system's resistance to earthquakes. A $2 million contract for open air disconnect switches went to a foreign firm. That is not right. FEMA is subject to Buy American provisions, but there is a loophole once a grant is made. That loophole needs to be closed.

I have introduced legislation today which will apply the requirements of the Buy American Act to non-emergency Federal Emergency Management Agency (FEMA) assistance payments.

As you know, the Buy American Act was designed to provide a preference to American businesses in federal procurement. Each year FEMA awards a number of grants for non-emergency projects. Currently, the Agency adheres to the requirements of the Buy American Act. However, once the Agency awards taxpayer funds to a state or local entity in the form of a grant, that entity is not required to comply with Buy American when spending those funds. I believe this needs to be changed. Mr. Speaker, the Buy American requirements should be applied whether the federal government is directly spending the money, or whether it is passing the funds down to a state or municipality to be spent.

The Buy American Act is necessary to protect American firms from the dumping of cheap foreign-made products. Many of the nations we trade with have significantly lower labor costs than the U.S. Without the safeguard provided by the Buy American Act, foreign companies are able to underbid American companies on U.S. government contracts.

It is important to understand the Buy American Act's criteria for determining whether a product is foreign or domestic. The nation where the corporation is headquartered is irrelevant, Buy American is focused upon the origin of the materials used in the construction project. In order to be considered an American product, the product in question has to fulfill these two criteria: (1) the product must be manufactured in the United States, and (2) the cost of the components manufactured in the United States must constitute over 50% of the cost of all the components used in the item.

My proposed legislation would stipulate that taxpayer funds distributed by FEMA as financial assistance could only be used for projects in which the manufactured products are American made, according to the criteria established by the Buy American Act.

Mr. Speaker, it does not make sense that FEMA should have to comply with the Buy American Act when making an expenditure, while these same funds are somehow exempt once passed down from FEMA to another government agency. If FEMA gives a grant for a project, those taxpayer funds should still be managed according to the terms of the Buy American Act.

Mr. Speaker, I introduce this legislation in order to ensure there is consistency in the law, with regard to FEMA and the provisions of the Buy American Act. I hope the members of this House will join me in support of this pro-American measure.

HONORING RICHARD HOFFNER-MCCALL

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to honor the efforts of Richard Hoffner-McCall. Richard is being named as one of our country's top student volunteers in the fifth annual Prudential Spirit of Community Awards for the year 2000.

The awards are presented through a partnership between The Prudential Insurance Company of America and the National Association of Secondary School Principals with the goal to honor and recognize outstanding community service by young people. All recipients receive a bronze Distinguished Finalist medallion from the Prudential Company at a ceremony in his/her hometown.

Richard Hoffner-McCall is among the winners from my home state of Pennsylvania. Richard is a junior at Cardinal O'Hara High School and will be given his award in his hometown of Media, PA. Richard organized a program which collected over an astounding 5,000 items to be donated to the non-for-profit organization Operation Smile that provides free facial surgeries to underprivileged children around the globe.

Mr. Hoffner-McCall should be proud to be a part of such an extraordinary group of dedicated volunteers. Richard is a stand-out citizen whose actions have made our community a better place. His generous and selfless attitude has made a positive impact on the lives of others. I applaud Richard's initiative to seek out aid for those less fortunate. I express my sincerest gratitude to him for showing that the youth of today will lead us into the future with care and concern for those less fortunate. He is a credit to his family, his community and our Congressional District.

INTRODUCING THE INSTALLMENT TAX CORRECTION ACT OF 2000

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. HERGER. Mr. Speaker, I am pleased today to join with my good friends and colleagues, Mr. SWEENEY and Mr. TANNER, to announce the introduction of our bipartisan legislation—the Installment Tax Correction Act of 2000.

It is no secret that small business is the engine driving our current economic success. America's small businesses provide the entrepreneurship and innovation to keep our economy moving forward. Unfortunately, many small business owners now face a tax burden which threatens to erode the value of their business and which has erected an unnecessary barrier to small business ownership. The legislation we are introducing today is necessary to correct a provision of the tax code which is imposing a serious burden on thousands of small businesses across America.

Mr. Speaker, most small business owners have chosen to use the installment sales method when selling their business because

bank financing is often not available. Under an installment sale, the buyer makes a down payment up front and pays for the rest of the business over a period of years. Such sales grant greater flexibility to both the buyer and seller and have enabled thousands of Americans, who would otherwise be unable to buy a business, the opportunity to make their dream of small business ownership a reality.

