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House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

''If today you hear God's voice, harden not your hearts.''

Speak to us, O Lord. Soothe our spirits. May Your voice quicken in us Your saving grace. When we are confused or disheartened, be attentive to us and give us purity of heart. When we are called upon to speak Your word of justice or defend the weak and the poor, strengthen us for Your purpose.

May the words of Your Holy Scriptures guide us in our search and enlighten our minds. May the beauty of the trees and their blossoms, the spring air, touch our creative souls and help us to bring forth a new Earth and a new vision to resolve difficulties and produce peace among Your people.

May the cry for bread or for water, the struggle for the prisoner's freedom and the needs of the very least in our midst be heard as Your own voice arresting our attention. For Your word is truth, and the truth will set us free.

Speak, Lord. This whole day Your servants are listening. Speak, Lord, and we will obey.

''If today you hear God's voice, harden not your hearts.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Washington (Mr. METCALF) come forward and lead the House in the Pledge of Allegiance.

Mr. METCALF led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 761) ''An Act to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and other purposes'', agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints from the—

Committee on Commerce, Science, and Transportation: Mr. MCCAIN, Mr. BURNS, Mr. STEVENS, Mr. GORTON, Mrs. HUTCHISON, Mr. ABRAHAM, Mr. HOLLINGS, Mr. INOUYE, Mr. ROCKEFELLER, Mr. KERRY, and Mr. WYDEN;

Committee on Banking, Housing, and Urban Affairs for items within their jurisdiction: Mr. GRAMM, Mr. BENNETT, and Mr. SARBANES; and

Committee on the Judiciary for items within their jurisdiction: Mr. HATCH, Mr. THURMOND, and Mr. LEAHY; to be the conferees on the part of the Senate.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 1 minutes at the conclusion of the day's work.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3908, and that I may include tabular and extraneous material.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, would the gentleman from Florida (Mr. YOUNG) briefly tell us what the schedule will be today?

Mr. YOUNG of Florida. Mr. Speaker, if the gentleman would yield, it is my intent to expedite the completion of this supplemental. We have, as the gentleman understands, from last evening's unanimous consent request, we have a number of amendments that were agreed to that would be considered.

We will proceed in the regular order and consider those amendments, and I would expect we would roll the votes on some of them and hopefully complete our business on this bill as we approach the noon hour, or shortly thereafter. That would be my hope and my intent.

Mr. HOYER. Mr. Speaker, further reserving the right to object, I thank the gentleman for his comments on that. As he knows, we were hopeful that perhaps we could get a matter that was of some controversy last night out of the way. If the gentleman from Pennsylvania (Mr. WELDON) gets here in the next few seconds, and I am hoping to see him come through the door because, happily, we have resolved that issue, I think, on both sides with all the relevant parties.

I know the gentleman is on his way. He will be here in a second I am told by his advance person.

Mr. YOUNG of Florida. Mr. Speaker, if the gentleman would continue to yield, I would like to advise Members that it is my intent to expedite consideration, so I would be objecting to any extra time above and beyond the rule.

Mr. HOYER. Mr. Speaker, further reserving the right to object, the gentleman from Florida has informed me of that and, as always, I know the gentleman will be eminently fair. The Speaker is in the chair, and I would like to say as one member of the Committee on Appropriations, but I think

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that I speak for every member on our side of the aisle, that we perceive the gentleman from Florida (Chairman YOUNG) to be a man of great fairness who runs the committee so that everybody has the opportunity to participate fully. I want the gentleman to know that we appreciate that consideration and that involvement on his behalf. It is very impressive.

Mr. Speaker, the gentleman from New Jersey (Mr. PASCRELL) is here, the gentleman from New Jersey (Mr. ANDREWS) is here, the gentleman from Maryland (Mr. HOYER) is here. Now if we had the gentleman from Pennsylvania (Mr. WELDON), we would be in good shape. And, of course, the distinguished gentleman from Alabama is here.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The SPEAKER. Pursuant to House Resolution 450, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3908.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 29, 2000, amendment No. 8 printed in Part B of House report 106–549 by the gentlewoman from Florida (Mrs. FOWLER) had been disposed of and the bill had been read through page 80, line 11.

Pursuant to the order of the House of that day, no further amendments shall be in order except pro forma amendments offered by the chairman and ranking minority member; the amendment printed in Part B of the report and numbered 12; and the following further amendments which may be offered only by the Member designated in the order of the House or a designee, shall be considered read, shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for a division of the question:

(1) An amendment by the gentleman from Texas (Mr. PAUL) regarding certain reductions and limitations;

(2) An amendment by the gentleman from Florida (Mr. STEARNS) regarding an across-the-board cut;

(3) An amendment by the gentleman from Mississippi (Mr. TAYLOR) regarding U.S. military in Colombia;

(4) An amendment by the gentleman from Ohio (Mr. TRAFICANT) regarding buy America;

(5) An amendment by the gentleman from Maine (Mr. BALDACCI) regarding building technology assistance conservation activities;

(6) An amendment by the gentleman from Colorado (Mr. TANCREDO) regarding the Food and Drug Administration;

(7) An amendment by the gentlewoman from Ohio (Ms. KAPTUR) regarding the Strategic Petroleum Reserve.

MODIFICATION TO AMENDMENT NO. 11 OFFERED BY MR. WELDON OF PENNSYLVANIA

Mr. WELDON of Pennsylvania. Mr. Chairman, I ask unanimous consent to modify my amendment.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to Part B Amendment No. 11 offered by Mr. WELDON of Pennsylvania:

In the matter proposed to be inserted, strike section 512, page 4, line 4, through page 5, line 8.

The text of the amendment, as modified, is as follows:

Page 80, after line 11, insert the following new sections:

SEC. 5109. For an additional amount for the Secretary of Agriculture for carrying out section 10(b)(1) through (3) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(b)(1) through (3)), $10,000,000, to remain available until expended.

SEC. 5110. (a) For an additional amount for carrying out this section, $10,000,000, to remain available until expended.

(b) The Director of the Federal Emergency Management Agency shall establish an office in the Agency to establish specific criteria of grant recipients and to administer grants under this section.

(c) The Director may make grants, on a competitive basis, to safety organizations that have experience in conducting burn safety programs for the purpose of assisting those organizations in conducting burn prevention programs or augmenting existing burn prevention programs.

(d) The Director may make grants, on a competitive basis, to hospitals that serve as regional burn centers to conduct acute burn care research.

(e) The Director may make grants, on a competitive basis, to governmental and nongovernmental entities to provide after-burn treatment and counseling to individuals that are burn victims.

SEC. 5111. (a) For an additional amount for carrying out this section, $80,000,000, to remain available until expended.

(b) The Director of the Federal Emergency Management Agency shall establish a program to award grants to volunteer, paid, and combined departments that provide fire and emergency medical services.

(c) Grants awarded under this section may be used—

(1) to acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel;

(2) to acquire additional firefighting equipment, including equipment for communication and monitoring;

(3) to establish wellness and fitness programs for firefighting personnel to reduce the number of injuries and deaths related to health and conditioning problems;

(4) to promote professional development of fire code enforcement personnel;

(5) to integrate computer technology to improve records management and training capabilities;

(6) to train firefighting personnel in firefighting, emergency response, and arson prevention and detection;

(7) to enforce fire codes;

(8) to fund fire prevention programs and public education programs about arson prevention and detection, and juvenile fire setter intervention; and

(9) to modify fire stations, fire training facilities, and other facilitires to protect the health and safety of firefighting personnel.

(d) Applications for grants under this section shall include—

(1) a demonstration of financial need;

(2) evidence of a commitment for at least an equal amount as the amount of the grant sought, to be provided by non-Federal sources;

(3) a cost benefit analysis linking the funds to improvements in public safety; and

(4) a commitment to provide information to the National Fire Incident Reporting System for the period for which the grant is received.

(e) Grant recipients under this section shall be subject to audits to ensure that the funds are spent for their intended purposes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HOYER. Mr. Chairman, reserving the right to object, I will not object and I will yield to the distinguished gentleman from Pennsylvania (Mr. WELDON) for an explanation of his modification.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the distinguished gentleman from Maryland for yielding. This amendment is offered in the spirit in a bipartisan way of clarifying the intent and the substance of our legislation and our amendment, which we hope everyone will support, to provide for the first-time major funding of an emergency nature for our Nation's domestic defenders.

Mr. Chairman, it was never the intent of the author nor the coauthors of this legislation to negatively impact the use of Community Development Block Grant funds. Mr. Chairman, I will include my statement in the RECORD to explain in some detail the justification for what we originally intended to do and our agreement to work with the appropriate subcommittee to enact reforms to the Community Development Block Grant program.

I thank the distinguished gentleman from Maryland (Mr. HOYER), the distinguished gentleman from New Jersey (Mr. ANDREWS), the distinguished gentleman from New Jersey (Mr. PASCRELL), the gentleman from Pennsylvania (Mr. SHUSTER), and the gentleman from Michigan (Mr. SMITH). I want to thank the leadership for their cooperation; and I encourage our colleagues to vote for this amendment.

After consultation with many of my colleagues, I am requesting unanimous consent to delete the portions of the Weldon-Hoyer amendment dealing with the reform of the Community Development Block Grant (CDBG).

I realize that many of my colleagues have strong feelings about CDBG and the role it plays in our low- and moderate-income communities. As a former mayor of a town that receives CDBG funds and as a former chairman of a county council that administers and distributes CDBG funds, I share that commitment.

The CDBG reforms that were included in amendment 42 were intended to do two things:

Clarify existing law to clearly define what fire and emergency service activities are eligible for CDBG funds under the current program.

Reform CDBG to allow counties and municipalities to designate portions of their CDBG funds for activities that benefit poor communities and also other areas of the community.

For example, my reforms would have allowed CDBG funds to be used for the following activities:

Allow the use of CDBG funds for municipal-wide training facilities for fire and EMS personnel—including basic fire and EMS training, HAZMAT, terrorist threat response, etc. Such facilities would obviously benefit poor communities, which often have less money available for training and could take great advantage of a municipal-wide facility. CDBG funds cannot currently be used for such an activity unless the municipal government proves that 51 percent of the activities at the facility benefit low- and moderate-income families—even if the facility itself is located in a poor community.

Allow the use of CDBG funds for local fire and emergency service organizations that routinely respond to emergencies in poor communities or in areas that have high concentrations of poor people—even if these groups are not themselves located in CDBG-eligible areas. For example, many fire companies located in towns bordering poor communities respond to fires and other emergencies in poor communities on a regular basis. Likewise, local fire companies from non-CDBG eligible communities are often the first response units for shopping malls, sporting arenas and other community gathering places that attract large numbers of people from low- and moderate-income communities.

Allow the use of CDBG funds for local fire and emergency service organizations that are the first response units for highway accidents and traffic incidents that impact low-income communities. For example, if a major thoroughfare cuts through a low- and moderate-income community, accidents on that thoroughfare impact the safety of that community. Fire companies from surrounding municipalities are routinely called upon to assist with major incidents—even though they themselves are not located in CDBG-eligible areas.

By offering CDBG reforms along these lines, I was merely recognizing the unique nature of fire and EMS response in our local communities. Local first responders do not ask whether an emergency occurs in a low- or moderate-income area, they respond without hesitation. It would seem that we could take some small steps to help these organizations that benefit many areas of the community—including our poorest communities.

It would not seem unreasonable to make some of these changes, given the existing ''quirks'' in the administration of the CDBG program, under which—

1. Curb cuts in even the wealthiest communities count as assisting low- and moderate-income people, and

2. CDBG monies can be used for historic preservation in even the wealthiest parts of the community once the municipality has certified its CDBG spending for low- and moderate-income communities.

I am pleased that there are efforts to reform many parts of the CDBG program in an authorization bill being authored by my friend Congressman LAZIO. I look forward to working with him to reform CDBG to make it easier for counties and municipalities to spend CDBG funds in cost-effective ways to benefit our low-income communities.

Mr. HOYER. Mr. Chairman, further reserving the right to object, I thank the gentleman from Pennsylvania for his action, and I yield to the gentleman from New Jersey (Mr. PASCRELL) who has been the principal sponsor of a very large bill pending which will be heard on April 12, of which this is a part.

Mr. PASCRELL. Mr. Chairman, our leader on this issue, and on many issues, has spoken. I think that this change is in order and is something that all the sides have agreed upon. We should move quickly as our first down payment on what we will hope will be the beginning of a series of responses to the 32,000 fire departments and the hundreds of thousands of fire fighters in America.

So I want to commend all of those who worked through the night to put this together, and I believe it is absolutely necessary that we do this to get it done.

Mr. HOYER. Mr. Chairman, further reserving the right to object, I thank the gentleman for his remarks, and I yield to the distinguished gentleman from Michigan (Mr. SMITH), chairman of the subcommittee overseeing these matters.

Mr. SMITH of Michigan. Mr. Chairman, I want to say that I also am introducing a bill that hopefully takes care of this problem. I think because those with low-income need this protection, because fire departments are seeing a lot of damage in those homes that have bad wiring, it is a consideration that we need to work out; and we are going to do that. So in a more complete bill, we are headed in that direction.

Mr. HOYER. Mr. Chairman, further reserving the right to object, I yield to the gentleman from New Jersey (Mr. ANDREWS), my friend and cochair of the Fire Service Caucus.

Mr. ANDREWS. Mr. Chairman, because of this bipartisan agreement, the House is about to vote this morning for the first time in its history for $100 million in direct aid to the fire service. The gentleman from New Jersey (Mr. PASCRELL) has really spearheaded this whole effort and deserves enormous praise, as well as the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Michigan (Mr. SMITH) for bringing forth the amendment, as well as the gentleman from Maryland (Mr. HOYER) for championing it.

And let me say to the gentlewoman from Florida (Mrs. MEEK) that she deserves praise for bringing to our attention a very serious item that was corrected.

I do believe that communities should be able to use Community Development Block Grant money to help low-income areas for fire and public safety, but the proper venue to make that decision is through the authorizing process and in the appropriate committees. Because of the gentlewoman's leadership, we are going to do this. I support this.

Mr. HOYER. Mr. Chairman, further reserving my right to object, I yield to the gentleman from Massachusetts (Mr. FRANK), ranking member of the committee of jurisdiction.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER); and I first thank the gentleman from Pennsylvania (Mr. WELDON) for the flexibility he showed, because I think we have a solution here which preserves the very important purpose that he and the gentleman from New Jersey (Mr. PASCRELL) have been working on of getting assistance to the fire fighters without impinging negatively elsewhere.

The gentleman from Maryland played an important roll here, as well as the gentlewoman from Florida (Mrs. MEEK), who has made her entrance as I speak. I do not know if the meek are going to inherit the earth, but they are entitled to inherit this bill after the brilliant work of the gentlewoman from Florida.

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Mr. HOYER. Mr. Chairman, under my reservation, I yield to the gentlewoman from Florida (Mrs. MEEK) who, in fact, I think has led us to this very outstanding resolution of this issue.

Mrs. MEEK of Florida. Mr. Chairman, I want to thank the gentleman from Pennsylvania (Mr. WELDON) for removing all of the CDBG provisions from the amendment.

As my colleagues all well know, I have been a strong supporter of the fire service for many years, and I am glad to see that we were able to come to an agreement that provides firemen with the needed funds and without injuring the CDBG low- and moderate-income Americans that the CDBG program serves.

Mr. HOYER. Mr. Chairman, again, I thank the gentlewoman from Florida (Mrs. MEEK) for her outstanding leadership.

Mr. Chairman, I withdraw my reservation of objection.

Mr. GEKAS. Mr. Chairman, I rise today in support of the amendment to H.R. 3908 by both Congressmen CURT WELDON and NICK SMITH. Throughout the Commonwealth of Pennsylvania and other States, millions of people in cities, towns, and rural areas depend on the volunteer fire service to be there when a fire burns a home or a child breaks a leg. If there is no money to help our volunteer firefighters what will our neighbors do in an emergency? The Weldon/Smith amendment will ensure that our volunteer firefighters will

have the money to purchase the equipment needed to help the victims of tragedy.

As a Member of Congress who represents a district that depends on dozens of volunteer fire companies to keep its communities safe, I would like to applaud the sponsors of this amendment. My State of Pennsylvania is home to the largest number of volunteer fire companies in the United States. Unfortunately, a great majority of them are underfunded. The typical budget for a volunteer fire department is less than $20,000 a year. This amendment would provide for $80,000,000 for a competitive grant program to award money to volunteer, paid, and combined departments that provide fire and emergency medical services and can demonstrate a legitimate financial need.

I am also pleased that this amendment expands on a bill I sponsored, H.R. 3155, known as the Firefighter's Local-Federal Assistance for Management of Emergencies Act of 1999, or FLAME Act. The idea for the FLAME Act started with one of my constituents, Mr. Francis Ditzler of the Lickdale Volunteer Fire Company in Lebanon County, PA. Mr. Ditzler pointed out that as the rate and severity of highway accidents has increased in the last 10 years along Interstate 81 in Lebanon County, the rate of funding increases for volunteer fire companies has not kept pace. In my home State, struggling Lickdale Volunteer Fire Company, like other struggling volunteer fire companies, does not have the money to purchase the equipment necessary to help treat the victims of auto accidents that occur along their 25 mile stretch of the Interstate. Twenty years ago, the answer in Pennsylvania was the Volunteer Loan Assistance Program that would allow volunteer companies to take out low-interest loans for needed equipment. Today, 20 years after this low-interest loan program was drafted, volunteer fire companies still need financial help.

The FLAME Act would provide a competitive grant program to those States that have a Volunteer Loan Assistance Program. The FLAME Act, which was introduced in the first session of the 106th Congress, creates a partnership between Federal, State and local governments that encourages volunteer fire companies to pay off their low-interest State-sponsored loans for equipment and buildings. H.R. 3155 will help our volunteer fire companies help themselves without raising taxes or earmarking another appropriation.

My legislation would provide a Federal matching grant of up to $15,000 to any volunteer fire company that has a State-sponsored volunteer loan program and may raise equal amounts of money through voluntary contribution and through local government grants. The goal of the FLAME Act is to encourage other States to establish volunteer firefighter loan assistant programs.

The Federal Government is not the only level of government working to better fund our volunteer fire departments. The Pennsylvania Legislature is considering a $25,000,000 grant program that mirrors the FLAME Act and will provide similar benefits as my bill. The Pennsylvania measure would also provide competitive grant programs to volunteer fire companies throughout the State.

The amendment we have before us today will accomplish many of the same goals as my legislation. These award grants may be used for purchase of personal protective equipment, apparatus, establishing fitness programs for firefighting personnel, for the purchase of computers to integrate computer technology to improve records management and training capabilities, and to modernize fire stations among a myriad of other items. In an era of fiscal responsibility and Federal and State financial partnerships, I find this legislation to be one of the most important the House passes this year.

The CHAIRMAN. Without objection, the earlier voice vote is vacated.

There was no objection.

The CHAIRMAN. Without objection, the amendment is modified, and the Chair will put the question on its adoption de novo.

Thre was no objection.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentlemen from Pennsylvania (Mr. WELDON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. WELDON of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON) will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. KASICH

Mr. KASICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 12 offered by Mr. KASICH:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) Of the amounts appropriated in this Act under the heading ''Overseas Contingency Operations Transfer Fund'' for military operations in Kosovo, not more than 50 percent may be obligated until the President certifies in writing to Congress that the European Commission, the member nations of the European Union, and the European member nations of the North Atlantic Treaty Organization have, in the aggregate—

(1) obligated or contracted for at least 33 percent of the amount of the assistance that those organizations and nations committed to provide for 1999 and 2000 for reconstruction in Kosovo;

(2) obligated or contracted for at least 75 percent of the amount of the assistance that those organizations and nations committed for 1999 and 2000 for humanitarian assistance in Kosovo;

(3) provided at least 75 percent of the amount of the assistance that those organizations and nations committed for 1999 and 2000 for the Kosovo Consolidated Budget; and

(4) deployed at least 75 percent of the number of police, including special police, that those organizations and nations pledged for the United Nations international police force for Kosovo.

(b) The President shall submit to Congress, with any certification submitted by the President under subsection (a), a report containing detailed information on—

(1) the commitments and pledges made by each organization and nation referred to in subsection (a) for reconstruction assistance in Kosovo, humanitarian assistance in Kosovo, the Kosovo Consolidated Budget, and police (including special police) for the United Nations international police force for Kosovo;

(2) the amount of assistance that has been provided in each category, and the number of police that have been deployed to Kosovo, by each such organization or nation; and

(3) the full range of commitments and responsibilities that have been undertaken for Kosovo by the United Nations, the European Union, and the Organization for Security and Cooperation in Europe (OSCE), the progress made by those organizations in fulfilling those commitments and responsibilities, an assessment of the tasks that remain to be accomplished, and an anticipated schedule for completing those tasks.

(c) If the President does not submit to Congress a certification and report under subsections (a) and (b) on or before June 1, 2000, then, beginning on June 2, 2000, the 50 percent of the amounts appropriated in this Act under the heading ''Overseas Contingency Operations Transfer Fund'' for military operations in Kosovo that remain unobligated (as required by subsection (a)) shall be available only for the purpose of conducting a safe, orderly, and phased withdrawal of United States military personnel from Kosovo, and no other amounts appropriated for the Department of Defense in this Act or any Act enacted before the date of the enactment of this Act may be obligated to continue the deployment of United States military personnel in Kosovo. In that case, the President shall submit to Congress, not later than June 30, 2000, a report on the plan for the withdrawal.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Ohio (Mr. KASICH) and the gentleman from Florida (Mr. YOUNG) each will control 15 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, let me say to the Members of the House, this is actually not a burden-sharing amendment. This is just designed to get our friends across the ocean to live up to their commitment.

Just to give my colleagues a sense of where we are, the United States has a GDP, an economy, the size of about $8.9 trillion. The Europeans compare favorably of $8.3 trillion. Yet we spend $283 billion on defense; they only spend $180 billion. I wonder why we have to have our people over there for 40 years, because they have not been carrying the load.

This is not even an issue about them carrying the load in a more aggressive way. What this is designed to say is that the United States has committed $20 billion to Bosnia, to Kosovo over the last few years. When we went into Kosovo, regardless of how one may feel about the action, let us put that aside for a second, and let us talk about the pledge that the Europeans made.

They told us that they would help in rebuilding the country. They told us they would help in a variety of ways. What this amendment is designed to do is to carry forward the idea of Senator WARNER who said that we need to get them to honor their commitment. This is not designed to increase their commitment. This is really not designed to

increase burden sharing. This amendment is only designed to say to the Europeans they made a pledge to us; keep it.

The Europeans pledged 3,883 policemen in Kosovo. They have only paid for 1,878. Our amendment says they pledged 3,800; deliver 3,800. They made a promise to do it. They said they would do it. Why do they not step up to the plate and keep their word.

The Europeans' pledge for the rebuilding of Kosovo, for civil administration, they pledged $140 million. They have only given $30 million. Now, how unreasonable is it to say to our European allies, you promised us $140 million, come through with $140 million? That is what you pledged to do.

In terms of reconstruction aid, rebuilding those arts of Kosovo that we bombed to a large degree on their behalf, they pledged $410 million, but they have only delivered $44 million.

So what does this amendment say? It does not say we expect them to dramatically increase their contribution. It only says that they ought to live up to the pledge that they made and keep their word. Their economy is relatively the same size as the United States. The least they can do, after we flew all those sorties and they made their pledges, is to simply keep their word. This is a time to change the way in which we conduct business post-World War II.

My colleagues are going to hear today, ''not the right time,'' ''not the right amendment,'' ''not the right wording.'' Baloney. All we have to do in the United States is to say, keep your word. What we will find is the Europeans will. Now is the time to act.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, very reluctantly, I rise in opposition to this amendment. I do so, not because I disagree with the gentleman from Ohio (Mr. KASICH), because I agree with almost everything that he said.

The problem is with the amendment itself. I am concerned that his limitation on not more than 50 percent of the funds in the Kosovo section could not be released until certain things happened. The problem with this is, Mr. Chairman, money has already been spent. We are not providing money in this bill for Kosovo to rebuild Kosovo. We are not doing anything in this bill to actually deploy troops to Kosovo. What we do in this bill is replace the money that has already been spent by the deployment to Kosovo.

Now, if we were in a position to demand certain things from the European allies, I would be standing up here with the gentleman from Ohio (Mr. KASICH) to do that, because I think that that is only fair.

But as I read this amendment closely, not only on the first page, but the third page, just let me make one comment about a section on the third page, it says, if the President does not submit to Congress a certification required, et cetera, et cetera, then beginning on June 2, the 50 percent of the amounts appropriated in this act can only be used to remove the troops.

Now, I am for removing the troops. But I have to tell my colleagues that the money in the bill is not there to remove the troops. This money is to replace monies that have already been spent. The monies have been spent from the fourth quarter operations and maintenance accounts of our military services.

Now, if we do not replenish this money, we are going to have to stand down our training exercises, park the ships, park the airplanes, park the trucks, park the tanks, and training will grind to a halt. We do not have until June 2 to make that decision. That decision has got to be made late in April or early in May because, for those exercises that have to be stood down. The planning has to begin in April or May.

So as strongly as I agree with the gentleman from Ohio (Mr. KASICH) and what he is trying to accomplish, this amendment will not accomplish that; and this amendment will cause severe chaos, in fact, in the operations and maintenance of our military during the last quarter of this fiscal year.

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

Mr. KASICH. Mr. Chairman, I yield myself 10 seconds just to point out that, last night, we approved an additional $4 billion in this bill. It is never the right time, never the right place.

Mr. Chairman, I yield 2½ minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Chairman, let me say this, we have an agreement here, and I think there is a consensus building which ought to pass this amendment. What that consensus is is that the military needs more money. The gentleman from Florida (Mr. YOUNG), the chairman of the full committee, said they may need money to withdraw from Kosovo. But if we do not approve this amendment, if we do not approve this bill, there is no money there.

Well, let me say something to every Member. Every cent of the money in the bill will go to the military if this amendment passes. This amendment does not stop any funding of our military. All the funding, every penny will go to our armed services.

If our allies live up to their commitments, if they deliver what they promised, look again, this is what they promised. This is what they promised. This is what they promised.

But look on that right-hand side as to what they deliver. If they deliver what they promised, every cent will go to the military to be used in Kosovo. Now, if they do not deliver what they promised, then as the gentleman from Florida (Mr. YOUNG), the chairman of the committee, said, our troops need to come home. That is what we provide. If they do not deliver on their promises, the money is available to bring the troops home. But every cent of the money is available under the amendment.

Wesley Clark testified before the Senate, and he said the failure to have civil implementation is threatening the peace. It is threatening the military victory. We have either got to have a speedier implementation, or we need withdrawal.

Let me quote to my colleagues one other thing. How long are we going to be in Kosovo? Well, General Klaus Reinhardt last week said, ''I am talking 5 years and it could be 10 years.'' ''I am talking 5 years and it could be 10 years.''

The reason we fail to commit the forces necessary to keep the peace, World War II lasted 4 years and World War I, 2 years. Korea lasted 3 years. Do we want to commit our third graders to Kosovo?

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 30 seconds just to say that the gentleman from Ohio (Mr. KASICH) mentioned that we did add additional money to the defense part of this bill. That is true. However, it is not applicable to the section that we are dealing with in his amendment, and that is the problem that I have in his amendment.

The money that we added yesterday was for specific purposes other than Kosovo. The gentleman's amendment goes directly to the issue of Kosovo, and that is not where the extra money was added.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I would like to ask the author of the amendment a question, please.

Last night, I had thought that I was going to be supporting this amendment, but I have a question. The House adopted last night a human rights amendment which had a presidential waiver on the subject, which is important to us, but certainly is not absolutely essential to our own national security interests.

It is my understanding now this morning that the gentleman's amendment does not have the authority for presidential waiver even if he believes that this would threaten national security or put U.S. troops in danger. Is that correct?

Mr. Chairman, I yield to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, there is no waiver.

Mr. OBEY. Mr. Chairman, I find that incredibly troubling. Perhaps it was fortunate we did not take this up last night so we have had a chance to reread the gentleman's amendment. What appeared to be innocent last night, absent the presidential waiver, would be extremely troubling, especially in light of the Secretary of Defense's statement it would put the interest of U.S. troops at risk.

Mr. KASICH. Mr. Chairman, I yield myself 20 seconds to make a point. It is

about time that the Congress of the United States started asserting itself when it comes to foreign policy. We are not engaging in some major foreign policy decision other than to tell the Europeans to live up to their commitment.

What is the message that gets sent when this is defeated? Do my colleagues know what it is? If you make a promise and you break it and you stiff us, that is okay. That is wrong. We better get on the stick and realize that we are a big chunk of how we set foreign policy.

Mr. Chairman, I yield 2½ minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, by the end of next year, we will have spent $20 billion, $20 billion in the Balkans. The amendment that the gentleman from Ohio (Mr. KASICH) and the gentleman from California (Mr. CONDIT) and the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Alabama (Mr. BACHUS) and I are introducing is really the amendment of the chairman of the Senate Committee on Armed Services, Mr. WARNER.

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And basically it says that our allies need to pay 33 percent of the construction costs they committed and 75 percent of the humanitarian assistance, the Kosovo Consolidated Budget and the international police budget. And if they do not, then we will withdraw our troops. We are saying they should live up to their commitments.

Now, why would we care if they pay their commitment? One reason is we ask the Japanese to pay 75 percent of the nonsalary costs of our troops in the Japan theater, and they give us $3.6 billion. We ask the Europeans to pay for the 100,000 troops stationed on that continent, and they give us $66 million. This is a joke, and it has got to end.

So at the very least, when our allies make a commitment, they should live up to it. They should pay their bills. And if they are not willing to, let them stop taking us for a ride.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

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

Mr. CALLAHAN. Mr. Chairman, the gentleman from Ohio just said that Members of Congress should assert themselves on foreign policy. I would like to bring to the attention of the chairman of the Committee on the Budget the law, the law written by the Committee on Appropriations and passed by this House. The law, in accompanying report language, specifically denies the ability of the administration to spend more than 15 percent of the total expenditures in Kosovo. So we have already addressed this issue.

The percentage that the gentleman from Ohio is using is going to be confusing because it appears to increase the ability of the United States. I wish the gentleman from Ohio would listen to this because I am responding to his indication. But it appears as if his amendment, although it is not his intent, might even say with the higher percentage factor that we are backing down on our insistence that our administration only spend 15 percent. So I would invite the gentleman from Ohio to read existing law whereby this Congress prohibits the administration from spending more than 15 percent.

Under the law, the President must come back to the Congress if indeed they violate that. They came to us in December of 1999, and they certified that the United States' contribution was only 14.9 percent.

So I share the sentiment of the gentleman from Ohio; I think he is moving in the right direction, but fortunately, the Congress has very responsibly already addressed this issue and the law is the law. We do not need confusing additional law to complicate the issue.

The President requested $100 million for assistance in Kosovo. The committee rejected that, and we only included $12 million. So I feel like the amendment, although I know that is not the intent of the gentleman from Ohio, the amendment would actually deplete the ability of the administration to have money to replenish money already spent.

Mr. KASICH. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, it is appropriate that we just heard from the gentleman in charge of foreign aid, because this is the biggest foreign aid program in the history of America. It is one in which the United States' taxpayers consistently and generously subsidize the other richest people in the world.

Europe will be very happy if the combined establishment here, the leadership, the President, all these putative opponents, come together to defeat this, because no bigger present could be given the European taxpayers than this amendment.

The gentleman from Alabama says we have already done that; we said they cannot spend more than 15 percent. Lo and behold it came to 14.9 percent, no doubt an independently arrived at calculation. But here is what the facts are. On March 1, two articles, which at an appropriate point I will put in the RECORD, reflect what General Shelton said.

''General Shelton's letter reflected anger at European allies for not contributing as many troops as requested for expected in Kosovo.'' That is from the New York Times. Here is The Washington Post quoting Mr. Bacon, the Pentagon spokesperson. ''The chairman, General Shelton, made it clear he doesn't think it's appropriate for American troops to go to out-of-sector operations on a regular basis to take up police work that should be done by the forces in those other sectors.''

Yes, we have said that they should help out, but we have zero enforcement. This is the only enforcement. Now, I know when in control of the administration and in control of the appropriations process, one can always say it is not perfect. Agreed, it is not perfect. It is just better than anything that we have come up with.

Let us be very clear here. What we are seeing is the pattern in this House. When we see the administration do something, we will yell; we will scream; we will beat our chests. We will do everything but vote to change it. There is no doctrine of executive usurpation in foreign policy. What we have is a consistent unbroken pattern of congressional dereliction of duty in foreign policy.

There are Members here who will go home and make great speeches, some will not even wait to go home, saying it is terrible we are in Kosovo; we are spending too much; the Europeans are not doing anything. Here is a vehicle to do something about it, and there is not room under the table as Members jump to get under it. This is the only enforcement vehicle we have.

All this talk about what the rules are means nothing. Look at what General Shelton said. They are not there; we are there. My colleagues say we have to help our troops. Do we help our troops by continuing to allow Europe not to do this? What this House will be if we defeat this amendment, we will continue our roles as the enablers of European dependence. We will say to the Europeans, promise them anything, but do not follow through. And when anybody tries to enforce that promise, they do not have to worry, because they will come back and say, well, it is not perfect, it is not this.

As far as the waiver is concerned, the amendment does say the withdrawal has to be safe and orderly. The fact is this is the only enforcement vehicle around.

Mr. Chairman, the articles I referred to above are included for the RECORD.

[From the New York Times, Mar. 1, 2000]

JOINT CHIEFS CHAIRMAN PROTESTS TROOPS' MISSION TO KOSOVO TOWN

(By Jane Perlez)

Irritated that American troops had to retreat from a bottle-throwing mob in Kosovo, the chairman of the Joint Chiefs of Staff, Gen. Henry H. Shelton, has written to NATO's supreme commander, Gen. Wesley K. Clark, telling him not to use American troops outside their designated sector.

The letter, according to Pentagon and NATO officials, told General Clark that other countries involved in the NATO peacekeeping operation had to send more troops to Kosovo before significant numbers of American troops would again be allowed on a mission outside the sector assigned to the United States' control.

General Shelton sent the letter to General Clark a few days after the retreat on Feb. 20 of 350 American soldiers from Mitrovica. The American soldiers had been sent out to the

troubled city, where Albanian and Serbian residents are at a standoff and where French troops needed reinforcements. Pentagon officials acknowledged today that General Shelton had concurred with General Clark's plan to send the troops from their sector in southeast Kosovo to Mitrovica before the mission was under way.

But although General Shelton had agreed ahead of time to the mission, the underlying tone of the letter, according to officials, questioned the wisdom of sending American troops into a volatile situation involving hostile Serbian civilians. General Shelton's letter, and a mood of discontent about the Kosovo peacekeeping operation in the Senate Armed Services Committee during a hearing with General Clark today, reflected anger at European allies for not contributing as many troops as requested or expected in Kosovo. Several senators complained that after the United States had led the air campaign in the Kosovo war, the Europeans had pledged to lead the peacekeeping in Kosovo but had failed to live up to their promise. ''There is more than whiff of hype, where the Europeans talk of doing more,'' then fail to carry out their commitments in Kosovo, said Senator Carl Levin, Democrat of Michigan.

The chairman of the committee, Senator John W. Warner, Republican of Virginia, asked General Clark why American troops were involved in house-to-house searches for weapons in Mitrovica. Senator Warner recalled that in Somalia, where American troops were involved in an ill-fated peacekeeping operation in 1992, house-to-house searches by American soldiers were ruled out as too dangerous. General Clark said that in contrast to Somalia, where American troops were not welcome, the NATO troops in Kosovo were respected and wanted by large groups of the local population. But pressing ahead, Senator Warner questioned the utility of a weapons search in a city that was only a few miles from a porous border with Serbia across which weapons freely flowed.

Senator Warner asked, ''What was the total number of arms'' seized in Mitrovica? General Clark replied, ''Twenty-five.'' A NATO official explained after the hearing that the searches for weapons in Mitrovica were conducted by troops of several nations and were announced to the community by community leaders just beforehand so that the searches appeared evenhanded. Both Albanian and Serbian homes were searched, in northern and southern Mitrovica, the official said. In his testimony, General Clark said that the Yugoslav president, Slobodan Milosevic, was very much in control in Serbia and that he was unlikely to be defeated or disappear any time soon.

[From the Washington Post, Mar. 1, 2000]

AMERICAN TROOPS IN KOSOVO RESTRICTED TO U.S. SECTOR

(By Roberto Suro)

U.S. troops in Kosovo will stick to their own turf under orders announced by the Pentagon yesterday that sharply limit missions to assist the peacekeepers of other nationalities. The new restrictions reflect concerns in the Defense Department and the White House over a violent encounter last week between a Serbian mob and American soldiers who had been sent to help French peacekeepers with a police action in the French sector, according to a senior military official.

''The issue here is, how often do we get dragged into a situation where we have to perform out-of-sector operations that can diminish our ability to operate within our own sector?'' Pentagon spokesman Kenneth H. Bacon said. About 5,300 U.S. troops patrol the southeastern sector of Kosovo. French, Italian, German and British forces are in charge of their own sector of the troubled Serbian province. The extent to which troops of various nationalities are available to reinforce each other has become a matter of both military and diplomatic dispute, as NATO peacekeepers contend with rising unrest while their own numbers decline.

The new orders came in a letter from Gen. Henry H. Shelton, chairman of the Joint Chiefs of Staff, to NATO's top military commander, U.S. Army Gen. Wesley K. Clark. ''The chairman made it clear that he doesn't think it's appropriate for American troops to go to out-of-sector operations on a regular basis to take up police work that should be done by the forces in those other sectors,'' Bacon said.

The still-classified letter was dated Feb. 20, Bacon said. That was the day when a battalion of 350 U.S. soldiers helped conduct a house-to-house search for illegal weapons in Mitrovica, a town in the French sector where Serbs and the ethnic Albanians who dominate Kosovo have frequently clashed. The Americans encountered a rock-throwing mob of protesting Serbs; and although no U.S. soldier was seriously injured, senior civilian and military policy makers felt the mission was risky and unnecessary, senior officials said.

Clark informed Washington about the mission but ordered it on his own authority, just as he had on two previous occasions when U.S. forces went to the aid of peacekeepers in other sectors. Appearing before a congressional hearing yesterday, Clark defended cross-sector operations as essential in Kosovo. Under the terms of Shelton's letter, however, U.S. troops will operate in other sectors only ''on an extraordinary emergency basis,'' Bacon said.

Mr. YOUNG of Florida. Mr. Chairman, would the Chair advise us of the remaining time on each side.

The CHAIRMAN. The gentleman from Ohio (Mr. KASICH) has 5½ minutes remaining, and the gentleman from Florida (Mr. YOUNG) has 9 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 10 seconds to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. I thank the gentleman for yielding me the time. I just wanted to say to the gentleman from Massachusetts, surely he does not think the President of the United States or the Secretary of State would lie to Congress.

Mr. KASICH. Mr. Chairman, I yield 10 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I would respond to the gentleman from Alabama, that I do not think they would lie. I think they would be willing, however, to mislead my colleague, if he were as willing to be misled as he is.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURTHA), the very distinguished leading expert on national defense issues.

Mr. MURTHA. Mr. Chairman, this deployment is not about Europe; this is about the United States. When we deploy troops, we deploy in our national security.

Now, this is a cute way of trying to reduce our deployment to Europe. We had 400,000 troops in there for years against the Soviet Union. Now, we can argue about how many troops ought to be there right now, but when we are doing it this way, NATO's in command. We said the U.N. could not do it, so we put NATO in command. This amendment says no presidential waiver. It says, okay, if they do not live up to their obligation, then we have to pull our troops out.

Now, let us take Luxembourg; let us take Iceland. Let us say there is a lobbying effort for those two little countries, and they get them to pull their troops out. They are deciding the foreign policy of the United States. Iceland and Luxembourg, under this amendment, would be setting the foreign policy for the United States.

We are in Kosovo to save lives. Now, there is a lot of people that can disclaim that. A lot of people can say let the Europeans do it. They, obviously, could not get their act together, or we would not be involved. We are involved because of the security of the United States. Do my colleagues know how many wars have started in the Balkans? Two wars started in the Balkans. My dad and three of his brothers served in World War II.

We are talking about the security of the United States, and we are not going to allow Iceland, and we are not going to allow Luxembourg to set the policy for the United States. And that is exactly what these four gentlemen are doing. They are surreptitiously trying to figure out a way to get the troops out of Europe, reduce our deployment to Europe. This is not the way to do it.

If we want to limit the deployments, let us face it up front. Let us argue about it. Let us debate it and say we are going to limit the amount of money and we are going to pull our troops out. Let us not do it in a way that lets Luxembourg or Iceland take control, and then not have a presidential waiver that speaks to the security of our troops, or if the Secretary of Defense says this is endangering our troops, and there is no waiver in order to cover that.