Last year the President proposed, and Congress accepted as part of larger tax package, a provision to repeal the use of installment sales for certain taxpayers. This provision appeared to target larger businesses when they sold a particular asset or assets. Small business groups, Congress, and even the administration did not expect the serious effect this provision would have on small businesses across America. Unfortunately, the unintended consequences are now a reality and it is our job to fix the problem. Our legislation will do just that, by once again allowing businesses to make use of installment sales.

Mr. Speaker, this is not a theoretical discussion. The burden being felt by small business owners across America is all too real. It is affecting taxpayers such as Harold and Mary Owens who own a small family business in my district in Redding, CA. They have built up their business through 12 years of hard work and are counting on the sale of this business to provide for their retirement. To pull the rug of retirement security out from under them at this time is simply wrong. And this is just one example out of the thousands of businesses each year which will see the value of their businesses eroded if our legislation is not enacted.

I was hopeful that the President would propose a solution to this problem in his fiscal year 2001 budget, released just yesterday. While I am disappointed that the President's budget does not address this important issue, I remain hopeful that all of us—both Republican and Democrat—will work with the administration to fix this situation on behalf of our Nation's small businesses.

I am pleased by the support our effort has received so far. The legislation we are introducing has more than 70 bipartisan cosponsors. Furthermore, a coalition of more than 50 groups—including the National Federation of Independent Business, the US Chamber of Commerce, the National Association of Realtors, and the National Taxpayers Union, among others—has made enactment of our legislation a top priority this year.

Mr. Speaker, we owe it to small businessmen and women across America to have a tax code which treats them fairly. It is imperative that we pass the Installment Tax Correction Act this year, and I urge all my colleagues to join this worthy, bipartisan effort.

WORKPLACE GOODS JOB GROWTH AND COMPETITIVENESS ACT OF 1999

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2005) to establish a statute of repose for durable goods used in a trade or business:

Mr. BLILEY. Mr. Chairman, I rise in support of H.R. 2005, the Workplace Goods Job Growth and Competitiveness Act.

As Chairman of the Commerce Committee, I have worked on numerous liability reform bills to try to bring some balance and fairness back into our legal system. Lawsuits continue to be filed at a record pace. But consumers somehow are still ending up with the short end of the stick as they pay more and more money in legal fees and higher product prices, while the trial lawyers run around the country searching for ever higher payoffs and contingency fees to line their own pockets. Unfortunately, our basic values of responsibility and integrity have been left behind in this race to the courthouse.

H.R. 2005 establishes critical protections for American manufacturing jobs by establishing a uniform guarantee for durable goods used in the workplace. It says that manufacturers have to stand behind their product for 18 years. After that, responsibility for using the product passes to the product owner to determine the further useful life of the product. The bill only applies where the plaintiff is eligible for workers compensation, essentially transferring liability for a durable good from the manufacturer to the product owner after the 18 year time period.

Nineteen States have a shorter time period for product life cycles, varying from State to State. Thirty-One States haven't yet enacted liability limits, although several of these States that have tried have watched them be struck down by the Courts as not within the power of the State legislatures. This creates a crazy patchwork of laws for a company trying to sell nationwide—a patchwork full of loopholes allowing enterprising trial lawyers to forum shop for the State with the weakest laws. This is an abuse and corruption of our legal system, which only Congress has the power to restrain.

The Japanese and the European Union have set a 10 year liability time limit on the useful life of their durable goods—guaranteeing only half the useful life for their products that we are allowing. But without this bill, Japanese and European manufacturers that are new entrants into the American market won't have the same long tail liability exposure as American companies. This means that they pay less for claims-made liability insurance, giving them an unfair competitive advantage, taking jobs away from Americans and transferring them overseas. We can not allow this to continue.

In addition to the 19 States and our foreign competitors who have recognized the need for a limit on a product's useful life, we have a proven track record in Congress of success in enacting uniform liability reforms. In 1994, Congress established a similar 18 year time limit on liability to save jobs in the aviation industry. We had the same doom and gloom predictions from many Members back then that the sky was falling for worker protection, but guess what—the law works well, it revitalized a disappearing industry, and it has earned wide scale support over the last five years. In fact, that bill, with the same type of liability limit that we're talking about today, created over 25,000 new jobs in the aviation industry alone. I would rather protect the hard working wage earners of America than the contingency fee jackpot hopes of a few trial lawyers.

Despite the claims you heard in the debate on this bill, no worker will be denied compensation as a result of this reform. The liability limits only apply where the plaintiff has full access to workers compensation. The critics of the bill aren't talking about compensation, they are talking about punishing companies by pushing them into bankruptcy for something that was made generations ago by workers long since retired. The trial lawyers don't ever want a business to be able to limit the lifespan of a product. They don't want businesses to be able to say that after 18 years the responsibility for determining whether a product is safe should rest with the product owner. Responsibility is a dirty word to these people because it eliminates potential deep pockets that they can go after to extort settlement money. Keep in mind that this bill doesn't in any way limit the responsibility or liability of the employer—it only takes away the deep pocket manufacturer after 18 years from a product's first sale. Many of the Members who have opposed this simple notion of responsibility have opposed every single effort at liability reform in Congress.

Last November, our Committee agreed to discharge this bill to bring it to the floor as quickly as possible. We recognized the importance of protecting American jobs and bringing fairness and responsibility back into our legal system.

This bill was taken from legislation negotiated in previous years on a bipartisan, bicameral basis with the Administration. The provisions are the result of years of bipartisan work by the Commerce Committee and the Judiciary Committee on legal reform. Past product liability bills containing these provisions have received strong majorities in both Houses.

I thank the gentleman from Ohio for his work in bringing this piece of the product liability bill forward, and urge your support for its passage.

WE ALL HAVE A RESPONSIBILITY IN THE FIGHT AGAINST DRUGS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Mr. GILMAN. Mr. Speaker, at today's important international drug summit conference sponsored by you, along with the United Nations Drug Control Program (UNDCP), I had the opportunity at the morning session to raise the issue of the world's contribution to the U.N. in our fight against the scourge of illicit drugs.

Regrettably, when we examine the record of contributions to the UNDCP, we observe that less than 25 nations and the European Commission contribute less than $75 million annually to help fight an illicit narcotics trade estimated to produce $400 billion annually.

The list of those helping this very modest UNDCP program, the glaring absence, for example, of any Middle East nation making contributions to help fight drugs, is noteworthy and disappointing.

Attached for the RECORD is the latest data on the contributions by the producer, transit or

user nations of the world to the UNDCP. Let us hope that as the world comes to realize the far greater societal cost that these illicit drugs impose upon all these nations, that future contributions will substantially increase to face the magnitude of the challenges of the Drug War.

FUND OF UNDCP PLEDGES DURING THE PERIOD 1995–1999; STATUS AS OF 30 SEPTEMBER 1999

[U.S. dollars]

	1995	1996	1997	1998	Estimate 1999	Percentage change	
						1998/97	1999/98
United States	5,909,164	6,344,000	9,720,400	4,033,600	25,305,000	−59	527
Italy	8,731,310	9,746,887	6,881,720	8,499,089	9,000,000	24	6
United Kingdom	10,093,025	6,213,481	6,802,199	11,575,353	8,000,000	70	−31
Sweden	4,302,686	4,213,816	4,716,382	5,233,471	4,700,000	11	−10
Japan	5,962,733	6,700,000	5,000,000	3,817,000	4,300,000	−24	13
European Commission	5,917,231	3,171,702	1,001,660	4,886,528	4,000,000	388	−18
Germany	7,124,818	3,207,158	3,205,324	3,368,763	2,100,000	5	−38
Norway	1,734,553	5,414,090	629,749	1,058,170	2,000,000	68	89
France	1,725,563	1,467,710	1,352,810	1,404,796	1,600,000	4	14
Denmark	2,343,465	2,248,364	1,661,732	1,677,114	1,300,000	1	−22
Australia	554,625	894,069	547,107	481,701	1,131,000	−12	135
Netherlands	432,761	583,069	1,139,278	1,241,211	1,000,000	9	−19
Canada	510,801	500,000	500,000	685,205	800,000	37	17
Switzerland	777,461	679,450	617,505	736,584	750,000	19	2
Luxembourg	71,067	63,271	55,987	1,777,180	738,000	3074	−58
Austria	548,994	994,441	430,285	558,873	617,000	30	10
Spain	533,447	541,353	444,063	570,104	570,000	28	0
Belgium	354,066	194,672	329,660	313,040	385,000	−5	23
Finland	.....	50,000	345,000	125,000	347,000	−64	178
Total major donors	57,627,770	53,227,533	45,380,861	52,042,782	68,643,000	15	32
Turkey	75,000	100,000	150,000	200,000	250,000	33	25
Ireland	.....	244,500	215,175	297,000	236,000	38	−21
Colombia	.....	.....	.....	300,000	100,000	0	−67
Mexico	50,000	50,000	50,000	300,000	100,000	500	−67
Republic of Korea	40,000	79,000	154,000	100,000	100,000	−35	0
Argentina	.....	.....	300,000	.....	.....	−100	0
Other member states	280,007	343,536	440,137	404,963	500,000	−8	23
Total voluntary	58,072,777	54,044,569	46,690,173	53,644,745	69,929,000	15	30
Cost-sharing							
Brazil	.....	1,759,125	.....	4,220,128	3,219,000	0	−24
Peru	.....	.....	.....	.....	528,000	0	0
Bolivia	130,442	161,528	500,000	.....	500,000	−100	0
Colombia	472,331	70,000	1,192,041	539,025	500,000	−55	−7
UNAIDS	.....	.....	.....	242,000	.....	0	−100
Total cost-sharing	602,773	1,990,653	1,692,041	5,001,153	4,747,000	196	−5
Public donations	914,603	852,639	620,305	1,258,285	655,000	103	−48
Total	59,590,153	56,887,861	49,002,519	59,904,183	75,331,000	22	25