Mr. KASICH. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. First, of course, Mr. Chairman, we are not talking about Luxembourg and Iceland, as the gentleman knows. The gentleman wants to get into burlesque. We are talking about France and Germany. They are the ones who made the commitment. They are the ones whose taxpayers the gentleman is so valiantly defending.

Secondly, the amendment says there must be a safe and orderly withdrawal.

But, finally, we are not making policy. We are just telling people to live up to it. It is General Shelton who said I am not letting the American troops be put at risk because of the failure of the Europeans to live up to their commitments. It is General Shelton, the

chairman of the Joint Chiefs, who has said, the failure, the ongoing failure of the Europeans, France and Germany, and Italy and England, they are the ones who are endangering the troops.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I rise in opposition to this amendment offered by my friend from Ohio because the elimination of funding in Kosovo would not only make the time and resources that the U.S. has already expended a total waste, but it would also render meaningless the loss of life, the suffering and the hardship imposed on the ethnic Albanians in Kosovo.

We are talking about people and their lives. For us to walk away from a commitment to peace in Kosovo would essentially give Slobodan Milosevic free reign in his campaign to force the remaining ethnic Albanians out of Yugoslavia and Kosovo.

Peace in this region will not be coming overnight. Our forces who are currently stationed in Kosovo are working in partnership with our NATO allies. This is not our burden to carry alone. If our NATO allies are not paying up, why punish the Kosovar people?

Order, peace, and hope for long-term security are beginning to spread in Kosovo. However, without our leadership and commitment, I think our allies will not continue their efforts; and everything we have already spent will be for nothing.

Please join me, my colleagues, in opposing this amendment.

Mr. KASICH. Mr. Chairman, I yield 30 seconds to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Chairman, let me respond to the gentleman from Pennsylvania, because he and I agree. We should not let the Europeans dictate our military policy. But, in fact, under the present status quo, they are directing our military policy.

In fact, President Clinton, in a letter to us in October, and I am going to introduce that, when asked when will we withdraw our armed forces, he said, ''Our armed forces will be withdrawn from operations based on the assessment of the progress of civil implementation, and that depends on our European allies.''

Here is the progress of that civil implementation. There has been no progress. As General Klaus said, we could be there 10 years.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON), who is the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank the gentleman for yielding me this time.

Our friend from Ohio said that we should assert ourselves and send a message. Let me tell my colleagues what that message would be. The message would be that raising the possibility of American troops withdrawing from Kosovo encourages extremist elements in Kosovo and Belgrade who are determined to see NATO's mission fail in the Balkans.

This amendment would damage the readiness of our armed forces for the rest of the fiscal year and for the rest of our efforts there. Sure, European allies should and they will do more to meet their commitments in Kosovo. We should continue to encourage them to do so. But we do not by this amendment want to surrender to foreign nations the ultimate decision-making authority on the deployment of United States' troops. Congress and the executive branch should make that decision. Cutting off funds and forcing the withdrawal of our forces from Kosovo should not be an automatic based on what the Europeans do.

Mr. KASICH. Mr. Chairman, I can hardly believe the arguments here. We have spent over $20 billion in the Balkans. We flew 75 percent of the sorties using American flesh and blood to do it. And what this amendment says is that when the Europeans make a pledge, they ought to live up to it.

If my colleague goes to a town hall meeting in Johnstown, Pennsylvania, and says the Europeans said they were going to give us $140 million and they only gave us $30 million, they are in trouble and so we have to cough up the rest of the bill. I would suggest to my colleague that, in Johnstown, Pennsylvania, he will be run out on a rail.

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The fact is that all we are doing in this amendment is to say, when they make a pledge, when they say they are going to give $140 million to help Kosovo, just give it.

When it is said that we degrade the military by offering this amendment, that is total bunk. The military does not lose this money. In fact, the money would give increased readiness because it would say that we do not have to spread ourselves out all over the world. The military does not lose anything.

My colleagues should stand up for their taxpayers. Because if they do not, they are going to come to the town halls and they are going to hold them accountable.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 10 seconds just to say that I agree with what the gentleman from Ohio (Mr. KASICH) is saying, but that is not what his amendment does. What he is saying is great, but what his amendment does is not what he is saying.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I rise in opposition to this amendment because I think it is the right policy being put forth by the wrong branch of government.

The idea that we should assert ourselves in foreign policy is right. The issue is when should we assert ourselves in foreign policy. I believe it is before we put thousands of young Americans at risk in a region of the world.

I think the administration should have come to us before they made this commitment, and we should have had this debate before the country got involved. But they did not.

I do not see this as an affirmation of legislative authority. I see this as an affirmation of a need to protect thousands of young Americans who are in Kosovo today.

Conditions change every day, every hour, every minute; and when conditions change, there needs to be the authority to make decisions quickly and flexibly. This amendment deprives the President of that authority.

For that reason, I cannot support it. I urge its defeat.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I hope some alert journalist is going to publish a catalogue of the excuses for Congress never to make a tough decision. We should have done it before. We cannot do it after.

We are told, by the way, that it is too dangerous for the troops to be there. Now, how do we increase the danger by withdrawing them? There may be good reasons for keeping them there. I believe there are. But protecting them from the danger of being there is hardly a good reason to keep them there. And that is what they are saying.

People say they agree, the Europeans ought to pay more. But this House has consistently refused to do anything to force the Europeans to do it. And they know empty rhetoric when they see it. They are very sophisticated.

What this amendment is intending to do, by the way, is not to pull out. This is an amendment that says Europe should begin to pay up. Apparently, there is a lack of confidence in our European allies amongst some of the leadership in the Committee on Appropriations that is greater than there is for us. Because they say, if we condition our staying there on the Europeans doing what General Shelton complains that they are not doing, that will lead to abandonment.

Well, if the troops are overexposed and it is costing us too much money, there are two things to do, have the Europeans pay their fair share or withdraw them. We hope it is the former. But in neither case are we increasing the danger to the troops.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. OLVER), as a member of the Committee on Appropriations.

Mr. OLVER. Mr. Chairman, I thank the chairman for yielding me the time.

Mr. Chairman, I rise in opposition to this amendment, which threatens the unilateral withdrawal of U.S. forces and resources from Kosovo.

The need in Kosovo for peacekeeping reconstruction and development of civil and judicial administration is greater than all the promises put together by the NATO allies and the U.S.

The authors of this amendment are right in one respect. Every diplomatic effort to hold NATO allies to their agreement is entirely appropriate. But threatening to unilaterally end our freely given commitment just makes the peacekeeping job so ably done by our deployed men and women and the massive reconstruction that is needed, the job of massive reconstruction, makes those a great deal harder.

And, God forbid, if we were to actually act upon this threat, the end result could only be giving the final initiative back to Milosevic.

Vote against this amendment.

The CHAIRMAN. The Chair would inform Members that the gentleman from Ohio (Mr. KASICH) has 2½ minutes remaining, and the gentleman from Florida (Mr. YOUNG) has 2½ minutes remaining.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, by the end of next year, we will have spent $20 billion in the Balkans.

What we are asking is that our allies live up to their commitments. We are saying, on the reconstruction account for Kosovo, they make a 33 percent down payment; that they pay 75 percent of the humanitarian assistance in Kosovo that they pledged; that they pay 75 percent for the Kosovo Consolidated Budget that they pledged; and that they provide 75 percent of the international police force for Kosovo that they pledged.

Why does the gentleman from Pennsylvania (Mr. MURTHA) assume that we will have to take our troops out? Does he assume they are not going to live up to their commitment? Well, maybe it is an assumption he is right in making.

They only give us $66 million for 100,000 troops. We get $3.6 billion for our 40,000 troops in Japan.

I rise in strong support of this amendment, which I have offered on a bipartisan basis with Congressmen JOHN KASICH, GARY CONDIT, BARNEY FRANK, and SPENCER BACHUS. They are among the hardest working Members of Congress and it is a pleasure to be offering this amendment with them. I also want to thank the author of this amendment, Senator JOHN WARNER, who intends to offer this amendment along with Senators DANIEL INOUYE, PAT ROBERTS, and OLYMPIA SNOWE when the Senate takes up its version of this legislation. When the Chairman of the Senate Armed Services Committee says our allies need to live up to their obligations, I think we all need to take this amendment seriously.

Our bipartisan amendment puts in place a framework for ensuring our European NATO allies live up to their financial commitments with respect to the war and subsequent peacekeeping mission in Kosovo. Last year, the United States puts its money, personnel and military equipment on the line to bring peace and stability to the Balkan region. Our military's men and women served with great distinction and did our Nation proud. But to this day, our NATO allies have not lived up to their financial commitments and obligations. The most egregious example of our allies' noncompliance is their failure to deploy military personnel for the United Nations international police force for Kosovo. NATO and the EU nations committed to contribute 1,264 personnel for this force. But to date, they have deployed 747 members—or 59 percent.

The United States, in contrast, has deployed 489 (or 89 percent) of the 550 we have committed. And I am told that the remaining 61 are on their way and should be in Kosovo in the next week or two. Our amendment says our allies need to do better. They need to get that number up from 747 to 948. Surely they can accomplish this by June 1. Another reason we are offering this amendment is because there is simply a lack of good information as to what precisely our allies have committed to providing. In fact, our own Department of State and National Security Council can't seem to provide identical data. So I think it is very important to require the administration to submit a report to Congress specifying the commitments and pledges made by the European Commission, and the member states of the European Union and NATO.

Part B of our amendment does exactly this. It requires a report to be submitted by June 1 detailing these commitments. I want to stress that we are not applying a straitjacket to the administration. The President will have a certain level of flexibility in determining what it is our allies have said they owe. Our amendment would withhold 50 percent of the supplemental appropriation bill's funding for military operations in Kosovo until the President certifies that the European Commission, member nations of the European Union, and European member nations of NATO have provided at least:

33 percent of the assistance committed by them for 1999 and 2000 for reconstruction in Kosovo;

75 percent of the assistance committed by them for 1999 and 2000 for humanitarian assistance in Kosovo;

75 percent of the assistance committed by them for 1999 and 2000 for the Kosovo Consolidated Budget; and

75 percent of the number of police committed by them for the United Nations international police force for Kosovo.

I want to stress these thresholds are anything but arbitrary. They represent reasonable downpayments on the pledges and commitments made by our European allies. Recognizing that autonomous nations have different fiscal years and budget processes, we do not seek full compliance in this amendment, but merely a downpayment. And, recognizing that funding for reconstruction programs is often disbursed over a series of years, we merely require a portion of this funding to be made available right away.

If the President does not certify that these benchmarks have been met by June 1, 2000, the withheld funding appropriated for military operations in Kosovo would be made available only for the purpose of conducting a safe, orderly and phased withdrawal of United States military personnel from Kosovo.

I want to speak for a moment about what our amendment does not do. Our amendment does not change United States policy toward Kosovo and the Balkans. Our amendment does not alter the parameters of our mission in Kosovo. Our amendment does not reduce the number of troops the United States has committed to the international peackeeping force or the U.N. police force. Our amendment does not decrease the funding for Kosovo in this bill, which is equal the administration's request. And our amendment does not require our allies to pay for more than they promised. In fact, it asks for less. It merely requires a downpayment.

What our amendment does do is uphold current United States policy in Kosovo by requiring our allies to live up to their agreements. This is not an unjustifiable request. The United States has consistently met its obligations—even exceeded them—with respect to the conflict in Kosovo. This Congress has passed in a timely fashion appropriations bills fully funding our participation in this conflict, and the President has signed these appropriations bills.

Our allies, unfortunately, have failed to meet their obligations. Our amendment will help encourage our European allies to provide the necessary resources and personnel to implement the peacekeeping mission in Kosovo. An equitable burdensharing arrangement strikes us as being inherently fair and appropriate. After all, during the 78 days of combat over Serbia, the United States bore the major share of the air war, flying approximately 70 percent of the sorties. The men and women of our Armed Forces took the greatest personal risks. And the United States taxpayer paid the lion's share of the costs: more than $4 billion at last count.

I know our allies contributed to the military intervention in Kosovo. But as they know all too well, it was the United States that provided the high-performance aircraft, the guided missiles, the transport aircraft, and the B–2 bombers that made this joint effort a success. I am afraid if Congress does not step in and say, unequivocally, that our allies need to live up to their commitments, this administration will simply allow them to slide, as they've done too many times in the past. The result, undoubtedly, will be that more of our Nation's tax surplus will be expended to pay for the rapidly increased rate of military deployments and our Armed Forces will continue to face retention and readiness deficiencies.

I am struck by the fact that, over the past 50 years, the United States military has been involved in 46 deployments. But a staggering 36 of those deployments have come in the past 10 years. Do these missions cost money? You bet they do. From 1993 through 2001, our operations in Kosovo and Bosnia are projected to have cost the United States taxpayer $20.2 billion. Here is the bottom line of our amendment: We cannot, we must not, indefinitely commit our Armed Forces to keeping the peace in the Balkans without ensuring our allies live up to their commitments. I urge my colleagues to support this amendment so we can put some pressure on our allies to live up to their commitments.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I think the gentleman knows that they are not going to live up to their commitment because they

know what strong support they have in this House for escaping any consequences of evading that commitment.

All they have to do is listen to this debate and listen to the administration, and they can say that they are free to make commitments, ignore them, and pay no penalty for them.

Mr. SHAYS. Mr. Chairman, reclaiming my time, unless we pass this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman will continue to yield, he is correct.

Mr. YOUNG of Florida. Mr. Chairman, I yield 15 seconds to the gentleman from New York (Mr. ENGEL).

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

Mr. ENGEL. Mr. Chairman, I chair the Albanian Issues Caucus. I think I have done more work with Kosovo than almost anyone else in Congress.

This is a very ill-advised amendment. If we want to ensure a presidential veto, this is the amendment to do if it passes.

Generals Shelton and Clark have been mentioned. They certainly would not agree to this amendment. We have won the peace. We have won the war. Let us not lose the peace. Defeat this amendment. It is awful.

Mr. Chairman, I include the following editorials for the RECORD:

EDITORIAL

(By Madeleine K. Albright)

WASHINGTON.—A year ago this week, Slobodan Milosevic rejected an international peace plan and intensified a campaign of terror that had already killed hundreds of Kosovo Albanians and driven more than 200,000 from their homes. His new offensive, begun with peace talks still underway, ultimately caused more than one million Kosovars to seek refuge and was marked by burned villages, rapes, murders and ethnic cleansing.

President Clinton and his NATO counterparts responded forcefully and, through persistence, successfully. Most of the displaced have since returned to their homes. Communities are rebuilding. Children are in school. With international help, most of Kosovo is secure and preparing for its first democratic elections ever.

Having prevailed in war, our challenge now is to secure the peace. This is proving, as expected, costly and hard. The journey from conflict to cooperation is not made overnight. Impatient, some in Congress suggest we give up, put away our wallets and call our troops home. But the costs and risks of quitting far exceed those of maintaining a stable Kosovo.

History teaches us that America cannot be secure if Europe is not secure, and events have reminded us repeatedly that Europe cannot be secure when conflict engulfs the Balkans. With Mr. Milosevic still present, the region remains a tinderbox. If we check out, wide-scale bloodshed will almost surely check back in.

Moreover, the price of perseverance is affordable and the obstacles to success can be overcome.

During the cold war, we stationed nearly 400,000 troops in Europe. Today we have roughly 100,000. Of these, about 6,000 are in Kosovo. Surely, this deployment is not disproportionate to America's stake in the region.

Further, Europe is committed to shouldering the majority of burdens in Kosovo. European Union members have contributed 64 percent of the international troops and provided hundreds of millions of dollars in humanitarian and reconstruction aid.

We are contributing fewer than 15 percent of total troops and less than 15 percent of the nonmilitary costs of helping Kosovo recover from war and build stability. There are proposals in Congress to make a 15 percent share of these costs a legal cap. But such a restriction would harm, not help, our ability to leverage contributions from Europe. It would reduce our flexibility in responding to future events.

And it would underestimate America's stake in our partnership with Europe, which extends beyond Europe itself. After Hurricane Mitch struck in our hemisphere, more than 60 percent of the bilateral aid pledged came from Europe. And Europe assumed a 33 percent share of the cost of establishing peace in El Salvador and 34 percent in Guatemala.

Those ready to give up on Kosovo point to recent incidents of ethnic violence there. We share these concerns, and international authorities are addressing them by beefing up resources, tightening security, and marginalizing and disarming extremists.

But the problems should not obscure overall progress. With United Nations leadership, a Joint Interim Administrative Council has been established in which Kosovo's factions can begin to share responsibility for governing their region. The ethnic Albanian militia has met its commitment to demobilize. The murder rate is now lower in Kosovo than in many American cities. In much of the region, morale is high and people are focused squarely on building a better life.

The depth of estrangement between factions in Kosovo is profound. Urgent needs for police, prosecutors and courts have not yet been met. And the risk that angry individuals will generate disturbances remains significant. But if our reaction to every setback is to pull back, a dangerous world will grow rapidly more dangerous.

We are not asking anyone in Kosovo to abandon legitimate interests. We are asking the people there to pursue their interests through cooperation with the international community and by participating in the joint governing structures being created. With time and sufficient support, the cooler heads on all sides will prevail. A sense of inter-ethnic community may or may not develop; but pragmatic coexistence is clearly possible.

The day may come when a Kosovo-scale operation can be managed without the help of the United States, but it has not come yet. If we are forced by ill-conceived legislation to depart Kosovo or to slash our commitment of resources, others will mimic our weakness, and the flames of renewed conflict will surely and quickly ignite.

The American people should be proud that we did the right thing a year ago and confident that by working with our partners to consolidate the peace, we are doing the right and smart thing now.

[From the Christian Science Monitor, Mar. 6, 2000]

STAY THE COURSE IN KOSOVO

(By Michael O'Hanlon)

WASHINGTON.—Having won the war against Serbia last year, is NATO now losing the peace in Kosovo? Based on February's violence in the divided city of Mitrovica, one might easily think so. In fact, that is not the case: Overall trends in Kosovo are positive, and recent events in Mitrovica are not a fair referendum on the state of affairs there.

On the other hand, the US and other NATO countries have made some bad decisions in recent weeks—and if they keep it up, the favorable prognosis could change. Countries on both sides of the Atlantic need to get back to military basics to make sure their victory last year is fully consolidated.

First, though, how can one say that life is getting better in Kosovo today? After all, about 150 Serbs have been killed there since the June peace accord. Largely as a result of the violence, the province has been divided into two almost completely segregated ethnic communities—and half of the population of Serbs has left Kosovo altogether. In February, two more Serbs were killed in the ethnically divided town of Mitrovica when an ethnic Albanian fired a rocket at a bus; Serb reprisals raised the overall death toll to 11.

It's true that these developments are regrettable. But it would be remiss to forget that this was a land at war less than a year ago. Nor was this just any war. It was a systematic violation of ethnic Albanians by an organized Serb compaign of violence.

Expecting people to forgive and forget within months, when many ethnic Albanians are still mourning the loss of loved ones and the rape and abuse of many who did survive, is unrealistic.

At least in terms of physical security, life in Kosovo has improved a good deal in recent months. According to NATO commander Gen. Wesley Clark, the province's monthly murder rate declined from roughly 200 last summer to about 35 this winter. Even if the recent tragedies in Mitrovica have bumped the murder rate up somewhat, it remains at least four times less than six months ago—and lower than the per capita murder rate in Washington, D.C. Part of the reason, admittedly, is ethnic segregation—Albanians no longer have as easy access to Serbs as they once did. (In fact, the preponderance of violence in Kosovo today is Albanian on Albanian). but it is better to be segregated and alive than intermingled and at risk of death—particularly in the immediate after math of an ethnic war.

Another major, positive development is that the Kosovo Liberation Army (KLA), which fought Serbian forces last spring, has surrendered large caches of weapons to international forces and demilitarized its activities. Even if pockets of KLA-related forces remain active, they pose only a limited threat to the peace at present.

That said, there have been troubling developments in recent weeks in the peacekeeping efforts of the NATO-led force in Kosovo. Last week, the New York Times reported that American troops were directed to stay out of Mitrovica by the Pentagon, out of concern for their safety after Serbs in that city threw snowballs, stones, and bricks at them. Other recent reports from Kosovo have described how other countries, including Britain, have drastically curtailed their military strength in Kosovo, leaving commanders worried they may not have enough forces to carry out required missions.