NOTES: Ranked by pledges made in 1999. Earmarked multi-year contributions are shown according to the year in which they are pledged irrespective of the year(s) for which they are meant. Unearmarked contributions are shown according to the year for which they are pledged.

INTRODUCTION OF THE DISTRICT OF COLUMBIA PUBLIC SAFETY REIMBURSEMENT ACT OF 2000

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 2000

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Public Safety Reimbursement Act of 2000. The bill provides an annual federal contribution to reimburse the District for the considerable services the Metropolitan Police Department provides every year to cover the many national events and activities that occur here because the District is the national seat of government. Examples of these services are too numerous to detail. Some of the most familiar are the many events and demonstrations, from the Million Man March to the federal Millennium event at the Lincoln Memorial last month. Events, large and small, of every variety occur with great frequency and cannot proceed without the work of our police force. The MPD is at the center, from the extensive logistical preparations to the on duty time protective services. The bill is strongly supported by D.C. Police Chief Charles Ramsey, who joined me at a press conference on the bill here in the Capitol earlier today.

The annual amount provided in the bill would reimburse the District for the considerable services the Metropolitan Police Department provides every year to cover the many national events and activities that occur here because the District is the national seat of government. Examples of these services are too numerous to detail. Some of the most familiar are the many events and demonstrations, from the Million Man March to the federal Millennium event at the Lincoln Memorial last month. Events, large and small, of every variety occur with great frequency and cannot proceed without the work of our police force. The MPD is at the center, from the extensive logistical preparations to the on duty time guarding and facilitating the event itself.

Further, residents see our police every time the President moves outside the White House complex because all traffic stops while our police line the streets to assure the President's safe passage. The Congress itself frequently uses our police department—from the annual State of the Union address, when officials and citizens converge on the Hill, to unusual events, such as the funeral following the tragic killing of the two Capitol Police officers almost two years ago. Cabinet officials, the President, and Members of the House and Senate, not to mention other federal officials and agencies all use the MPD as if it were a hometown police force they had bought and paid for. Actually they pay nothing. In countless ways on a daily basis, federal officials and tourists alike get excellent D.C. police protection free of charge.

A prominent example from last year dramatically points up how the cost of federal events has been transferred to the taxpayers of the District of Columbia. A ragtag gang of racists and anti-Semites calling themselves the American Nationalist Party came to Washington in August to petition their federal government for redress of their grievances, such as they were. However, it was the District government that picked up the tab to the tune of a half million dollars for police protection. At the same time, pro-human rights groups held a large, peaceful rally at the Lincoln Memorial to counter the Nazis. Whether marginal and extreme, like the Nazis, or mainstream and pro-democracy like the counter-rally last summer, D.C. police participation is indispensable to every demonstration and national event that occurs in this city. The right to assemble is a precious constitutional right available to all and must be protected for all. However, those who come here seek the attention of the national government, not the D.C. government, and the cost should be borne by American taxpayers, not D.C. taxpayers.