The U.S. is wrong not to send its troops into towns like Mitrovica out of concern for their safety, and should change its policy. It's right for the U.S. to expect its allies to provide most troops in Kosovo, given its role in the air war and other military responsibilities from the Persian Gulf to Korea. But whatever troops it has there should not have—and probably do not want—special treatment. That is unfair to the armed forces of other countries in KFOR, the NATO-led protection operation. And it is dangerous. If the U.S. telegraphs to the world that it is terrified of suffering casualties, as it did in Somalia in 1993, it puts a

bull's-eye on the chest of American troops around the world and severely hamstrings foreign policy.

U.S. troops are not cowards. Tens of thousands sleep near their gas masks in Korea, maintaining a still-tense cease-fire. Thousands patrol the Persian Gulf, where war and terrorist attacks have claimed American lives on several occasions in the last decade. Dozens lose their lives every year in training and operational accidents simply because they are using dangerous equipment or carrying out other risky activities in difficult environments. They are capable of facing down stone-throwing Serbs and Albanians, and if they're needed for that mission, they should be sent.

That does not mean troops should be asked to do the impossible, or to take unnecessary risks. Some want NATO troops to do whatever it takes to allow Albanians and Serbs to live together peacefully, protecting isolated pockets of citizens wherever they are in the ethnic minority, or searching house-to-house for weapons in a massive disarmament effort. These ideas are unrealistic.

Kosovo, for all the distance it has come since June, is a recent combat zone in a war that stoked ethnic passions and left many thousands dead. Neither U.S. troops, nor UN police, nor any other external assistance can change these facts overnight. But even if international forces cannot make Kosovo a harmonious multiethnic society, they must continue to keep it stable.

That is where the allies come in, too. Their recent troop cutbacks—12,000 out of a total KFOR force of 50,000—are a bad idea. KFOR must remain strong enough that extremists within Kosovo aren't tempted to test it. It also needs to remain strong enough to deter Serbia. After all, Slobodan Milosevic's military and police forces outnumber NATO troops—three to one—even when KFOR is at full strength. Given KFOR's superior forces, and Serbia's awareness that NATO would send reinforcements if trouble began, KFOR's numerical disadvantage is acceptable—but that doesn't mean we should cut forces further.

Recent problems aside, things are going reasonably well in Kosovo. But that's no reason to get careless, or tempt fate.

Mr. KASICH. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Ohio (Mr. KASICH) has 1½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 2¼ minutes remaining and the right to close.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Chairman, I thank my colleague for yielding me the time.

Mr. Chairman, I have mixed feelings about this amendment, because I think the approach that is being offered is a serious one and it has worked. It has worked in Japan when we offered this on the floor years ago where we had 40,000 troops stationed; and it made a difference in millions of dollars. And it has been offered and suggested with respect to Korea and Germany, as well.

But my problem with it right now is the timing of this amendment. The timing is such that it has come in the aftermath of the war when reconstruction is going on when there is a very, very difficult situation in terms of bringing stability and peace to a region. I just think it does not work right now.

Now, I am not suggesting that this is not something that we should not use in the future with respect to our Europeans and getting them to make sure that they fulfill their commitments. But this is not the right time to use it.

I hope my colleagues will look at this. Serious border incursions are still going on. Ethnic tensions are very, very high. And certainly people need to rebuild. And sending a sign of no hope is not the right signal in this very, very difficult time.

I hope my colleagues will vote ''no'' on this.

Mr. KASICH. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman from Ohio (Mr. KASICH) is recognized for 1½ minutes.

Mr. KASICH. Mr. Chairman, let us not assume that our European allies will not live up to their commitment.

Let me, furthermore, say that what we are simply saying in this amendment is that when they pledge $140 million, $30 million is not good enough; that when they pledge $410 million to reconstruct Kosovo and they only gave $44 million, that is not enough; and when they pledge to put 3,800 police, which is a vital component of rebuilding, and they only provide 1,800, that is not enough.

We are not trying to force the Europeans to do more than what they want to do. All this amendment says is that they ought to do what they said that they wanted to do. All this amendment says is, they said they were going to give these dollars, they ought to give these dollars.

If the Europeans have no interest in, at least, keeping their word, then what is the prospect for long-term peace there? The fact is this amendment will strengthen the U.S. military. Secondly, it sends a clear message in post-Cold War America that people need to shoulder their burden. Thirdly, simple workers across America say, hey, if they made this pledge, why can they not live up to it? It was our flesh and blood that went over there and made the peace. We are not asking them to carry the whole load. We are only asking them to carry the load that they committed to us. That makes good sense.

So I hope, my colleagues, we will come to this floor and will be in a position to be able to support a reasonable and progressive policy towards Kosovo.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 1¼ minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. LEWIS), the very distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my chairman and my colleague yielding me the time.

Mr. Chairman, I must say that all of us must have empathy for the expression of concern about our commitment to Kosovo, the number of troops we have there, and how long we have been there, and how quick we can get them out.

The difficulty I have with the argument today and this proposal is that we do not need 435 Secretaries of State; we do not need 435 Secretaries of Defense.

I went to Kosovo in January, and at our major base camp, I met with about 30 young sergeants who talked to me about why they were there. The re-up rates in the Army are the highest there than anywhere in the world because those people know they are there to save lives. They want us out, as well. But, indeed, behind this mission is the stability of Europe. And we need a unified America speaking about solving that problem.

To have a proposal that would essentially have us force withdrawal sends the wrong message to Milosevic. We should be most worried about the spring thaw, where the Albanians are about to react. They, too, want to have a head-on collision with the Serbs. Blood could flow as a result of a message that says America is not unified in its voice.

This is the wrong time for this amendment presented in the wrong way, and I urge a very strong ''no'' vote.

Mr. CONDIT. Mr. Chairman, I rise in strong support of the amendment offered by my friends and colleagues, the gentleman from Ohio, the gentleman from Connecticut, the gentleman from Massachusetts, and the gentleman from Alabama.

Very simply put Mr. Chairman, this amendment is about asking our European allies to honor their commitments and keep their word. The United States has very clearly shouldered the largest portion of the burden in the Balkans. This amendment corrects that and puts a framework in place to ensure our European allies live up to their commitments with respect to the war and subsequent peacekeeping mission in Kosovo.

The United States has put money, personnel, and equipment on the line in Kosovo. We have met our obligations time and time again while our allies have failed to meet their financial commitments and obligations. As a result we are faced with the United States pouring more of its resources and money into Kosovo. While our allies do not pay their share, more and more of our nation's surplus is going into this open-ended military deployment.

Our amendment corrects this. Until the President certifies that our allies have met a set of realistic benchmarks—all of which are reasonable portions or percentages of their original pledges and commitments—we will withhold half of the emergency supplemental bill's funding for Kosovo.

Mr. Chairman, we fully understand that our fiscal calendars and budget processes may differ from our European allies. For that very reason we are asking for a ''good faith'' payment—a percentage of their original pledges of support. If the President doesn't certify these ''good faith'' benchmarks have been met by June 1, 2000, the withheld funding would be made available only to allow for the safe,

orderly and phased withdrawal of United States military forces from Kosovo.

In the final analysis, our allies made commitments. I urge my colleagues to support the Kasich-Condit-Shays-Frank-Bachus amendment in putting a framework into place for ensuring our allies live up to those commitments.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. KASICH).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to House Resolution 450, the Chair announces that immediately following this vote there will be a 5-minute vote on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON).

The vote was taken by electronic device, and there were—ayes 200, noes 219, not voting 15, as follows:

[Roll No. 89]

AYES—200

Archer	Frank (MA)	Meehan
Armey	Gallegly	Metcalf
Bachus	Ganske	Mica
Baker	Gekas	Miller (FL)
Baldwin	Gibbons	Miller, George
Ballenger	Goode	Minge
Barcia	Goodlatte	Mink
Barr	Goodling	Moore
Barrett (NE)	Gordon	Moran (KS)
Bartlett	Goss	Myrick
Barton	Graham	Neal
Bass	Green (TX)	Ney
Berry	Green (WI)	Nussle
Biggert	Greenwood	Owens
Bilbray	Gutknecht	Paul
Blunt	Hall (TX)	Pease
Boswell	Hansen	Pelosi
Boyd	Hastings (WA)	Peterson (MN)
Brady (TX)	Hayes	Petri
Bryant	Hayworth	Pickering
Burton	Hefley	Pitts
Camp	Herger	Pombo
Campbell	Hill (MT)	Portman
Canady	Hilleary	Pryce (OH)
Cannon	Hoekstra	Radanovich
Castle	Hooley	Ramstad
Chabot	Hostettler	Reynolds
Chambliss	Hulshof	Riley
Coble	Hutchinson	Rivers
Coburn	Inslee	Roemer
Collins	Isakson	Rogan
Combest	Istook	Rogers
Condit	Jackson (IL)	Rohrabacher
Conyers	Jenkins	Ros-Lehtinen
Cook	Johnson, Sam	Roukema
Cooksey	Jones (NC)	Royce
Cox	Kasich	Ryan (WI)
Cubin	Kingston	Ryun (KS)
Danner	Kucinich	Salmon
Deal	LaHood	Sanders
DeFazio	Largent	Sanford
Delahunt	Latham	Saxton
DeLay	LaTourette	Scarborough
DeMint	Leach	Schaffer
Deutsch	Lee	Sensenbrenner
Doggett	Lewis (GA)	Sessions
Doolittle	Lewis (KY)	Shadegg
Duncan	Linder	Shays
Dunn	LoBiondo	Sherman
Ehlers	Lofgren	Shimkus
Ehrlich	Lucas (OK)	Shuster
Emerson	Luther	Smith (MI)
English	Manzullo	Smith (TX)
Eshoo	Markey	Souder
Evans	McCollum	Stark
Ewing	McCrery	Stearns
Fletcher	McInnis	Stump
Foley	McIntosh	Sununu
Fossella	McKinney	Sweeney
Fowler	McNulty	Talent
Tancredo	Tierney	Watkins
Tauzin	Toomey	Watts (OK)
Terry	Udall (NM)	Weldon (FL)
Thomas	Upton	Weldon (PA)
Thornberry	Vitter	Wicker
Thune	Walden	Woolsey
Thurman	Wamp	

NOES—219

Abercrombie	Gonzalez	Obey
Ackerman	Gutierrez	Olver
Aderholt	Hall (OH)	Ortiz
Allen	Hastings (FL)	Ose
Andrews	Hill (IN)	Oxley
Baca	Hilliard	Packard
Baird	Hinchey	Pallone
Baldacci	Hinojosa	Pascrell
Barrett (WI)	Hobson	Pastor
Bateman	Hoeffel	Payne
Bentsen	Holden	Peterson (PA)
Bereuter	Holt	Phelps
Berkley	Horn	Pickett
Berman	Houghton	Pomeroy
Bilirakis	Hoyer	Porter
Bishop	Hunter	Price (NC)
Blagojevich	Hyde	Rahall
Bliley	Jackson-Lee (TX)	Rangel
Blumenauer	Jefferson	Regula
Boehlert	John	Reyes
Boehner	Johnson (CT)	Rodriguez
Bonilla	Johnson, E. B.	Rothman
Bonior	Jones (OH)	Roybal-Allard
Bono	Kanjorski	Sabo
Borski	Kaptur	Sanchez
Boucher	Kelly	Sandlin
Brady (PA)	Kennedy	Sawyer
Brown (FL)	Kildee	Schakowsky
Brown (OH)	Kilpatrick	Scott
Buyer	Kind (WI)	Serrano
Callahan	King (NY)	Shaw
Calvert	Kleczka	Sherwood
Capps	Knollenberg	Shows
Capuano	Kolbe	Simpson
Cardin	Kuykendall	Sisisky
Carson	LaFalce	Skeen
Clay	Lampson	Skelton
Clayton	Lantos	Slaughter
Clement	Larson	Smith (NJ)
Clyburn	Lazio	Smith (WA)
Costello	Levin	Snyder
Coyne	Lewis (CA)	Spratt
Cramer	Lipinski	Stabenow
Crowley	Lowey	Stenholm
Cummings	Lucas (KY)	Strickland
Cunningham	Maloney (CT)	Stupak
Davis (FL)	Maloney (NY)	Tanner
Davis (IL)	Martinez	Tauscher
Davis (VA)	Mascara	Taylor (MS)
DeGette	Matsui	Taylor (NC)
DeLauro	McCarthy (MO)	Thompson (CA)
Diaz-Balart	McCarthy (NY)	Thompson (MS)
Dickey	McDermott	Tiahrt
Dicks	McGovern	Towns
Dingell	McHugh	Traficant
Dixon	McIntyre	Turner
Dooley	McKeon	Udall (CO)
Doyle	Meek (FL)	Velazquez
Dreier	Meeks (NY)	Visclosky
Edwards	Menendez	Walsh
Engel	Millender-McDonald	Waters
Etheridge	Miller, Gary	Watt (NC)
Farr	Moakley	Waxman
Fattah	Mollohan	Weiner
Filner	Moran (VA)	Weller
Forbes	Morella	Wexler
Ford	Murtha	Whitfield
Frelinghuysen	Nadler	Wilson
Frost	Napolitano	Wise
Gejdenson	Nethercutt	Wolf
Gephardt	Northup	Wu
Gilchrest	Oberstar	Wynn
Gillmor		Young (FL)
Gilman		

NOT VOTING—15

Becerra	Franks (NJ)	Rush
Burr	Granger	Spence
Chenoweth-Hage	Klink	Vento
Crane	Norwood	Weygand
Everett	Quinn	Young (AK)

1121

Messrs. LIPINSKI, COSTELLO, ADERHOLT, LAZIO, and BILIRAKIS and Ms. MCCARTHY of Missouri changed their vote from ''aye'' to ''no.''

Messrs. MICA, NEAL of Massachusetts, LEWIS of Georgia and SAXTON changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11, AS MODIFIED, OFFERED BY MR. WELDON OF PENNSYLVANIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the Amendment No. 11, as modified, offered by the gentleman from Pennsylvania (Mr. WELDON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment, as modified.

The Clerk redesignated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 386, noes 28, not voting 20, as follows:

[Roll No. 90]

AYES—386

Abercrombie	Clay	Frelinghuysen
Ackerman	Clayton	Frost
Aderholt	Clement	Gallegly
Allen	Clyburn	Ganske
Andrews	Coble	Gejdenson
Armey	Combest	Gekas
Baca	Condit	Gephardt
Bachus	Conyers	Gibbons
Baird	Cook	Gilchrest
Baker	Cooksey	Gillmor
Baldacci	Costello	Gilman
Baldwin	Coyne	Gonzalez
Ballenger	Cramer	Goode
Barcia	Crowley	Goodlatte
Barr	Cubin	Goodling
Barrett (NE)	Cunningham	Gordon
Barrett (WI)	Danner	Goss
Bartlett	Davis (FL)	Green (TX)
Bass	Davis (IL)	Green (WI)
Bentsen	Davis (VA)	Greenwood
Bereuter	Deal	Gutierrez
Berkley	DeFazio	Gutknecht
Berman	DeGette	Hall (OH)
Berry	Delahunt	Hall (TX)
Biggert	DeLauro	Hansen
Bilbray	Deutsch	Hastings (FL)
Bilirakis	Diaz-Balart	Hastings (WA)
Bishop	Dickey	Hayes
Blagojevich	Dicks	Hayworth
Bliley	Dingell	Hill (IN)
Blumenauer	Dixon	Hill (MT)
Blunt	Doggett	Hilleary
Boehlert	Dooley	Hilliard
Boehner	Doolittle	Hinchey
Bonior	Doyle	Hinojosa
Bono	Dreier	Hobson
Borski	Duncan	Hoeffel
Boswell	Dunn	Hoekstra
Boucher	Edwards	Holden
Boyd	Ehlers	Holt
Brady (PA)	Ehrlich	Hooley
Brady (TX)	Emerson	Horn
Brown (FL)	Engel	Houghton
Brown (OH)	English	Hoyer
Bryant	Eshoo	Hulshof
Burton	Etheridge	Hunter
Buyer	Evans	Hutchinson
Callahan	Ewing	Hyde
Calvert	Farr	Inslee
Camp	Fattah	Isakson
Campbell	Filner	Istook
Canady	Fletcher	Jackson (IL)
Capps	Foley	Jackson-Lee (TX)
Capuano	Forbes	Jefferson
Cardin	Ford	Jenkins
Carson	Fossella	John
Castle	Fowler	Johnson (CT)
Chambliss	Frank (MA)	

Johnson, E. B.	Moore	Sherwood
Jones (NC)	Moran (KS)	Shimkus
Jones (OH)	Moran (VA)	Shows
Kanjorski	Morella	Shuster
Kaptur	Murtha	Simpson
Kelly	Nadler	Sisisky
Kennedy	Napolitano	Skeen
Kildee	Neal	Skelton
Kilpatrick	Nethercutt	Slaughter
Kind (WI)	Ney	Smith (MI)
King (NY)	Northup	Smith (NJ)
Kingston	Nussle	Smith (TX)
Kleczka	Oberstar	Smith (WA)
Knollenberg	Obey	Snyder
Kolbe	Olver	Souder
Kucinich	Ortiz	Stabenow
Kuykendall	Ose	Stark
LaFalce	Owens	Stearns
LaHood	Oxley	Stenholm
Lampson	Packard	Strickland
Lantos	Pallone	Stump
Largent	Pascrell	Stupak
Larson	Pastor	Sweeney
Latham	Payne	Talent
LaTourette	Pease	Tanner
Lazio	Pelosi	Tauscher
Leach	Peterson (MN)	Tauzin
Lee	Peterson (PA)	Taylor (MS)
Levin	Petri	Taylor (NC)
Lewis (CA)	Phelps	Terry
Lewis (GA)	Pickering	Thomas
Lewis (KY)	Pickett	Thompson (CA)
Lipinski	Pitts	Thompson (MS)
LoBiondo	Pombo	Thornberry
Lofgren	Pomeroy	Thune
Lowey	Porter	Thurman
Lucas (KY)	Portman	Tiahrt
Lucas (OK)	Price (NC)	Tierney
Luther	Pryce (OH)	Toomey
Maloney (CT)	Radanovich	Towns
Maloney (NY)	Rahall	Traficant
Manzullo	Ramstad	Turner
Markey	Rangel	Udall (CO)
Martinez	Regula	Udall (NM)
Mascara	Reyes	Upton
Matsui	Reynolds	Velazquez
McCarthy (MO)	Riley	Visclosky
McCarthy (NY)	Rivers	Vitter
McCollum	Rodriguez	Walden
McCrery	Roemer	Walsh
McDermott	Rogan	Wamp
McGovern	Rogers	Waters
McHugh	Ros-Lehtinen	Watkins
McInnis	Rothman	Watt (NC)
McIntosh	Roukema	Watts (OK)
McIntyre	Roybal-Allard	Waxman
McKeon	Ryan (WI)	Weiner
McKinney	Ryun (KS)	Weldon (FL)
McNulty	Sabo	Weldon (PA)
Meehan	Sanchez	Weller
Meek (FL)	Sanders	Wexler
Meeks (NY)	Sandlin	Whitfield
Menendez	Sawyer	Wicker
Metcalf	Saxton	Wilson
Mica	Schakowsky	Wise
Millender-McDonald	Scott	Wolf
	Sensenbrenner	Woolsey
Miller, George	Serrano	Wu
Minge	Sessions	Wynn
Mink	Shaw	Young (FL)
Moakley	Shays	
Mollohan	Sherman	

NOES—28

Archer	Graham	Rohrabacher
Barton	Hefley	Royce
Bonilla	Herger	Salmon
Cannon	Hostettler	Sanford
Chabot	Johnson, Sam	Scarborough
Coburn	Kasich	Schaffer
Collins	Linder	Shadegg
Cox	Miller, Gary	Sununu
DeLay	Myrick	
DeMint	Paul	

NOT VOTING—20

Bateman	Franks (NJ)	Spence
Becerra	Granger	Spratt
Burr	Klink	Tancredo
Chenoweth-Hage	Miller (FL)	Vento
Crane	Norwood	Weygand
Cummings	Quinn	Young (AK)
Everett	Rush	

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So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. TANCREDO. Mr. Speaker, I was unavoidably detained for rollcall No. 90. Had I been present, I would have voted "no."

Mr. MILLER of Florida. Mr. Chairman, on rollcall No. 90, had I been present, I would have voted "no."

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. MCINTOSH. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, because my amendment to restore 401 agriculture research funds was subject to a point of order, I will not be offering an amendment, and rise to engage the chairman in a colloquy.

I greatly appreciate his participation in this, and that of the gentleman from New Mexico (Mr. SKEEN). I am deeply disappointed that the measure strikes two very important programs for rural communities, farmers and ranchers in Indiana and across the Nation, the Fund for Rural America and the Initiative for Future Agriculture and Food Systems.

As a conservative, I strongly support offsets for increased expenditures elsewhere. However, these two are critical programs for future needs in agriculture.

Mr. Chairman, I would like to ask the chairman's assistance as the bill moves to the Senate, that we could move to re-insert those programs into the final bill that comes back to this House.

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from New Mexico, the distinguished subcommittee chairman, to respond to the gentleman's colloquy.

Mr. SKEEN. Mr. Chairman, I would like to thank the gentleman from Indiana for his commitment to Indiana agriculture.

Mr. Chairman, every year the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies is requested to contribute offsets to the supplemental spending bills. We did so this year by putting limitations on two mandatory programs, one for agriculture research and one for rural development, for a total offset of $106 million.

I certainly agree that it is important that critical investments are made in agricultural research. In fact, two major research programs in USDA will receive about $1.8 billion this year. Rural development will get about $2.2 billion.

I would assure the gentleman that we will continue to work with him to adequately fund agricultural research.

Mr. MCINTOSH. Mr. Chairman, if the gentleman will continue to yield, I appreciate the remarks of the gentleman from New Mexico, and do want to state that I greatly respect his wonderful efforts over the years to make sure that the Appropriations Subcommittee would support agriculture research, extension and education.

I look forward very much to working with him in the conference to try to increase that funding.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TRAFICANT:

At the end of the bill, add the following new section:

SEC. . SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under this Act shall report any expenditures on foreign-made items to the Congress within 180 days of the expenditure.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, March 29, 2000, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. MURTHA), the gentleman from California (Mr. LEWIS), the gentleman from New Mexico (Mr. SKEEN), the gentleman from Alabama (Mr. CALLAHAN), the gentleman from Maryland (Mr. HOYER), and the gentlewoman from Ohio (Ms. KAPTUR).

My amendment is right to the point, Mr. Chairman. We provide an awful lot of money around the world, and many times these nations buy product made in Japan and China. I am very concerned that some day China, with a $90 billion trade surplus, may literally attack our children.

My amendment says we promote and encourage, without violating the laws, the procurement of American-made products. The gentleman from Florida (Chairman YOUNG) has worked hard at this. I appreciate the fact that he has accommodated this.

Let me say this to the House, we cannot protect America with a neighborhood crime watch and styrofoam. We

need a domestic industry, and I think looking at procurement of American-made products is of vital importance.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding.

I would like to announce to the House that we are prepared to accept the amendment. It is the excellent amendment that the gentleman has offered many times, and has been accepted by this House many times. We accept the gentleman's amendment.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just wanted to commend my colleague, the gentleman from Ohio (Mr. TRAFICANT) for continuing his crusade on behalf of America's jobs, our workers, our communities.

We certainly would be pleased to accept the agreement, in agreement with the majority here today. I want to thank the gentleman again for keeping our eyes focused on what we should, and that is, America's strength and productivity.

Mr. TRAFICANT. Mr. Chairman, I yield back the balance of my time, and I urge an aye vote on the amendment.

The CHAIRMAN. With no Member seeking to control time in opposition, the question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STEARNS:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) ACROSS-THE-BOARD REDUCTION.—Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 10 percent.

(b) EXCEPTIONS.—Subsection (a) shall not apply to any amount designated by this Act as an emergency requirement, or any amount appropriated or otherwise made available by this Act for the Department of Defense.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, March 29, 2000, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 10 minutes.

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

Mr. STEARNS. Mr. Chairman, I would ask, is any Member opposed to my amendment?

Mr. YOUNG of Florida. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) will be recognized to control the time in opposition.

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

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is pretty simple. It attempts to establish fiscal responsibility.

As all of us know, these emergency supplementals come once, twice a year. This is pretty simple. I cut spending by 10 percent across-the-board only, and I say to the Members, only for non-defense or non-emergency spending. So it would reduce by 10 percent these non-emergency appropriations for programs added to the supplemental for FY 2000.

I offer this amendment because the rescissions used to offset this new spending are unauthorized funds whose use would be better served by using them for paying down the debt.

For instance, Mr. Chairman, the $235 million reduction for emergency Y2K funds, these are the funds we appropriated for 1998. They are being used and this funding is being used, but it is not obligated, so we say, okay, let us use it. But the fact is, this is previously-allocated money that was appropriated, again, as emergency funding, and will now be used to offset this emergency supplemental.

If we hear the word ''emergency supplemental'' used over and over here, we have to say to ourselves, what is an emergency and what is not? We need to hold the line on spending and practice some kind of fiscal responsibility.

We have had several votes this morning, and we continue to add more money to the supplemental.

The gentleman from Pennsylvania (Mr. TOOMEY) had his amendment to set aside $4 billion for FY 2000, non-social security, for the on-budget surplus. The question is, why are we using $429 million, money that was appropriated but not spent to offset recently added spending, when we could apply it to debt reduction?

This is an emergency supplemental. The programs that fall under non-emergency, if they are non-emergency, could we not go through the normal process?

When we were in the minority, we always talked about all these legislative initiatives on the floor. We said, these are not necessary. These are non-emergency. Why are we putting them on the floor? We want to see them go through the normal, regular appropriations cycle under my distinguished chairman, the gentleman from Florida (Mr. YOUNG).

What we see happening with this bill is reminiscent of past years, when we kept adding more and more spending. If we go back and look at the spending that we did in the last fiscal year, we will see that the emergency spending balloons. This thing continues to balloon far beyond the original when leadership said, we will put on a bill that will be about $6.5 billion. Then it went to 7, 8. Now it is at 9 billion they brought it to the floor. This thing is continuing to go up.

We have already loaded this bill up with money for Colombia, Kosovo, Bosnia, the Department of Energy security and cleanup. I am sure if this bill remained on the floor for a week, this thing would balloon up to $25 and $35 billion.

I ask my colleagues, this is a very simple amendment just to reduce the non-emergency, only the non-emergency and non-defense, by 10 percent. The actual cut will be in millions of dollars, it will not be in billions of dollars. We must not appropriate more spending in this emergency supplemental. We must try to hold the line.

We do not want to repeat last year's mistake. The final budget agreement exceeded the budget resolution by $25 billion in non-defense outlays. We seem to be heading in the same direction, so my amendment is modest and should be adopted.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am reluctant to rise in opposition to the amendment offered by my good friend, the gentleman from Florida (Mr. STEARNS), because we do like to save money every chance that we can get, his comments to the contrary notwithstanding. I have an idea that he voted for one of the or for the biggest amendment yesterday that was added to this bill.

Anyway, the gentleman's amendment wants to reduce the non-emergency appropriations in the bill. The President asked for over $400 million worth of non-emergency items, but he offered offsets for those non-emergency items. We reduced the President's request from the $420-some million to $160, but we maintained the $420 million worth of offsets, so we have actually offset far more than we have non-emergency spending items in this bill.

One of the things that would be affected by the Stearns amendment would be safety at our nuclear weapons facilities in the United States. Some of this money that would be reduced by this amendment, has to do with upgrading and restarting the enriched uranium operations, which were shut down for safety reasons. We are trying to make them safe. This is at the Y–12 plant in Tennessee.

The money this amendment would reduce would also address hazard analysis, the safety authorization basis for activities to be performed in FY 2000 at the Pantex plant in Texas. So we are talking about safety in our nuclear facilities.

Another item that my friend, the gentleman from Florida (Mr. STEARNS) might be interested in, because I know that he had supported it, and many of his colleagues have supported funding for abstinence education. This amendment would take a pretty good chunk

out of that money that was agreed to for abstinence education.

I do not think the gentleman wants to do that, because I know that he supports that program. I am against the amendment.

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

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think, in all deference to my good friend, the gentleman from Florida (Mr. YOUNG), my distinguished colleague and the chairman of the Committee on Appropriations, I think he would agree, and he has been on the floor many times saying, particularly when he was in the minority as an appropriator, he said, why can we not take the non-emergency, non-defense spending and run it through the appropriations process, or go through the appropriate committees? Why should not all 435 Members of this House have the opportunity to see this in place and evaluate it?

He has mentioned a couple of programs that he said this would cut. Now realize, Mr. Chairman, that we are only cutting 10 percent of 100 percent, so certainly, in government funding, if we cut 10 percent we are not decimating a program. We are not eliminating a program.

So this is a modest attempt to signal to the citizens of the country and to signal to the Senate, if they decide to vote on this bill, and to make us feel, on this particular morning when we are voting for all new spending, that we are taking the task of being fiscally responsible.

I would say to my distinguished friend, the gentleman from Florida, if these are that important to him, why does he not run them through the appropriate process?

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking minority member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, this amendment is really amazing, if not amusing. We have a huge circus elephant rampaging through this room, and the gentleman has an amendment that is going to go after a fly.

If we take a look at this amendment, this bill spends almost $13 billion, and what does he go after?

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He goes after a $140 million tiny piece of the package. He endangers three nuclear weapons productions plants at Oak Ridge, Tennessee; Kansas City, Missouri; and Amarillo, Texas. They are critical to the improvement of our nuclear stockpile, and he endangers safety operations at those operations.

He is going to say to a thousand families, after every politician in this House has been posing for political holy pictures about how they are opposed to the higher energy prices, while I know that in his district in Florida they do not need a lot of help to pay for home heating oil, but it gets pretty doggone cold in the Northeast and the Upper Midwest, this is going to deny thousands of low-income American families help on that score.

It will take away the ability to get FHA loans from 20,000 low- and moderate-income couples in this country. I do not think that is a gift to taxpayers, although Members who make what we make do not have to worry about those little folks, I suppose. Is that the way the gentleman feels?

Then we just made a big production out of adding a lot of money for fire protection. What does the gentleman do? He knocks out money for fire safety right in the Capitol Hill complex, after we have been chastised for the neglect of the buildings up here. And then lastly, after we have heard so much on that side of the aisle about the need to have family planning programs that emphasize abstinence, what does the gentleman do? He cuts that program by 10 percent. The gentleman from Oklahoma (Mr. ISTOOK) has moved heaven and earth to get that program funding up, and now he is knocking that baby down.

And what does he leave untouched? Yesterday, this House added $4 billion, not million, billion dollars in Defense Department programs to this year's appropriation bill. None of those items were emergencies. The sole, crass purpose of that amendment was to move $4 billion in defense expenditures into this year's budget, so you freed up room for $4 billion in congressional pork in the next year's Defense budget. Now we see this House with this ''let's pretend'' amendment supposedly protecting the taxpayers' interest. Do not make me laugh.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am glad to see the Ranking Minority Member from the Committee on Appropriations fighting to reduce waste and to say that he was upset about congressional pork, because I have been here some time and I have been in the minority and I have seen these emergency supplementals and in this case, the gentleman from Wisconsin (Mr. OBEY) was chairman at that time.

When the gentleman can stand on the House floor and take out a single program and say that we are going to decimate these people, we are going to hurt them because of the reduction, and it is only 10 percent, and, in fact, it is a program that has not been authorized by Members of Congress, why do we not just do away with all the procedures here in the House of Representatives and just bring to the floor any idea by any Member at any time and just vote on it? Pretty soon, we can be the brand-new Santa Claus of history where we just vote on bills, not on the basis of merit, but on the basis of emotion.

So I urge my colleagues to look back at this bill and realize that this is not taking away from anybody. The programs are all left in place. This is nondefense. This is nonemergency.

The gentleman from Wisconsin mentioned this huge amount of money that was provided for defense. The gentleman could actually have an amendment here on the floor to reduce that on the floor if he wants. If he really felt that strong about it, why does he not come on the floor and offer an amendment to reduce defense spending? It is an open rule. Let us up or down it.

But the point is that we have to realize that at some point somewhere we are going to have to address these programs and not continue to bring them on the floor without being authorized without being brought to the appropriate committees.

So I urge my colleagues again to consider this modest amendment and vote ''yes'' on the Stearns amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I would like to ask the other gentleman from Florida (Mr. STEARNS) what planet he was on yesterday. The amendment yesterday was to add that $4 billion in waste. And who led the opposition to it? I did. Were you here or some place else yesterday?

Secondly, when I was chairman, the only year I was chairman, we finished every single appropriation bill on time; and we spent less money than the President. This bill going through here, which I am going to vote against, spends $17 billion more than the President asked for; and you are probably going to vote for it.

Mr. STEARNS. Mr. Chairman, can we have the balance of time remaining?

The CHAIRMAN. The gentleman from Florida (Mr. STEARNS) has 2½ minutes remaining, and the gentleman from Florida (Mr. YOUNG) has 4 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I would announce that I have only one speaker to close, so I reserve the balance of my time.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let us talk about what the gentleman from Wisconsin (Mr. OBEY) just indicated, that he was strongly against the appropriations for defense. He said yesterday that he was on the floor objecting to the money that we added for defense. Is that correct?

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, no, that is not correct. I said that I supported the core bill yesterday which had the additional money for reimbursement for

Pentagon costs to fix the health care problems at the Pentagon and those other items, but I did not support the $4 billion add-on because it was not an emergency and that portion was simply making room for additional congressional pork.

Mr. STEARNS. Mr. Chairman, reclaiming my time, will the gentleman answer whether he is going to vote for final passage of the emergency supplemental?

Mr. OBEY. Mr. Chairman, if the gentleman would continue to yield, am I going to vote for it? I have been speaking for 2 days in opposition to it. Where have you been?

Mr. STEARNS. So the gentleman is going to vote no?

Mr. OBEY. You bet. It is an outrageous breaking of the bank. But you are going after a gnat instead of an elephant.

Mr. STEARNS. Well, I do not consider this a gnat, one-tenth of——

Mr. OBEY. All right. It is a flea.

Mr. STEARNS. Let us call it a cat or a dog or something. But the point is, it is a start. And so the gentleman from Wisconsin is going to vote against the emergency supplemental. If he is trying to fight for fiscal responsibility, as he has been saying today, then certainly if we are cutting nondefense and nonemergency items and it is something that has not even gone through his Committee on Appropriations that he is the ranking member on, I would think the gentleman would be more than happy to say, ''Stearns is a great amendment, I am with you, shoulder to shoulder we will fight for fiscal responsibility.''

Mr. OBEY. Mr. Chairman, let me say what my friend, Archie the Cockroach would observe: It is important to have a sense of proportion. What sense is there for a flea to fall in love with an elephant?

Mr. STEARNS. Mr. Chairman, if the budget was a dollar and 10 cents was on the floor, I would try to save 10 cents, which is one-tenth of what we are talking about. So I urge my colleagues to think about it in that term. All the change that we have at home in our bedroom, we save it. We do not throw it in the trash because it might represent one-tenth of a dollar. I am sure the gentleman has pennies at home in a little tray like we all do and these pennies pile up and we go to the bank and take these pennies in. I am sure the gentleman has quarters and dimes.

Mr. Chairman, we are only talking about 10 percent of the nonemergency and nondefense. So if my colleagues are keeping in their pocket right now pennies and dimes and quarters, then I would think they would be somebody that would want to support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY). I wish he would vote for the bill, though.

Mr. OBEY. Mr. Chairman, I would like to correct the statement of the gentleman from Florida (Mr. STEARNS). He said that I supported the supplemental when I was chairman. There never was a supplemental appropriation bill when I was chairman, so the gentleman is wrong on that fact too.

What the gentleman has done with his amendment, we have got a nice fat sugar donut on the floor and he is managing to go after the hole.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, again, I just want to remind the Members that we reduced the President's budget request in the supplemental from over $400 million to $160 million. That was in the nonemergency part of the bill. So we have already made a substantial reduction. But the $420 million worth of offsets, we kept those offsets. So we really made some money for the taxpayer in that regard.

Another point is that defense has become a part of this discussion. I mentioned in my opening comments about the nuclear weapons facilities that we need to upgrade for safety reasons. That is national defense. The nuclear weapons facilities are part of our national defense. They are a major part of our deterrence that says to the rest of the world: Do not mess with America.

But those facilities have to be safe to protect the people who live around them and work around them. The Stearns amendment would make a reduction in monies going to make those nuclear weapons facilities safe. I just cannot accept that amendment. I wish that I could, but I cannot.

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

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, since the subject has been raised, and since the subject of what the content is of this bill and ''Who shot John and who has not'' in terms of busting the budget, I think it is important to point out the facts on the overall bill.

Mr. Chairman, I yield to the distinguished gentleman from South Carolina (Mr. SPRATT), ranking member on the Committee on the Budget, to illuminate the House on that matter.

Mr. SPRATT. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding to me.

Mr. Chairman, shortly the House will pass a $12.6 billion supplemental appropriation bill. I guess it will pass. The House should understand that this bill, this supplemental, breaches the spending levels that were set just last week when we passed the House Republican budget resolution passed.

During the debate of the budget resolution, we tried to point out that the Republican resolution assumed 5-year spending cuts of $117 billion, which we did not believe that the Congress, under Democrats or Republicans, was likely to make or would make based on past experience.

The supplemental appropriations bill the House will adopt is $4.1 million in budget authority above the funding level that was assumed just last week in the House budget resolution. And since the extra spending is not fully offset, the surplus for fiscal year 2000, fiscal year 2001, and fiscal year 2002 will be lower.

We had a chart on the House floor last week. We have not been able to blow it up again. We do not have the equipment that they do. I have it run on a single 8½ by 11 page. It picks up where we left off when I was trying to say last week that if we assume that we do the Medicare prescription drug benefit, 45 billion over 5, 155 billion over 10, and you do what you said you were going to do and pass a $200 billion tax cut, that you would soon be back into Social Security.

Well, there were objections on that side saying we were not distributing the actual revenue losses due to the tax cut properly. So we said give us the numbers. Give us the numbers. We got the numbers, and we have run the numbers. We have added in this particular bill that we are about to pass, this supplemental, and here is how it distributes.

Pass this and pass the budget resolution, enact the resolution that we did last week, and the surplus this year will go to $4.9 billion. Next year, a surplus of $15 billion will go to $7.8 billion. In 2002, pass the budget resolution we did last week, pass this supplemental, factor in the results, in 2002 we are $541 million in deficit. In 2003, we are $172 million in deficit. This is using your numbers and your assumptions and your budget resolutions.

In 2004, we are $68 million in deficit. That is where this takes us, if we also pass the budget resolution. If Members voted for the Republican budget resolution last week, and if they vote for the supplemental today, these numbers, your numbers, clearly say we are headed straight into the Social Security surplus. That is where it takes us. Purely arithmetic. These are the consequences of having this ad hoc resolution on the floor and of having a budget resolution which, frankly, is not realistic.

Mr. Chairman, I am not contesting the validity of items in this supplemental. I support many of them and will probably vote for it. But I am contesting the validity of the budget resolution and the assumption that we can

do the things that we did last week, because it did not factor in the things that we are doing this week.

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Who in this House, who in this House thinks that the $1.6 billion, or whatever it is we are providing for Colombia, is a nonrecurring item that we will wipe the problem out with this one-time allotment?

Who thinks that these adjustments in military pay to get around the food stamps problem and base housing will not recur again or that we will not have the O&M requirements again in the future?

My colleagues have understated discretionary spending in their resolution; and based upon that understatement, they projected a tax cut that is simply not sustainable. If my colleagues do that, let me repeat it again, if my colleagues who voted for the Republican budget resolution last week, and if my colleagues vote today for this supplemental, according to our calculation and their numbers, they will be back in deficit in a year's time, back into Social Security.

Mr. OBEY. Mr. Chairman, in addition to that, the fact is that, for this fiscal year, rather than the next fiscal year about which the gentleman from South Carolina (Mr. SPRATT) has just been speaking, for this fiscal year, if my colleagues vote for this bill, they are going to be voting for a bill which is $17 billion in spending over the amount the President asked for for this existing fiscal year. I will be interested to see how many so-called fiscal conservatives are going to do that.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. KAPTUR:

Page 80, after line 11, insert the following new section:

SEC. 5109. The Secretary of Energy shall annually acquire and store as part of the Strategic Petroleum Reserve 300,000,000 gallons of ethanol and 100,000,000 gallons of biodiesel fuel. Such fuels shall be obtained in exchange for, or purchased with funds realized from the sale of, crude oil from the Strategic Petroleum Reserve.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment of the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Pursuant to the order of the House of Wednesday March 29, 2000, the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, the amendment I am proposing is very straightforward. Essentially what it does is it allows the Secretary of Energy at this time of very high gas prices to take a portion of our Strategic Petroleum Reserve, draw it down, and use the proceeds to purchase ethanol and biodiesel, adding those to the reserves that we have across this country. There is no budget impact to this proposal.