The bill I introduced today places financial responsibility where it belongs. There are two important grounds for this bill, one statutory and the other historical precedent. The statutory basis is the 1997 Revitalization Act, where we traded the federal payment for a much larger federal assumption of state costs. However, we nevertheless preserved the right of the District to receive a federal contribution. We wrote language into the Act providing: ''The unique status of the District of Columbia as the seat of the government . . . imposes unusual costs and requirements which are not imposed on other jurisdictions and many of which are not reimbursed by the federal government.'' The Revitalization Act (Section 11601) therefore allows ''for each subsequent fiscal year [after FY 1998], such amount as may be necessary for such contribution.''

The second basis for a designated public safety contribution is historical precedent. Separate from the annual federal payment, the Congress has traditionally appropriated additional funds for public safety purposes. Amounts have ranged from five million dollars

to 30 million dollars, depending on the need and public safety issues arising in the particular year. Such funds have been appropriated for national events in other jurisdictions as well. Just last year, Congress included five million dollars to help cover police costs during the WTO meeting in Seattle. Here in the District, there has always been a consistent congressional understanding that police work in the nation's capital necessarily involves the federal and national interest and deserves special and unique support. Thus, I am asking the Congress to return to its original understanding of its responsibility for a share of public safety in this city, specifically for police protection for national and federal events.

I will be conferring with other Members of Congress and with Police Chief Ramsey concerning a specific amount for FY 2001. However, I want to emphasize that I do not introduce the bill simply to get extra money from the federal government, as desirable as that would be. This is the first in a series of bills I will be sponsoring to try to get ahead of revenue problems beyond the District's control that are on the way. We are proud that with a large assist from the $5,000 Homebuyer Credit, the District has begun stabilizing its population. However, it will be years before the District has a tax base of residents and businesses adequate to support the city through good, moderate, and bad economic times. This important financial issue has been masked by today's excellent economy. However, our surplus is not largely a product of that economy, but of the state costs the Revitalization Act removed from the city. The D.C. Police Safety Reimbursement Act I introduced today is among several bills that will be necessary to make up for a decline in the economic output expected by next year, according to regional analysts, including Professor Stephen Fuller of George Mason University. It would be foolish to await another crisis. The time to prepare is now. This and other bills designed to ward off forecasted trouble is the only way to keep the District's finances on an upward trajectory. The D.C. Public Reimbursement Act builds on cost justification the Congress itself has long accepted. The annual amounts would not be a gift from the federal government. They would be payment for services rendered to the President, Congress and the federal government by the Metropolitan Police Department.

I urge my colleagues to support this bill vital to the continuing recovery of the nation's capital.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S457–S507

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 2038–2041, and S. Res. 254. **Page S489**

Measures Passed:

Technical Corrections: Senate agreed to H. Con. Res. 245, to correct technical errors in the enrollment of the bill H.R. 764. **Page S505**

Nuclear Waste Policy Amendments Act: Senate began consideration of S. 1287, to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, taking action on the following amendment proposed thereto:

Pages S463–77, S480–82

Pending:

Lott (for Murkowski) Amendment No. 2808, in the nature of a substitute. **Pages S463–77, S480–82**

A motion was entered to close further debate on Amendment No. 2808 (listed above) and, by unanimous-consent, a vote on the cloture motion will occur at 2:15 p.m. today. **Page S463**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion may occur on Thursday, February 10, 2000. **Page S464**

During consideration of this measure today, Senate also took the following action:

By 94 yeas to 3 nays (Vote No. 7), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to close further debate on Amendment No. 2808 (listed above).

Pages S469–70

Communications: **Pages S488–89**

Petitions: **Page S489**

Executive Reports of Committees: **Page S489**

Statements on Introduced Bills: **Pages S489–92**

Additional Cosponsors: **Pages S492–93**

Amendments Submitted: **Pages S494–S503**

Notices of Hearings: **Pages S503–04**

Authority for Committees: **Page S504**

Additional Statements: **Pages S504–05**

Privileges of the Floor: **Page S504**

Record Votes: One record vote was taken today. (Total—7) **Page S470**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 5:50 p.m., until 10:30 a.m., on Wednesday, February 9, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S505.)