Essentially what we are doing here is recognizing that rising gas prices, in fact, harm and create havoc within our economy. This is a great economic vulnerability and a great military vulnerability.

We also recognize that we want to encourage domestic production of all fuels to the best extent possible. My colleagues should know that 92 percent of the fuels, the crude in the Petroleum Reserve, in the SPRO, has been imported. So it is not domestic. In fact, what fueled America this past year, over two-thirds of it is all imported. This is not a position that we should permit for our great country.

This amendment promotes alternative fuels focused on biofuels, specifically ethanol and biodiesel. It is a very reasonable proposal. Even after being implemented, this would represent less than 2 percent of all fuel that is in the reserve.

In addition, it is very competitive in the sense that, if one looks at the prices of ethanol now at about a dollar a gallon, when one purchases the amount we are talking about here, 300 million gallons, and biodiesel at $1.50, we are at the point now where it makes sense to do this.

In addition, let me say, if one looks at the SPRO today, there are about 750 million barrels in it or allowed to be in it. But only 575 million are actually in it, which means we have a shortfall of 175 million barrels. So there is room in terms of the authority that exists within the law.

So I would just ask for favorable consideration of this. In particular, at a time when prices in rural America are so very low, let us use the cellulose, let us use the power of the fields and force of our country and help put us on a course of renewables and not such dependence on imported fuel inside this great economy. I ask for favorable consideration of the membership of what I believe is a very worthy amendment.

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

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Florida (Mr. YOUNG) wish to make his point of order at this point?

Mr. YOUNG of Florida. Mr. Chairman, I do.

Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on the appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if exchanging existing law.''

The amendment directly amends existing law.

The CHAIRMAN. Does the gentlewoman from Ohio wish to be heard briefly on the point of order?

Ms. KAPTUR. Mr. Chairman, I wish to say I have the greatest respect in the world for the gentleman from Florida (Mr. YOUNG), chairman of the full committee, and also the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

I would hope that, as we move toward conference, we might find some language that would achieve some of what we wish to have happen here, giving direction to the administration at a time in our country where the American people expect us to do more than dither here in the Nation's chief legislative body. I really think we have a reasonable direction here.

I thank the gentleman from Florida for permitting me to talk on this amendment. I will withdraw the amendment in hopes that, as we move toward conference, we might be able to find some reasonable course here to help America find a better way in this new century.

Mr. YOUNG of Florida. Mr. Chairman, we will work with the gentlewoman and try to do that.

Ms. KAPTUR. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in the CONGRESSIONAL RECORD offered by Mr. PAUL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) The amounts otherwise provided in title I for the following accounts are hereby reduced by the following amounts:

(1) ''DEPARTMENT OF JUSTICE—Drug Enforcement Administration—Salaries and Expenses'', $293,048,000.

(2) ''DEPARTMENT OF DEFENSE-MILITARY—OTHER DEPARTMENT OF DEFENSE PROGRAMS—Drug Interdiction and Counter-Drug Activities, Defense'', $185,800,000.

(3) ''BILATERAL ECONOMIC ASSISTANCE—Funds Appropriated to the President—Department of State—Assistance for Plan Colombia and for Andean Regional Counternarcotics Activities'', $1,099,000,000.

(b) None of the funds made available in title I for ''Military Construction, Defense-Wide'' may be used for construction outside of the United States or any of its territories or possessions.

(c) None of the funds made available in title II may be used for operations in Kosovo or East Timor, other than the return of United States personnel and property to the United States.

The CHAIRMAN. Pursuant to the order of the House of Wednesday,

March 29, 2000, the gentleman from Texas (Mr. PAUL) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. PAUL. Mr. Chairman, I would first like to assure the gentleman from Wisconsin (Mr. OBEY) that I am not dealing with a fly, a gnat, or a flea with my amendment. I would rather not categorize this as dealing with an elephant for obvious reasons.

But I would like to say that my amendment deals with what I consider a monster, and that monster to me is careless foreign military interventionism in which we engage way too often and something we are getting ready to further engage ourselves now in Colombia.

I am quite convinced that, when most of the Members go back to their districts, they never brag and they never say that, ''I go to Washington, and I always vote for the United States to be the policemen of the world. I enjoy deferring to the United Nations and NATO forces for us to pursue some of our policies overseas.'' Quite frankly, I believe most of us go home and say that we do not believe that the United States should be the policemen of the world.

Earlier on, we debated the issue of whether or not our allies are paying their fair share, and it is obvious they are not. So not only do we defer to them for policy and we extend ourselves throughout the world, we actually end up paying the bill, as most American citizens know.

Last year, when we were dealing with Kosovo and our initial involvement in there, we had several votes on the floor dealing with the sentiment of the Congress. For the most part, the sentiment was strongly opposed to our military troops being placed in Kosovo.

But, unfortunately, when it came time to deal with the funding, we were all too anxious to permit and authorize and appropriate the money to go into Kosovo. Today we are continuing to fund our activities in Kosovo as well as Bosnia, East Timor, and now with plans to go into South America, principally Colombia.

My amendment deals with this. It would strike these funds, and it would permit funds to be used in Kosovo to bring troops home. Some people argue that if we strike funds for areas like Kosovo, that we are deserting our troops and it will be detrimental to their morale. Quite the opposite. I think it would absolutely be helpful, because the morale of our servicemen cannot get much lower. The morale is low because they do not know what their real function is in areas where we're involved. They have become policemen dealing with local laws as well as Peace Corps type operators.

The morale would be tremendously helped by bringing these troops home. This is what this amendment deals with. And it strikes the funding for the expansion of our efforts in Central America.

In Colombia, there are a lot of weapons already, and we are responsible for 80 percent of them. There is one irony about this bill that strikes me. The administration and many here on the floor who vote for these weapons are the same individuals who are anxious to prohibit the right of an American citizen to own a cheap weapon in self-defense. At the same time, they are quite willing to tax these individuals and take their money to spend it on the weapons of war around the world and become involved in no-win situations.

I cannot think of a worse situation where there is a four-way faction in Colombia for us to get further involved. Buying 63 helicopters is bound to cause trouble and some will be shot down thus requiring more involvement by American troops.

It is time to reassess this policy; to come home. We should not be the policemen of the world. The American people are not anxious for us to do this. They have spoken out. A recent poll has shown that 70 percent of the American people are very anxious for us not to be involved in policing the world. They certainly are not interested in us placing United States troops under the command of U.N. and NATO forces.

This is a good time for the Members of the Congress to decide whether or not they would like to vote clearly and say to the American people, ''I do not endorse the concept that we should have an open-ended commitment to the world, to be the policemen of the world.'' This is what this amendment says. Quite frankly, the large majority of the American people are strongly supportive of this position.

This is a clear amendment. This is not dealing with a gnat or a flea. This is dealing with a principle. Some say this amendment deals with a principle of foreign policy, and we should defer to the President.

That is not correct. Under the Constitution, the words ''foreign policy'' do not exist. All the obligations fall on the Congress, especially with the power of the purse. The President is the Commander in Chief. But he should never send troops around the world without permission, which all Presidents continuously have done in the last 50 years. This amendment addresses that subject.

I would have preferred an amendment that would have struck some of these funds from overseas and placed them into beefing up the military, increasing the pay of our military personnel, giving them better housing and better medical care, as well as having some of those funds spent here at home. That amendment was not permissible under the rule.

But this point, if my colleagues are anxious to make it, can be made by voting for this amendment. If you are sick and tired of America being the patsy, sick and tired of us picking up the bill, sick and tired of our troops being exposed around the world, this is the amendment to support.

I think this is a very important amendment, and I the American people support it.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to agree with the gentleman from Texas (Mr. PAUL) that this is not an insignificant amendment. This is a major amendment. But here is what it does. It waves the white flag of surrender in the war against the drug lords in Colombia, which provide most of the drugs, illegal drugs that come into the United States. Now we want to wage the effort to eliminate those drugs at their source. This waves the flag of surrender.

I have already talked many times during the various amendments today about the money for Kosovo. This bill is not sending any money to Kosovo. The money spent in Kosovo was already spent. The President made that deployment without getting the approval of the Congress, but the money has been spent. The money was taken from the fourth quarter operations and maintenance accounts of the military services, which means, if we do not replace that money, they have to stand down their training activities for the last quarter.

This amendment is also very significant. It deals with military construction. It says that none of the funds can be used for construction outside of the United States or its territories or possessions.

I wonder if the gentleman from Texas is not familiar with the fact that we have 37,000 American troops in Korea, in and around Korea, in that region, 37,000 American troops. They need some medical facilities. They need some housing, some new housing. The facilities are very old in Korea.

The CINC who just retired from Korea has given us a substantial argument as to why there are military construction requirements in Korea. The new CINC, who has just assumed the job in Korea, has also told us that there are needs in military construction.

This amendment would prohibit us doing for our troops who are in Korea, whether they like it or not, and that is not one of the most favored deployed areas, those needed construction jobs. That to me is significant.

If we cannot take care of our own troops, and we have been there ever since the end of the Korean War, and it is at least a year-long deployment for most of the troops that are there, we cannot even consider supporting this amendment if we believe that we have a responsibility to the Americans who serve in uniform.

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And I urge a strong rejection of the Paul amendment.

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

Mr. PAUL. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Texas has 3½ minutes remaining.

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

I do not believe for one minute this is a surrender to the drug war. This is an acknowledgment that the $250 billion we have spent over the last 25 years has not worked; that the strategy against drugs is wrong.

Why continue a war that does not work? This is money down a rat hole. This is totally wasted money and, as far as I am concerned, only an excuse to sell helicopters and go in to Colombia and protect oil interests. That is the real reason why we are down there.

We say this is only replacement of money for Kosovo. Well, what makes us think if we put the money in and replace it the President will not do the same thing over again? Of course he will. The fact that we are not watching the purse strings tightly enough is the problem.

The gentleman suggests that this would mean that there would be no more building and no support for our troops in Korea. My amendment only deals with the money in this supplemental. What about the current year's budget? Those funds can still be spent. But it also suggests that we shall question how long are we going to be in Korea. It is time to start thinking about these matters. It is time to bring these troops home.

If we want to spend the money, spend it here at home. Spend the money here. Build up our national defense. If we wish to continually expand our interventionism and aggravation overseas, then I guess we have to vote against this amendment and for the bill. But this is a policy statement. Should we continue current policy of forever spending money and being involved overseas? I say it is time to start thinking about what is good for our people, what is good for our taxpayers, what is good for national defense, and what is good for our constitutional republic. Should we be doing this? I do not think so. Are we authorized to do it? No, we are not authorized to police the world.

This is the furtherest stretch of the imagination to believe that what we are spending here on this budget, especially what we are going to do in Colombia, has anything to do with national security. What are we worried about? Are the Colombians going to attack us? This is not national security. This is special interest spending. This is conservative welfarism; that is what it is.

We condemn all the welfare from the left, but we always have our own welfare on the right, and it is not for national defense. We should do less of this military adventurism overseas and put it into national defense, take better care of our troops, which would boost morale, and increase our ability to defend our country. But, instead, what do we do? We subsidize our enemies to the tune of many billions of dollars for a country like China at the same time, when they are aggravated and annoyed with Taiwan, we send more weapons to Taiwan and then promise to send American servicemen to stand in between the two of them.

Some day we should ask the question of whether is this policy in good for us. I am frightened to think that this will only change either when we are in such a mess, a lot worse than Vietnam, or we totally go broke or both. But we should not wait. We should speak out and do what is best for our country. We have a good guideline as to what we should do in foreign policy, and it comes from the constitution, certainly we should note the tradition of the last 50 years. The Constitution gives us the guidance to pursue a proper foreign policy.

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

Mr. YOUNG of Florida. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIRMAN pro tempore. The gentleman from Florida has 7 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, let me take this opportunity to associate myself with the comments of the chairman, the gentleman from Florida (Mr. YOUNG). He is right on on this.

What this amendment does is absolutely ignores the history and the role the United States has played since the days of Harry Truman, and I think that opposition to this amendment is proper and just and it must be defeated.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me this time and let me begin by congratulating the gentleman in the manner in which he has conducted this debate. I think he has done a wonderful job, both yesterday and today.

I do rise in opposition to this amendment, because I believe it goes too far, it covers too many things, and withdraws from too many places and too many important operations. However, I do want to speak more favorably at least on one aspect of the amendment. This appropriation package has, as its linchpin, aid to Colombia. That is both its greatest strength and, I am afraid, its greatest risk. It is risky because its success in the long run is dependent upon cooperation and commitment, a commitment to justice on the part of the Colombian government, and this is, I am afraid, where I have some doubts.

Just over a year ago three innocent Americans were discovered, their bodies. They had been brutally slaughtered in northeast Colombia, slaughtered while they were educating the people of northeast Colombia, slaughtered by thugs from FARC narcoterrorists. One of these Americans was a constituent of mine, Ingrid Washinawatok of Menominee County, Wisconsin. If we are not careful, I am afraid these three Americans may become victimized yet once again. And here is why.

Last October, this body unanimously, unanimously, passed a Sense of the Congress Resolution which decried these murders, condemned FARC, but also, and this is the most important part, called upon the government of Colombia to arrest and to extradite to the United States for criminal trial these awful people. Some weeks ago, at a subcommittee hearing before the Committee on International Relations, I had the chance to ask our drug czar, the esteemed General Barry McCaffrey, for help in pushing for extradition. He assured me he would, and he assured me that he would keep me and my constituents posted. Unfortunately, I have to report today that we have heard nothing from him.

And now, just recently, we have heard from the president of Colombia that he will not extradite at least one of these murderers, German Briceno. So it looks as though the family of Ingrid Washinawatok may be let down once again. For this initiative, for this initiative aiding Colombia, to work, there must be trust, there must be understanding, and there must be a commitment to justice; and I am afraid that commitment may be slipping away.

I see my friend and colleague, the esteemed chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), and I would ask him and ask the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), the drug czar, and the President all to help us push for extradition.

I do speak in opposition. I believe this amendment goes too far, but some of the sentiments are valid.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Wisconsin. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding to me, because I want to assure him that we will try to work with him in conference, and wherever we can, to assist in his desire in getting this criminal extradited.

Mr. GREEN of Wisconsin. Reclaiming my time, Mr. Chairman, I thank the gentleman. That means a great deal to us. And I thank the chairman of the Committee on Appropriations as well, Mr. Chairman.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to repeat that this is a serious amendment and should

be rejected in a very serious way. Now, the issues that our colleague, the gentleman from Texas (Mr. PAUL), has raised, are major policy decisions that need to be made, but this is not the bill to do so.

I would suggest to the gentleman that he should go to the Committee on International Relations or he should go to the Committee on Armed Services to deal with the issues that he has raised. He deserves a debate on those issues but not on this bill. This is an appropriations bill, this is not a bill where policy is set. And so I ask the Paul amendment be rejected in a very strong and serious way.

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

The CHAIRMAN pro tempore. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TAYLOR of Mississippi:

To restrict funding for in excess of 300 U.S. military personnel in Colombia.

On page 80 after line 11, insert the following new section:

SEC. . None of the funds made available by this Act may be expended for the support of in excess of 300 United States military personnel in Colombia.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Wednesday, March 29, 2000, the gentleman from Mississippi (Mr. TAYLOR) and a Member opposed each will control 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Florida (Mr. YOUNG) claims the time in opposition.

The Chair recognizes the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, I yield myself such time as I may consume.

I ask my colleagues, Mr. Chairman, for a few minutes to try to remember what it was like before we all got caught up in which party we are in and which committee chairman is for something and which committee chairman is against it, and try to remember why I think all of us ran for this office. It was to do good things and to keep bad things from happening.

It is the second point that I would like to discuss today, because I think that the needless loss of an American service person is quite possibly the worst thing that can happen.

The amendment that I am offering today is an effort to keep a bad thing from needlessly happening. Colombia is a dangerous place. The FARC and the ELN, the two primary guerilla groups, now control better than 40 percent of the Colombian countryside. They are well financed, they are well armed, they are well trained. And in increasing instances, they are working in large units to overwhelm Colombian army outposts; and just this week killed about 30 Colombian policemen.

In my opinion, they threaten the Nation of Colombia. And yet the political leaders of Colombia in the past year have reduced their defense spending. The political leaders of Colombia in the past couple of months have actually changed their law so that people who hold a high school diploma are no longer eligible for the draft in Colombia. In private conversations with their business leaders, they tell me, yes, there are taxes on the books, but they do not pay them. And I suspect that they are expecting someone else's kid to defend their country.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Mississippi. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. We have no problem on this side with the amendment.

Mr. TAYLOR of Mississippi. Reclaiming my time, Mr. Chairman, I thank the gentleman and assure him I will go quickly.

Usually it is some poor uneducated kid from the Colombian countryside, and I get every indication that they expect American kids to fight in a war they will not fight in and the American taxpayers to pay for a war that they will not pay for.

It is with some hesitation that I will vote to help them with America's money and equipment. I will not, however, vote to send America's sons and daughters off to fight a war in Colombia that the sons and daughters of Colombia and their political leaders often will not fight in.

This amendment would limit America's troop strength in Colombia to 300 military personnel. In a hearing before the House Committee on Armed Services last week on Colombia, General Charles Wilhelm, the United States Commander in Chief of the Southern Command, was told of my reservations and asked if he would agree to a troop limitation. His response was:

Would I be willing, as the Commander in Chief of the United States Southern Command, to subscribe to a properly considered and developed troop cap for Colombia? I certainly would. Categorically, yes.

That was 1 week ago today.

I am asking my colleagues to put such a cap on American troop strength in Colombia. Should it be the will of the majority of this House to break that cap, then it should be done in a deliberate manner and by a vote of this body, and not something that some president on a whim gets us involved in.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Mississippi. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I think that this amendment is an important one because it helps point out the fact that the strategic thought on the fight against drugs is being directed in the wrong place.

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What should happen and should, of course, come from the Colombian military and their government is to put a stop to the traffic, the drug traffic coming across the Andes by air as the Peruvians stopped, and through the three, and only three, mountain passes through the Andes. Instead, we might find ourselves enmeshed in a civil war, going after one-third of the guerillas who, of course, are being supported by the drug trafficking.

The proposed strategy is a 6-year strategy; that should not be. It should be one where you shoot down the airplanes as they fly over the Andes and stop up the three passes and then should we look at assisting in going after the guerillas if that be our policy. Let us go the first things first.

Mr. TAYLOR of Mississippi. Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield our 10 minutes for purposes of control to the gentleman from California (Mr. LEWIS), the chairman of the Subcommittee on Defense Appropriations.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). Without objection, the gentleman from California (Mr. LEWIS) will control 10 minutes.

There was no objection.

Mr. LEWIS of California. Mr. Chairman, as my colleague, the gentleman from Pennsylvania (Mr. MURTHA), indicated we are not going to have any problem with this amendment.

Mr. Chairman, I yield 1 minute to my friend, the gentleman from Virginia (Mr. BATEMAN).

Mr. BATEMAN. Mr. Chairman, I thank the distinguished gentleman (Mr. LEWIS of California) for yielding me this time. I do not rise in opposition to this amendment. I would not ask for a rollcall vote on this amendment.

I do have to tell my colleagues in the House that within the last hour, I have spoken to General Wilhelm; and General Wilhelm says that he does not believe this figure of a 300-person cap on military personnel in Colombia is realistic. And he does not know where it came from.

If there was going to be a cap, as he said in his statement before the committee, it should be properly considered and developed. This, I do not believe meets that test. I am not opposed

to there being one. And I would hope in the course of the legislative process that that kind of deliberation on what the cap should be and what exemptions might be in order to that cap would be a matter that would be considered.

Mr. LEWIS of California. Mr. Chairman, I have no further requests for time, but I reserve the balance of my time. I am prepared to yield it back as soon as we are through on both sides.

Mr. TAYLOR of Mississippi. Mr. Chairman, I am very grateful for the help of the committee chairman.

Mr. Chairman, I yield as much time as he may consume to the gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Chairman, I think that it is very, very important, speaking as a Member of the Committee on Armed Services who was there when this statement was made, and reflecting for a moment on very cogent remarks of the gentleman from Virginia (Mr. BATEMAN), the reason that we need to pass this today is to at least set in motion the fact that we are not going to make an open-ended commitment here.

We are dealing with numbers that have been the case so far with the commitment of the United States. It is very, very important in the context of what has happened from Vietnam on that we not find ourselves stumbling into something from which we cannot come back, getting into something from which we cannot retreat if it is found to be necessary. Of course, we need to take into account exactly what should be done with respect to numbers or anything else, but failing to do this today we will find ourselves in a position where that kind of benchmark has not been established.

Mr. Chairman, I think it is very, very important for us to pass this amendment today on the basis that we do not find ourselves drifting inextricably into a situation that we cannot only control, but for the consequences of which may be something that all of us would find most grievous in terms of what the Congress of the United States did.

I recognize that we are near the end of a day in which people may be leaving; that the full attention may not be on this question right now. That is even a more important reason that we pass this amendment today.

Mr. LEWIS of California. Mr. Chairman, I am prepared to yield the balance of my time, presuming the other side is as well.

Mr. TAYLOR of Mississippi. Mr. Chairman, I would like to thank the gentleman from Oklahoma (Mr. LARGENT), the gentleman from Mississippi (Mr. WICKER) for their assistance in this.

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

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 printed in the CONGRESSIONAL RECORD offered by Mr. TANCREDO:

At the end of the bill, add the following section.

SEC. . The amounts otherwise provided by this Act are revised by reducing the amount made available for RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES—Food and Drug Administration Buildings and Facilities by $20 million.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Wednesday, March 29, 2000, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from New Mexico (Mr. SKEEN) each will control 10 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in the proud tradition of the $500 hammer, the $1,000 toilet seat and the $1 million outhouse, the FDA and this bill now bring us a hugely expensive Federal office building in Los Angeles. This building, 133,000 square feet, will cost us, when it is done both in construction and in land acquisition and design, some $53 million. That is an extraordinarily expensive piece of property, and as you can see by this picture here, it looks nothing like what one would consider to be an appropriate design building for a Federal Government agency.

By the way, this amount, this $52 million, $53 million for this 133,000 square foot building does not include the cost of furniture, telecommunications, or security systems. It is just the building and the land. Yes, there are some laboratories in the building, but that does not account for the massive expense.

It is the incredible opulence of this building, the building itself, a rendering of which, by the way, the architect proudly displays on his Web site, and proud he should be.

Look at this thing. Does this look like a building designed with the slightest consideration for cost containment? Of course not. But why should anyone care. After all, it is just government money.

Let us take this $20 million that they are asking this year and use it for debt reduction and not for pork production.

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

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the amendment.

Mr. Chairman, this construction project is not included in this bill at the request of any Member. This replacement laboratory has been in the agency's program of requirements for some time. It was included in the President's budget request last year, and it was included in the House-passed bill last year.

As we moved towards our conference agreement last year, this was one item that we could not fit within our overall spending levels. But that did not mean that the requirement went away. It only meant that the building has gotten older, more decrepit, and more dangerous for employees.

What is done in this laboratory? This lab does the scientific and analytical work that backs up the FDA's consumer-protection mission, with a heavy emphasis on the surveillance of important products. Fully 25 percent of the agency's laboratory work related to imports is done in this one location.

What happens if this replacement construction is further delayed? Eventually, and the time is soon, operations in the existing facility will have to halt because of the combination of lack of worker safety and questionable scientific results due to substandard conditions.

What happens then? Laboratory work will be performed elsewhere at reduced efficiency and higher costs. Turnaround time on sample analysis will increase, and fresh imported foods being held for this analysis will rot on the dock; or worse yet, unsafe food will find its way to our homes and tables.

So if the goal is to increase the cost of Federal efforts to ensure the safety of imported products, increase the health risks to the American consumer, increase the risk to Federal workers in doing their jobs, and increase the cost of industry of complying with necessary regulation, then, by all means, my colleagues should support this amendment.

I do not support those goals; and, therefore, I oppose the amendment. Mr. Chairman, I ask all Members to oppose this amendment.

Mr. Chairman, I have been on the ground at this facility. It is an absolutely ruinous situation, very dangerous. I do not know whose artistic presentation that was. But in a place where this facility is today, it has to be redone and has to be moved, or we will lose it.

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

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume in response.

Mr. Chairman, first of all, the artist rendering of the building that we presented here is the architect, the architect that has been hired by FDA. This we took off of his Web site. This is not our representation. This is the artist rendering the building that they are going to put on a piece of property that

they have purchased for somewhere around $9.8 million is the cost they gave us for land acquisition and for some design.

Let us assume that the design was for a million dollars. Let us assume that the architect got to us for a million dollars for the design. That still means that we paid almost, what, $800,000 or $900,000 an acre for the property on which this is going to sit. And after we do that, we are going to build a building that will cost us $100 to $300 a square foot.

This is enormously expensive, incredibly opulent. This is not a conservative stewardship of tax dollars when it comes to building Federal buildings. And then let me say that my colleague has indicated what happens in this building and he leads us to believe that there is a great deal of concern that we should have if these people do not have all this room.

There is almost, by the way, 700 square feet individual space per employee in this building. The GSA standard, by the way, runs to about 175 feet; and that is even including the expanse outside of one's work space, the average that the GSA indicates. This is a 700-square-foot-per-employee building.

Let me tell my colleagues what is going to go on in this building that is so incredibly important to the health and safety of the Nation. We took this off of the FDA's Web site about what they do. This is what they describe as what will be going on in this building for the Office of Regulatory Affairs:

Advises and assists the commissioner and other key officials in regulations; coordinates, interprets, and evaluates the agency's overall compliance efforts; stimulates awareness within the agency of the need for prompt and positive action to assure compliance; evaluates and coordinates all proposed legal actions to ascertain compliance; executes direct-line authority over all agency field operations; provides direction and counsel to the regional food and drug directors; develops and/or recommends to the commissioner policy programs plans.

All this bureaucratic gobbledygook, which we know really and truly, when we get down to it, what is this all about but a lot of paper shuffling.

We are not talking about a massive building with a great many laboratories in it. What has happened here is that they are consolidating two office buildings and one lab into this building. But the majority is office building, office building.

1245

Look at that office building. I ask my colleagues, how many buildings even here in Washington, DC, do we see that look like that? It is not the cost of what goes on inside that building necessarily or the construction of it that is so expensive, it is what it looks like.

This is something again, even if it is necessary, Mr. Chairman, even if everything that my colleague has said is necessary, I ask, is this an emergency, on the level of the hurricane disaster, on the level of all the other things that we know to be in the true definition of the term emergency it is known to fit. But if some FDA employee has to go to a building that is less convenient, perhaps less opulent, certainly dustier and in a seedier neighborhood, because that is what they list here as being their big problem, they do not like the neighborhood where they presently are housed. They do not like the neighborhood. I am sorry about that. A lot of folks I know are not terribly pleased, but they do not have the luxury of just coming to the Congress and getting $52 million to move out.

I should say to my colleagues that if that is what really prompts this kind of move, it is not an emergency, it should not be in here. If all the things that are true about the need for this kind of construction are there, then it should come through the regular process, go through the regular appropriations process and end up yea or nay on the floor. It should not be in this particular piece of legislation.

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

Mr. SKEEN. Mr. Chairman, I yield 3¼ minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment. I want to say to the gentleman from Colorado that had he contacted our subcommittee at any point during our discussions on this, perhaps we could have clarified some of the misinformation that he is bringing to the floor. This is not an office building. This is a laboratory. One-quarter of all imported food that comes into our country is probed and the samples from that are sent through this lab.

Keep in mind that in our country today, we only are able to test, the American people cannot even believe this but it is true, less than 2 percent of what comes over our borders. But of what we do test, one-quarter is sent to this lab, which by the way I wish he would put up the picture of the current obsolescent, dilapidated embarrassment that sits in South Los Angeles today that calls itself a building and a lab which is unsafe for the workers to work in.

The reason this is an emergency, and we should have passed this last year, is simply because the building is in such bad shape if this does not pass and we cannot start construction very soon, and this has been a competitively bid project, that means that we are going to have to move everybody out of that lab and put them somewhere else which will be a waste of taxpayers' money. We ought to get this building up. If he takes the trees off that little drawing he has got there and just look at the building, it does not look too fancy to me.

They had to come in within budget, what was budgeted for it. If we think about what is happening in our country today, 5,000 people died last year of food poisoning in our country. Seventy-three million had different types of illnesses related to food. Of what is coming over the border, over 5 percent of what we do test has microbiological pathogens such as E. coli and salmonella and shigella.

This is a serious situation. We should not ask people to work in those kinds of conditions. It is an embarrassment to the city of Los Angeles to have this antiquated structure there. I do not think it would be a very pleasant place to go to work. As conditions are today, it certainly is not. This particular lab located where it is in Southern California, way out there in the Southwest, I am sure his California colleagues do not support this because we have so much produce coming in from Mexico now and it is growing at alarming rates, we have to be able to test this in the public interest.

I should tell the gentleman that the L.A. district, not just this lab or the border but the L.A. district, the region, represents one of the three largest ports of entry for all commodities coming into the United States. This is a place that needs attention. I do not think it would be very wise to shut it down or to try to transfer it to some other part of the country. If we probe in Texas, we have to send the probes over to Los Angeles because we do not have enough money to build other labs. I say let us build a structure that will stand for a number of years.

Mr. Chairman, I would just say to the gentleman, if he had come to our committee and we could have spent time talking with him about this, we would be happy to work with him in the months ahead. I personally will be willing to go with the gentleman out there and see what we have got now. I leave it to the experts to build the new lab, but let us move on with it. It is the 21st century, let us get out of the 19th. Defeat the Tancredo amendment.

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

The information that we have about this facility comes to us from the FDA. It is their own information. It is their own documentation. It is the rationale for their budget request. It states that restricted funds will serve to consolidate three district's sites, the laboratory on People Boulevard, the current district office in Irvine, and the San Pedro resident post.

If that has changed and it is a different configuration than this, I will be happy to entertain that consideration, but that is what they said this is for. They also said that this replacement facility was going to house 75 laboratory staff and 120 office personnel at an estimated construction cost of $40.4 million.

Again, $40.4 million for the building and the gentlewoman and I both know that the building will never come in at that amount. When was the last time a

Federal building project ever came in at budget? But our best hope is $40.4 million. Again add the $9.8 million to that that we have spent for land and design, and we have got a building that is now approaching $400 per square foot in cost. This is extraordinary.

I repeat, that if all of the information provided is inaccurate that we have here, if there is greater need than what we are able to identify on this floor and certainly than what has been able to be offered here on the other side as a justification for this expenditure, I suggest that all could have been done in an even more appropriate setting and, that is, the regular appropriations process, a committee of reference, not just an appropriations committee but an authorizing committee.

The Citizens for Government Waste has identified this particular project as a particularly egregious example of government waste, and they are supporting the amendment. They and others have looked at this whole thing and recognize that once again it is not just the fact that we may need a building. I am not arguing that point. Some facility may be necessary. I certainly would not stand here and tell Members that all of the claims to the contrary are accurate, but I am saying that a building of this nature is what I am concerned about and a building this expensive. Eight hundred, $900,000 an acre for the building for 10 acres to build a 133,000 square foot building seems to me to be exorbitant.

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

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

I have some questions for the proponent of this amendment. Regarding the gentleman's figures on the cost per square foot of the facility, does the gentleman realize that you do not test for botulism and salmonella in a garage? Does the gentleman understand that you do not test for E. coli with a high school science kit in your kitchen? Would the gentleman be happy if FDA were testing the food that he and his family eat and that the families of all the Members here eat using old, outmoded equipment in poor facilities?

Is there a Member in this body who does not want the country to have the safest and best food supply in the world? Is there a Member in this body who thinks that we can do that on the cheap?

Mr. Chairman, here in Washington, we are pretty good at taking care of ourselves. We have nice offices, nice staff, lots of parking. We even have our own police force. We work here less than half the days in the year. Why then do we expect Federal government employees to protect our food supply and our health every day of every week of every year and not give them the means to do it?

I strongly urge my colleagues to vote ''no'' on this amendment.

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

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume. I go back again to the information provided by the FDA about what exactly goes on in the Office of Regulatory Affairs for which this building is being constructed, the Office of Regulatory Affairs. I read the list. I certainly did not give a detailed description of each one of these things because, quite frankly, they are quite amorphous. But I assure Members that none of them, not one of the things identified on this entire list except the last thing that says operates the Federal medical products quality assurance program for the agency is even remotely connected to the kind of thing my colleague brings up about what FDA does.

Then we went to the Web site to find out exactly what the medical products quality assurance staff does to determine just exactly how close it came to this quality control issue. Here is what they do. This is again from the FDA. The functional statement for the medical quality assurance staff are develop and maintain liaison with the government agencies procuring medical products, develop and manage operational agreements and systems, receive and process requests from other Federal agencies, maintain liaison, coordinate, direct field and headquarter activities relating to the governmentwide assurance program.

Mr. Chairman, nothing in here, nothing they have given us certainly, would lead us to believe that any of the activities going on in this building reach the level of importance in terms of maintaining the food quality of this Nation that has been identified.

The CHAIRMAN. The time of the gentleman from Colorado (Mr. TANCREDO) has expired.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding me this time.

Mr. Chairman, I just want to say to our colleagues, do not take a safe food supply for granted. We have to thank the lab workers across our country who work at wages below what they would earn in the private sector and in this Los Angeles lab I want to pin a gold star on every one of them because they work under terrible, terrible conditions.

Yet they are there because they are dedicated to the public health and welfare of the people of the United States and to food safety. We still have the safest food supply in the world but we have got some tears in the fabric. One of the answers for us is to try to provide a more modern facility where we can test faster, move more product through and increase the amount of surveillance that we do as imports absolutely avalanche into this country.

Remember, we only check now under 2 percent of the food that you buy, the fresh fruits and vegetables that you buy in the store, we only check less than 2 percent. We have had outbreaks across this country. The question becomes, are we going to put our money where our mouth is in terms of food safety for our families and for our children? Defeat the Tancredo amendment.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

I think the essence of this thing is, Mr. Chairman, I do not know how many Members have seen this FDA laboratory in Los Angeles. I have. It is an absolute ruin. I have been there. I have seen what it is like for the FDA employees who work in the trenches, so to speak, doing the job that we all want them to do to ensure the safety of the food supply. They are in danger of their own situation because the place has been broken into time after time. It is in a terrible location. It is in a terrible state of repair. It is not worth this effort that we have gone through.

I would say to the gentleman, a trip out there to see it would probably change his whole viewpoint because he has been led down the primrose path. Is this construction project an emergency? My answer is ''yes.'' This facility is in such poor shape that it is getting in the way of FDA's performance and its consumer protection mission. That is not a small statement on the situation that we have in this particular laboratory. You have to go and see it. You cannot do it from the presentation that you have had from this today.

I would like to read part of the letter I have received from an association known as the Grocery Manufacturers of America.

I quote:

On behalf of the members of the Grocery Manufacturers of America (GMA), I want to express support for the continued inclusion in H.R. 3908, the FY 2000 Emergency Supplemental Appropriations Act, of funding for the Food and Drug Administration's (FDA) Los Angeles, California, laboratory facility.

The food industry agrees that FDA must have up-to-date facilities and state-of-the-art laboratory instrumentation to stay on top of the huge task of monitoring imported food products, many of which enter the U.S. through southern California. The current Los Angeles laboratory is an old, outdated facility, with equipment and instrumentation that is quite simply not up to the task. With more than 1 million import entries through this facility alone, the undertaking is enormous and the potential risk to the public of failing to do the job properly is significant.

As you may know, GMA is the world's largest association of food, beverage and consumer product companies. With U.S. sales of more than $460 billion, GMA members employ more than 2.5 million workers in all 50 states. The organization applies legal, scientific and political expertise from its member companies to vital food, nutrition and public policy issues affecting the industry. Led by a board of 42 Chief Executive Officers, GMA speaks for food and consumer product manufacturers at the state, federal and international levels on legislative and regulatory issues. The association also leads efforts to increase productivity, efficiency and growth in the food, beverage and consumer products industry.

Food safety is one of our highest priorities, as we know it is yours. Providing FDA with

the funds it needs for its Los Angeles laboratory project is definitely a needed component of a broad food safety agenda, as it will ensure better response and more appropriate scientific evaluations of potential risk from imported foods.

Again, I oppose this amendment, and I ask all members to oppose this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

1300

AMENDMENT OFFERED BY MR. BALDACCI

Mr. BALDACCI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BALDACCI:

On page 80, after line 11, insert the following:

''SEC. . Funds made available under title IV of this act for weatherization activities shall also be available for other building technology assistance conservation activities authorized in law''

The CHAIRMAN. Pursuant to the order of the House of Wednesday, March 29, 2000, the gentleman from Maine (Mr. BALDACCI) and the gentleman from Ohio (Mr. REGULA) each will control 10 minutes.

The Chair recognizes the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to talk about the need for an energy policy, something that the leadership in this Congress has not yet addressed today or for the last 6 years.

The amendment that I have introduced is a modest expansion of a number of programs funded with $19 million for weatherization assistance grants. Although it is a small change, it is all that was allowed; but it raises a larger question: When is this Congress going to do something, and what they do do is counterproductive to the interests of the American public.

When one lives in a State where the temperature dips in below zero and dramatic increases in heating oil prices are serious matters, for people who are on fixed incomes, it has presented a life-threatening choice between paying for the delivery of heating oil or buying medicine, between heating the house and buying groceries.

Now OPEC has decided to increase production and non-OPEC countries have also increased production.

The most important tool that is available to the President of the United States and the Secretary of Energy is said to expire tomorrow, the tool that has allowed them to negotiate with OPEC and non-OPEC countries to increase the production, readily available so that our consumers, our small business people, our truckers, our potato farmers and fishermen can make sure that they have reasonable costs for energy and are not being put on the of business.

Millions and hundreds of millions have been spent on low-income heating assistance and hundreds of millions more need to be spent. The one tool is set to expire tomorrow. It has been languishing in the committee, and an extension has been sought by the President to last until 2003. This reserve was created during the Nation's energy crisis. What tools are we going to have to make sure that OPEC and non-OPEC are increasing their production, and how are we going to be assured that they honor that increase and not another emergency arises?

There have been suggestions in the Office of Energy Information that there may be shortages in New England and California this summer, even with the increased production. This inaction compromises the President's ability to negotiate with our allies. It raises doubts about the President's ability to use the Strategic Petroleum Reserve in emergencies. The last thing that we want to do is to send a message to the world, a message that the President of the United States' ability has been compromised because of the failure of this Congress to act.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), who has shown leadership in this and many other matters.

Ms. DELAURO. Mr. Chairman, I rise in support of the Baldacci amendment. This year we faced a major crisis in the Northeast where there was not a sufficient oil supply to take care of the people in our districts who desperately rely on home heating oil as the way they heat their homes in cold winters, and we have cold winters in the Northeast. We had a supply problem leading to a serious price increase. Hard-working American families trying to heat their homes, drive to work, fill the tanks of their trucks and boats are suffering from these price hikes.

Two days ago, thanks to heavy pressure from the administration, OPEC and non-OPEC countries agreed to increase the oil supply. This will help to bring prices down.

In the meantime, the Republican leadership of this House has done little more than point fingers at the administration, but it is important to lay out the energy policy of this same Republican leadership over the past 5 years. Their policy abolishes the Department of Energy, sells off the Strategic Petroleum Reserve, slashes funding for alternative energy sources, underfunds conservation programs that would help to make us energy independent, the kinds of programs that are listed in the Baldacci amendment.

What is more, they will not bring up a bill that extends the President's authority to release oil from the Strategic Petroleum Reserve if there is a national emergency in this country. This authority expires tomorrow. This is leverage with the OPEC countries. They would handcuff the President, jeopardize our national security. My God, this would be laughable if it were not so serious.

We need to move forward on a national energy policy, and we should get an energy policy in order. That is why we should immediately reauthorize the President's authority in the Strategic Petroleum Reserve. We should consider our investments in energy efficiency, conservation, alternative energy sources like those listed in this amendment. We should provide tax incentives for our domestic oil and gas industry, and we should set up a Northeast home heating reserve in order to ensure that our constituents do not have to choose between heating their homes and eating their meals.

Mr. Chairman, that is the way to an energy policy. Let us stop pointing fingers; let us roll up our sleeves; let us get to work. Let us start that with the Baldacci amendment.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

The gentleman's purpose in offering this amendment is good. The need to reauthorize the Strategic Petroleum Reserve is very real. I would point out that it was delayed downtown for 5 days last year.

However, the gentleman's amendment does not accomplish his stated purpose of reauthorizing the Strategic Petroleum Reserve. Indeed, it deals with another program all together.

Mr. Chairman, I would ask the gentleman to withdraw his amendment, and I give him my commitment to work with him through the appropriate venue to reach his goal of a Strategic Petroleum Reserve reauthorization. I think the gentleman's comments focus our attention on this need, and we certainly will do everything possible to get it done. I hope the administration will support it.