Committee Meetings

(Committees not listed did not meet)

DAIRY POLICY

Committee on Agriculture, Nutrition, and Forestry: Committee held hearings to examine the United States dairy policy and programs, focusing on the Federal Milk Marketing Order, Northeast Dairy Compact, Dairy Export Incentive Program, and S. 1930, to amend the Agricultural Adjustment Act to provide for the termination of milk marketing orders, receiving testimony from Senators Specter, Jeffords, Kohl, Wellstone, Feingold, and Grams; Representatives Kind, Mark Green, and Ryan; Wisconsin Governor Tommy G. Thompson, Madison; Nathan L. Rudgers, New York State Department of Agriculture and Markets, Albany; Keith Collins, Chief Economist, Department of Agriculture; Gregg L. Engles, Suiza Foods Corporation, Dallas, Texas; Martin Yoder, Indiana Professional Dairy Producers, Middlebury; John J. Wilson, Dairy Farmers of America, Inc., Kansas City, Missouri; Dennis Vander Stelt, Kuna, Idaho, on behalf of the Western States Dairy Producers Trade Association and the Idaho Dairymen's Association, Inc.; Gordon Hoover, Gap, Pennsylvania, on behalf of the National Milk Producers Federation; Richard Gorder, Mineral Point, Wisconsin, on behalf of the Wisconsin Farm Bureau Federation; and Wayne Bok, Geddes, South Dakota, on behalf of the Associated Milk Producers, Inc.

Hearings continue tomorrow.

SUICIDE AWARENESS AND PREVENTION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings on suicide awareness and prevention issues, after receiving testimony from David Satcher, Surgeon General/Assistant Secretary for Health, Susan Blumenthal, Assistant Surgeon General/Senior Science Advisor, Office of Public Health and Science, and Steven E. Hyman, Director, National Institute of Mental Health, National Institutes of Health, all of the Department of Health and Human Services; John Mann, American Foundation for Suicide Prevention, New York, New York; John Fildes, University of Nevada School of Medicine Trauma Institute, Las Vegas; Kay Redfield Jamison, Johns Hopkins School of Medicine, Washington, D.C.; Jade Smalls, Evanston, Illinois; and Danielle Steel, San Francisco, California.

APPROPRIATIONS—JOINT ECONOMIC COMMITTEE/CBO

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings on proposed budget estimates for fiscal year 2001 for the Joint Economic Committee, and the Congressional Budget Office, after receiving testimony from Representative Saxton; and Dan L. Crippen, Director, and Barry B. Anderson, Deputy Director, both of the Congressional Budget Office.

DEFENSE BUDGET

Committee on Armed Services: Committee concluded hearings on the President's proposed budget request for fiscal year 2001 for the Department of Defense, after receiving testimony from William S. Cohen, Secretary of Defense; Gen. Henry H. Shelton, USA, Chairman, Joint Chiefs of Staff; and William J. Lynn, III, Principal Deputy Under Secretary of Defense (Comptroller).

INTERNATIONAL MONETARY STABILITY ACT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded hearings on S. 1879, to promote international monetary stability and to share seigniorage with officially dollarized countries, after receiving testimony from Edwin M. Truman, Assistant Secretary of the Treasury for International Affairs.

2001 BUDGET

Committee on the Budget: Committee concluded hearings on the President's proposed budget request for fiscal year 2001, focusing on education programs and tax provisions, after receiving testimony from Richard W. Riley, Secretary of Education; and Stuart E. Eizenstat, Deputy Secretary of the Treasury.

PRESIDENT'S BUDGET

Committee on Finance: Committee held hearings on the President's proposed budget request for fiscal year 2001 and related tax proposals, receiving testimony from Lawrence H. Summers, Secretary of the Treasury; and Silva Mathews, Deputy Director, Office of Management and Budget.

Committee recessed subject to call.

PRESIDENT'S BUDGET

Committee on Foreign Relations: Committee concluded hearings on the President's proposed budget request for fiscal year 2001 for foreign assistance and to review U.S. foreign policy around the world, after receiving testimony from Madeleine K. Albright, Secretary of State.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again tomorrow.

MEDICARE REFORM: PRESCRIPTION DRUG COVERAGE

Special Committee on Aging: Committee concluded hearings on certain provisions of S. 1895, to amend the Social Security Act to preserve and improve the medicare program, focusing on its overall restructuring plan, and prescription drug coverage, after receiving testimony from Senator Frist; David M. Walker, Comptroller General of the United States, General Accounting Office; Gail R. Wilensky, Project HOPE, Bethesda, Maryland; Stephen L. Goeser, Myrtue Memorial Hospital, Harlan, Iowa; Beatrice Braun, Springhill, Florida, on behalf of the American Association of Retired Persons; Mitchell E. Daniels, Jr., Eli Lilly and Company, Indianapolis, Indiana; and Deborah Steelman, Steelman Health Strategies, Washington, D.C.

House of Representatives

Chamber Action

Bills Introduced: 22 public bills, H.R. 3582–3603; 1 private bill, H.R. 3604; and 4 resolutions, H.J. Res. 87; H. Con. Res. 247, and H. Res. 417–418, were introduced. **Pages H253–54**

Reports Filed: Reports filed:

H. Res. 419, providing for consideration of H.R. 6, to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals (H. Rept. 106–495). **Page H253**

Recess: The House recessed at 1:08 p.m. and reconvened at 2:00 p.m. **Page H225**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Abraham Lincoln Bicentennial Commission: Agreed to the Senate amendment to H.R. 1451, to establish the Abraham Lincoln Bicentennial Commission. (agreed to by a yea and nay vote of 385 yeas to 9 nays, Roll No. 8)—clearing the measure for the President; and **Pages H227–30, H237**

Poison Control Center Enhancement and Awareness: S. 632, to provide assistance for poison prevention and to stabilize the funding of regional poison control centers (passed by a yea and nay vote of 378 yeas to 16 nays, Roll No. 9)—clearing the measure for the President. **Pages H230–33, H237–38**

Honoring the Former Speaker of the House, Carl B. Albert: The House agreed to H. Res. 418, expressing the condolences of the House on the death of the Honorable Carl B. Albert, former Speaker of the House of Representatives by a yea and nay vote of 390 yeas with none voting "nay", Roll No. 10. **Pages H233–36, H238–39**

Recess: The House recessed at 3:18 p.m. and reconvened at 6:02 p.m. **Page H236**

Federal Judicial Center: The Chair announced the Speaker's appointment of Ms. Laurie E. Michel of Virginia to the Board of the Federal Judicial Center for a five-year term. **Page H236**

National Urban Air Toxics Research Center: The Chair announced the Speaker's appointment of Mr. Thomas F. Burks II of Texas to the Board of Directors of the National Urban Air Toxics Research Center. **Page H236**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H255–56.

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings of the House today, and appear on pages H237, H237–38, and H239–40. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and pursuant to H. Res. 418 adjourned at 8:57 p.m. in memory of the late Carl B. Albert.

Committee Meetings

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on the Secretary of Health and Human Services and the Health Care Financing Administration. Testimony was heard from the following officials of the Department of Health and Human Services: Donna E. Shalala, Secretary; and Nancy Ann DeParle, Administrator, Health Care Financing Administration.

DEFENSE BUDGET ADEQUACY

Committee on Armed Services: Held a hearing on the adequacy of the defense budget. Testimony was heard from the following former Secretaries of Defense: James R. Schlesinger; and William J. Perry; and public witnesses.

RECENT BANK FAILURES

Committee on Banking and Financial Services: Held a hearing on Recent Bank Failures; Underlying Factors including Subprime Lending, Asset Securitizations, and Fraud; Regulatory Initiatives; and H.R. 3374, Federal Deposit Insurance Corporation Examination Enhancement and Insurance Fund Protection Act. Testimony was heard from the following officials of the Department of the Treasury: John D. Hawke, Jr., Comptroller of the Currency; and Ellen Seidman, Director, Office of Thrift Supervision; Donna Tanoue, Chairman, FDIC; and Laurence H. Meyer, member, Board of Governors, Federal Reserve System.

ADMINISTRATION'S BUDGET

Committee on the Budget: Held a hearing on the Administration's Budget for Fiscal Year 2001. Testimony was heard from Jacob J. Lew, Director, OMB.

OVERSIGHT—2000 CENSUS

Committee on Government Reform: Subcommittee on the Census held an oversight hearing on the 2000 Census: Examining the Status of Key Census 2000 Operations. Testimony was heard from Kenneth

Prewitt, Director, Bureau of the Census, Department of Commerce.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife, and Oceans held a hearing on the following bills: H.R. 3331, Atlantic Highly Migratory Species Conservation Act of 1999; H.R. 3390, Atlantic Highly Migratory Species Conservation Act of 1999; and H.R. 3516, to amend the Magnuson-Stevens Fishery Conservation and Management Act to prohibit pelagic longline fishing in the exclusive economic zone in the Atlantic Ocean. Testimony was heard from Representative Goss; Penelope Dalton, Assistant Administrator, Fisheries, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT ACT

Committee on Rules: Granted, by voice vote, an open rule on H.R. 2086, Networking and Information Technology Research and Development Act, providing one hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Science. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill, modified by striking section 8. The rule provides that the amendment in the nature of a substitute, as modified, shall be open for 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 and provides that those amendments shall be considered as read. 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.

MARRIAGE TAX PENALTY RELIEF ACT

Committee on Rules: Granted, by voice vote, a structured rule on H.R. 6, Marriage Tax Penalty Relief Act of 2000, providing two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted upon adoption of the resolution. The rule provides for consideration of the amendment in the nature of a substitute, printed in the report accompanying the resolution, if offered by Representative Rangel or his designee which shall be considered as read and shall be separately debatable for one hour equally divided between the proponent and an opponent. The rule waives all points of order against consideration of the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Archer and Representatives Weller and Rangel.

OUTCOME—SEATTLE WTO MINISTERIAL

Committee on Ways and Means: Subcommittee on Trade held a hearing on the outcome of the World Trade Organization Ministerial held in Seattle. Testimony was heard from Representatives Lewis of Georgia, Weller and Waters; Charlene Barshefsky, U.S. Trade Representative; Susan Westin, Associate Director, International Relations and Trade, GAO; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 9, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the dairy pricing system, 9 a.m., SR–328A.

Committee on Banking, Housing, and Urban Affairs: Committee on Banking, Housing, and Urban Affairs, to hold hearings to examine loan guarantees and rural television service, 10 a.m., SD–628.

Committee on the Budget: to continue hearings on the President's proposed budget request for fiscal year 2001, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism, to hold hearings on proposed legislation authorizing funds for the Federal Trade Commission, 10:30 a.m., SR–253.

Committee on Environment and Public Works: Committee on Environment and Public Works, business meeting to consider pending calendar business, 10:30 a.m., SD–406.

Committee on Foreign Relations: Committee on Foreign Relations, to hold hearings to examine U.S. foreign policy priorities, 10:30 a.m., SD–419.

Committee on Governmental Affairs: to hold hearings to examine the rising cost of college tuition and the effectiveness of the Federal financial aid, 10 a.m., SD–342.

Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine the national intelligence estimate on the ballistic missile threat to the United States, 2 p.m., SD–342.

Select Committee on Intelligence: Select Committee on Intelligence, to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review legislation to establish a loan guarantee program to promote the delivery of direct-to-home satellite services to rural America, 11 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, and Education, on Administration on Children, Youth and Families and the Administration on Aging, 10 a.m., and on the Substance Abuse and Mental Health Services Administration and the Agency for Health Care Policy and Research, 2 p.m., 2358 Rayburn.

Committee on Armed Services, hearing on the Fiscal Year 2001 National Defense Authorization Budget Request, 10 a.m., 2118 Rayburn.

Committee on Banking and Financial Services, hearing on issues related to the restitution of Holocaust victims' assets, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Health and Environment, the Subcommittee on Oversight and Investigations and the Subcommittee on Health of the Committee on Veterans' Affairs, joint hearing on Medical Errors: Improving Quality of Care and Consumer Information, 10:30 a.m., 2123 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, oversight hearing on The White House, the Networks, and TV Censorship, 2 p.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth, and Families, hearing on Title VI: Providing Flexibility for Innovative Education, 10:30 a.m., 2175 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, oversight hearing on the Applicability of the Americans with Disabilities Act to Private Internet Sites, 1 p.m., 2237 Rayburn.

Committee on Resources, hearing on H.R. 3182, Craig Municipal Equity Act of 1999; followed by a oversight hearing on Issues and controversies relating to access across conservation systems lands and other public lands in Alaska under the Alaska National Interest Lands Conservation Act, 11 a.m., 1324 Longworth.

Committee on Small Business, hearing on Shrinking Workforce Endangers America's Small Businesses: Examining the Need for the Skilled Workforce Enhancement Act, focusing on H.R. 1824, Skilled Workforce Enhancement Act of 1999, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on Agency Budgets and Priorities for Fiscal year 2001, 1 p.m., 2167 Rayburn.

Committee on Ways and Means, hearing on the Administration's Fiscal Year 2001 budget, 10 a.m., 1100 Longworth.

Next Meeting of the **SENATE**

10:30 a.m., Wednesday, February 9

Senate Chamber

Program for Wednesday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate will continue consideration of S. 1287, Nuclear Waste Policy Amendments Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, February 9

House Chamber

Program for Wednesday: Pro forma session.

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