Mr. BALDACCI. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Maine.

Mr. BALDACCI. Mr. Chairman, I appreciate the efforts of the gentleman in wanting to work on this and addressing this in a constructive way, and I look forward to doing that.

I have one other speaker, and then that would be it.

Mr. REGULA. Mr. Chairman, I reserve the balance of my time.

Mr. BALDACCI. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY), a leader in these matters also, and an esteemed colleague here in the Chamber.

Mr. MARKEY. Mr. Chairman, I thank the gentleman for raising this issue of

what this Congress has to do in order to deal with the long-term energy security of our country.

Mr. Chairman, we are very fortunate that between 1980 and the year 2000, the percentage of our gross domestic product that oil represents has dropped from 7 percent to 3 percent. That is good. But much of that is as a result of decisions that were made by this Congress. We forced the automobile industry to improve its energy efficiency from 13.5 miles a gallon to 27 miles a gallon. If we had not done that, we would have to import 4 million barrels of oil a day additionally.

The same thing is true with all of our appliances, those with Federal regulation. Money for weatherization, which the gentleman from Maine has wisely used as the vehicle to have this discussion, that money helped, to make sure that homes were more energy efficient, less oil had to be imported.

Now, short term, we do have to reauthorize the Strategic Petroleum Reserve. And this time, maybe we will buy when oil is cheap, $12 a barrel. We will sell when it is expensive. We do it just the opposite in this Congress. We buy when it is expensive, and we sell when it is cheap. If we had 1 billion barrels, we could do 2 million barrels a day for nearly 3 years. Let us give some future President that weapon going up against the heads of the states across this world that seek to hold us hostage. Mr. Chairman, 2 million barrels a day. We do not have that capacity right now. We are down to 560 million. We should still use it. And a regional petroleum reserve, which the gentleman from Maine is leading on, to make sure that New England, New York, New Jersey are not held hostage every single winter.

Moreover, let us talk about better fuel economy standards for our automobiles. If we just increased it up to 35 miles a gallon, we could push out another 2 million or 3 million barrels ourselves. All of Alaska, all of Alaska only gives us 1 million barrels a day. If we have the biggest strike of all time up in Alaska, we might only add another 500,000 million barrels. It does not even touch what we could to make sure homes are weatherized, automobiles are more efficient, refrigerators and stoves and light bulbs do not consume as much energy.

The power is within ourselves, I say to my colleagues. But the Congress acted in the 1970s and 1980s. They have not acted in the 1990s. That is what is central. Short term, Strategic Petroleum Reserve, let us fill it, make sure we can deploy it, a regional petroleum reserve, let us fill it. We are going to have to use that, no question about it. But long term, let us work smarter, not harder. Let us use our advantage in technology. Let us ensure that we make the investment, pass the regulations, and then we can just thumb our noses at OPEC. We have the power within ourselves to do it. We do not have to drill off of the coast of California, off Florida. We can do it in our own vehicles, our own technologies and make ourselves energy independent.

Mr. REGULA. Mr. Chairman, I would point out to the gentleman that it was the Subcommittee on the Interior of the Committee on Appropriations that refused to sell the oil, so it is still there.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I thank my colleague from Ohio for yielding me this time.

Let me just say to the gentlewoman from Connecticut and the gentleman from Massachusetts, I have also had the opportunity to live in New England, and I know how sensitive it is up there. In fact, during the energy crisis I was up there, and I was well aware that people were heating their homes with wood stoves; the cost of energy was soaring. But I thought I would put in the RECORD something that perhaps should be put in. It is not the end of the world if the EPCA, the Energy Policy and Conservation Act, expires. It is supposed to expire, as I understand, tomorrow. It is not the end of the world. In fact, the House and Senate passed a reauthorization for the EPCA on September 30, 1999, last year. It was sent to the President on the day it was to expire. The President of the United States, President Clinton, did not sign it. In fact, he waited 5 days and it lapsed.

So I point out that here it is not a crisis. We are going to take care of this, and I assure my colleagues, I am on the Subcommittee on Energy and Power, and working with the appropriators, we will do this; and I assure the gentleman we will. I am very sensitive and empathetic and sympathetic to what he has to say here.

Mr. REGULA. Mr. Chairman, I would again urge the gentleman to withdraw his amendment. The gentleman has our assurance as well as the authorizing committee that we will deal with this issue. The gentleman pointed out a problem that is necessary for us to take action on, and I commend the gentleman for that.

Mr. BALDACCI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to express my appreciation to the gentleman from Ohio (Mr. REGULA). I want to make a point, and then I will ask unanimous consent to withdraw the amendment.

I wanted to raise the point that a year ago, it makes a big difference in the situation that we are now in, in the negotiations that have been taking place, and we have all been watching it. Not just us, but the people we represent and our families, the gas prices, home heating oil prices, daily, hourly, weekly. So it is different, and to take this tool away and not to be sure that he has it to be able to negotiate with our allies diminishes his being able to do the job of the national security interests of this country.

I look forward to working with the gentleman on this matter, this very important matter, and to begin to accomplish some energy legislation in a comprehensive way.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 450, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by Mr. STEARNS of Florida;

Amendment No. 5 printed in the RECORD by Mr. PAUL of Texas; and

Amendment No. 16 printed in the RECORD by Mr. TANCREDO of Colorado.

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

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 291, not voting 17, as follows:

[Roll No. 91]

AYES—126

Archer	Ganske	McKinney
Bachus	Gekas	Meehan
Barcia	Gibbons	Metcalf
Barr	Goode	Miller (FL)
Barrett (NE)	Goodlatte	Miller, Gary
Bartlett	Goss	Minge
Barton	Graham	Moore
Bass	Green (WI)	Moran (KS)
Bereuter	Greenwood	Myrick
Brady (TX)	Gutknecht	Nethercutt
Burton	Hall (TX)	Norwood
Camp	Hastings (WA)	Nussle
Campbell	Hayworth	Paul
Castle	Hefley	Pease
Chabot	Herger	Peterson (MN)
Coble	Hilleary	Petri
Coburn	Hoekstra	Pickering
Collins	Hostettler	Pitts
Condit	Houghton	Pombo
Cook	Hulshof	Portman
Costello	Hunter	Pryce (OH)
Cox	Inslee	Radanovich
Cubin	Johnson, Sam	Ramstad
Cunningham	Kasich	Riley
Deal	Kind (WI)	Roemer
DeMint	Kingston	Rohrabacher
Deutsch	Kleczka	Royce
Doggett	LaHood	Ryan (WI)
Dooley	Largent	Ryun (KS)
Doolittle	Lazio	Salmon
Duncan	Lewis (GA)	Sanchez
Ehrlich	Linder	Sanford
English	Luther	Scarborough
Ewing	Maloney (CT)	Schaffer
Foley	Manzullo	Sensenbrenner
Fossella	McInnis	Sessions

Shadegg
Shays
Shimkus
Smith (MI)
Smith (WA)
Stearns
Stenholm
Sununu
Tancredo
Tanner
Terry
Tiahrt
Toomey
Turner
Upton
Vitter
Weldon (FL)
Wu

NOES—291

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Baird
Baker
Baldacci
Baldwin
Ballenger
Barrett (WI)
Bateman
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Capuano
Cardin
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Conyers
Cooksey
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Rogers
Rothman
Roukema
Roybal-Allard
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stump
Stupak
Sweeney
Talent
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Becerra
Burr
Chenoweth-Hage
Crane
Everett
Franks (NJ)
Granger
Klink
McIntosh
Quinn
Rogan
Ros-Lehtinen
Rush
Spence
Thompson (MS)
Vento
Weiner

1335

Mrs. JONES of Ohio and Messrs. LIPINSKI, BRYANT, MARTINEZ, DAVIS of Virginia, JONES of North Carolina, and NEY changed their vote from ''aye'' to ''no.''

Messrs. LUTHER, HUNTER, WU, SESSIONS, DOOLITTLE, MEEHAN, and LAZIO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 450, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 5 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 5 offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 45, noes 367, not voting 22, as follows:

[Roll No. 92]

AYES—45

Archer
Brown (OH)
Campbell
Cannon
Chabot
Coburn
Collins
Combest
Cook
Danner
Deal
DeMint
Dickey
Duncan
Ewing
Gekas
Graham
Gutknecht
Hill (MT)
Hilleary
Hoekstra
Hulshof
Jones (NC)
Largent
Linder
Manzullo
Metcalf
Moran (KS)
Paul
Peterson (MN)
Petri
Pitts
Ramstad
Rohrabacher
Royce
Salmon
Sanford
Scarborough
Sensenbrenner
Shadegg
Simpson
Stark
Tancredo
Terry
Toomey

NOES—367

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu

Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
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)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—22

Becerra
Burr
Chenoweth-Hage
Crane
Everett
Franks (NJ)
Granger
Hinchey
Hoyer
Istook
Kaptur
Klink
McIntosh
Quinn
Rogan
Ros-Lehtinen
Rush
Spence
Thompson (MS)
Vento
Waxman
Weiner

1344

So the amendment was rejected.

The result of the vote was announced as above recorded.

1345

AMENDMENT NO. 16 OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 16 printed in the CONGRESSIONAL RECORD offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed, and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 267, answered ''present'' 1, not voting 20, as follows:

[Roll No. 93]

AYES—146

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Barrett (WI)
Bartlett
Bass
Bentsen
Biggert
Blunt
Brady (TX)
Bryant
Burton
Camp
Cannon
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cubin
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Dickey
Doggett
Doolittle
Duncan
Ehrlich
English
Fletcher
Foley
Fossella
Fowler
Ganske
Gibbons
Gillmor
Goode
Goodlatte
Graham
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hulshof
Hutchinson
Inslee
Isakson
Istook
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kind (WI)
Kleczka
LaHood
Largent
Lazio
Lewis (KY)
Linder
LoBiondo
Luther
Manzullo
McInnis
Metcalf
Mica
Miller (FL)
Minge
Moran (KS)
Myrick
Ney
Norwood
Nussle
Oxley
Paul
Petri
Pickering
Pitts
Portman
Ramstad
Reynolds
Riley
Rivers
Roemer
Rogers
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shows
Simpson
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Terry
Thune
Tiahrt
Toomey
Udall (CO)
Udall (NM)
Upton
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson
Young (AK)

NOES—267

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barton
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Calvert
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Doyle
Dreier
Dunn
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodling
Gordon
Goss
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Herger
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Rangel
Regula
Reyes
Rodriguez
Rohrabacher
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Sherman
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thornberry
Thurman
Tierney
Towns
Traficant
Turner
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weygand
Whitfield
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

ANSWERED ''PRESENT''—1

Velazquez

NOT VOTING—20

Bateman
Becerra
Burr
Chenoweth-Hage
Crane
Ehlers
Everett
Franks (NJ)
Granger
Klink
Martinez
McIntosh
Quinn
Rogan
Ros-Lehtinen
Rush
Spence
Thompson (MS)
Vento
Weiner

1353

Mr. LEWIS of Kentucky changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. EHLERS. Mr. Chairman, on rollcall No. 93, I was summoned from the House Chamber for a meeting and was unable to return before this vote was completed. Had I been present, I would have voted ''no.''

The CHAIRMAN. The Clerk will read the last two lines.

The Clerk read as follows:

This Act may be cited as the ''2000 Emergency Supplemental Appropriations Act''.

Mr. UDALL of Colorado. Mr. Chairman, I rise to express my opposition to this bill.

There are good things in it that I support. The parts of the bill that truly concern ''emergencies''—funding to help low-income families cope with sharply rising home heating oil bills; funding to repair damaged roads and bridges and to develop affordable housing for those dislocated by recent floods, tornadoes, and other natural disasters; disaster loans for small businesses, farm aid, and rural economic and community development grants to meet needs arising from natural disasters—these are all important and worthwhile and appropriate purposes for an ''emergency'' spending bill. Also important is funding that the bill provides for NASA's Space Shuttle upgrades, security at our nation's three nuclear weapons laboratories, and funds to accelerate environmental cleanup of DOE facilities.

But these good things are far outweighed by what I consider to be some very problematic provisions in the bill. One of the most troublesome is the $1.7 billion package for Colombia. I don't doubt the magnitude of the problem that the proposal attempts to address. Indeed, there is much cause for alarm. Colombia produces 80 percent of the world's cocaine and about two-thirds of the heroin consumed in this country, and new estimates show that cocaine production in Colombia is up 126 percent in the last five years. That said, I am not convinced that a costly military approach is the best response to the problem. I believe we should be considering other ways to address the source of the problem—the U.S. demand for drugs—by funding additional treatment and education programs right here at home.

There is very little about the Colombia package that has been shown to merit our support. Think for a moment about the dismal human rights record of the Colombian military. The

military would itself be the recipient of the billions of dollars in U.S. aid. Human rights organizations have linked right-wing paramilitary groups to the Colombian military and to drug trafficking and atrocities against civilians. How can we be content to pass a bill that could well make this situation worse?

We should also think about the lack of clear objectives for this program. There is no ''exit'' strategy spelled out. There is no way to ensure farmers won't resume cultivating drug crops once this billion-dollar assistance package dries up. None of these questions about the long-term goals for this program have been adequately answered. Still, we're being asked to support a program that could draw U.S. troops into a protracted counter-insurgency struggle—and one that may ultimately have little effect on the drug trade.

On top of that, Mr. Chairman, was the adoption of the amendment yesterday that increases military spending levels by an additional $4 billion. That makes my opposition to this bill that much stronger. While I agree that defense health programs and recruitment and retention are areas of legitimate concern, I don't understand why we should make $4 billion exceptions for our military that we can't seem to make for prescription drugs or our children's education or shoring up Social Security. The military budget was increased substantially last year and well may be again this year through the regular appropriations process. This isn't the time or the place to prematurely commit to additional billions of dollars in military spending or to label it as an ''emergency'' item.

Mr. Chairman, I certainly hope that as we go forward with this year's appropriations process, we do so in a thoughtful and careful manner and that we try to come up with spending bills that deserve the full support of the entire House.

Mr. CROWLEY. Mr. Chairman, I speak today to express my strong opposition to this so-called Supplemental Appropriations bill and to express my outrage at its ridiculous level of funding.

H.R. 3908, as approved by the House Appropriations Committee on March 9, would appropriate $1.701 billion for counter-narcotics activities, including $1.07 billion for Colombia, $4.956 billion for peacekeeping operations in Kosova and related matters, and $2.243 billion for Hurricane Floyd and other disaster assistance, plus several smaller non-emergency items.

Amendments considered during the course of debate on this measure have dramatically increased its cost.

A major concern of mine regarding this supplemental is that no authorization language was passed to allow Members the opportunity to argue for funding for projects important to them. As a Member of the Committee on International Relations and the Representative of the largest Colombian-American community in the U.S., I was hoping to be involved in the development of our policy on Colombia.

We should have developed a bill that would strike a balance between the needs of international concerns, such as Colombia, human rights and Kosova, and domestic spending priorities. I would have supported such a bill. Unfortunately, despite the inclusion of the amendment by Congressmen GILMAN, GOSS, DELAHUNT and FARR, this supplemental doesn't balance these issues.

Mr. Chairman, the reasons to oppose this legislation are too numerous to list in a short floor statement, so I will just highlight some key issues, mostly dealing with the military and counter-narcotics assistance provided in this package.

First, I object to the fact that such a large change in U.S. policy regarding Colombia and counter-narcotics assistance has not gone through the normal authorization process. The Republican leadership and the International Relations Committee had ample time to introduce legislation and have it debated in Committee. As it now stands, we are appropriating billions of dollars in military and counter-narcotics assistance, and who knows what else, without the benefit of thoughtful policy evaluation that the authorization's process was designed to give.

Second, the supplemental originally sent to the House floor is about $3.8 billion higher than the President's request and the Appropriations Committee had only offset $421 million. Meaning the rest must come out of the budget surplus—not that there is any left after the Republican tax cut scheme passed recently.

Third, while I am extremely supportive of assistance to Colombia, it needs to be the right kind of assistance. The provisions in this legislation dealing with civil society programs are woefully inadequate, especially when compared to the vast funding levels for counter-narcotics assistance.

Mr. Chairman, I have met with Colombia leaders in Washington, D.C., in my Congressional District and in Colombia. I have traveled to Colombia and seen the need for U.S. assistance. I know the problems of the Colombian people and I am especially supportive of judicial reform efforts, but this supplemental is not going to help them.

Fourth, where is the money for domestic prevention and treatment? Interdiction plays a role, but it is next to useless without prevention and treatment programs. Demand will always find supply. Congresswoman PELOSI's amendment should have been protected under the rule.

Fifth, I am troubled by some of the provisions in this supplemental which are being termed an emergency. Certainly, I believe the money for LIHEAP, the assistance for Colombia civil society and money for peacekeeping funds for Kosova warrant an emergency, although one we saw coming last year. However, there are a number of spending provisions which do not come close to meeting the definition of an emergency, yet they are not offset.

Mr. Chairman, I urge my colleagues to oppose the supplemental and I request that the relevant committees be asked to deal with these funding increases through the normal budget process.

Ms. BALDWIN. Mr. Chairman, I rise today in opposition to H.R. 3908, the FY 2000 Emergency Supplemental Appropriations bill. Since coming to Congress last year, I have been determined to carefully review federal spending to ensure we spend our taxpayers money efficiently and effectively. Our Nation has many needs and our government can do much to address these problems. Using our resources wisely is very important.

As a member of the House Budget Committee, I have been fortunate enough to be able to focus on our federal budget and our priorities. Although not perfect, our budget and appropriations process allows for orderly consideration of spending requests. When unexpected expenditures are necessary, we have the flexibility to pass emergency supplemental appropriations bills. However, this process is for true emergencies, not for readily predictable expenditures that can be incorporated into the annual appropriations process.

I don't understand why we are here today considering a bill that would spend more than $13 billion. We do not have $13 billion in emergency spending needs. Most of the money we are spending in this bill is not in response to real emergencies. These initiatives should be considered as part of the normal appropriations process.

Is $1.7 billion in military assistance for Colombia to fight the drug war and its insurgency an emergency?

Is $4.0 billion in military maintenance, health care coverage for our soldiers, and housing upgrades an emergency?

Is $75 million for upgrades to the space shuttle and hiring of 300 new NASA employees an emergency?

Is $73 million for the purchase of a used aircraft for the Foreign Emergency Support Team an emergency?

Is $55 million for workforce and infrastructure improvements at nuclear weapons facilities an emergency?

Is $37 million for operating expenses for the Coast Guard an emergency?

None of these items need to be addressed this month. All of these can wait for the normal funding process. I support many of these spending priorities. For example, the $4.0 billion in benefits for our men and women in uniform is a very worthwhile expenditure, which I would otherwise support. However, this money can be provided as part of the regular appropriations process—it does not require an emergency spending bill.

The majority talks a lot about spending discipline, but what we have before us today a huge spending bill that funds programs that were never authorized. This is not the right way to spend taxpayer money.

Mr. McGOVERN. I rise today to express my support for the $600 million in emergency LIHEAP funding and to express my disappointment that the disaster relief provided in this emergency supplemental appropriations bill will not help apple growers in the Northeast.

The Low Income Home Energy Assistance Program (LIHEAP) is nothing less than a lifesaver. LIHEAP provides the means for low-income households to purchase energy for their homes. This past winter was one of the coldest in memory. Combined with the high cost of home heating oil, this winter placed a huge strain on many families in the Northeast. Fortunately, President Clinton did the right thing by releasing the entire amount of emergency LIHEAP funds during the course of the crisis.

However, this emergency fund provides relief not only during the winter months but also for the extreme summer heat that occurs throughout this country. The emergency LIHEAP money undoubtedly saved many lives in the Northeast during a true crisis. It is only right that we replenish this fund, and I fully support providing $600 million to do so.

The amount of LIHEAP funding provided in this bill is a stark contrast from years past, when the Republican majority attempted time

and time again to cut the funding for this program. I am pleased that the majority has realized the importance of this program. However, I am very disappointed and dismayed that the same Republican leadership has prevented the U.S. House of Representatives from providing emergency disaster assistance to another group that needs our help—namely, the Northeast apple growers.

Many people don't realize that the apple crop in the Northeast was damaged due to adverse weather conditions, including Hurricane Floyd, which caused tremendous damage up and down the East Coast. The crop damage in states like North Carolina and Florida was much different than the crop damage in the Northeast. The crop production in Southern states was damaged by the hurricane. Although production in the Northeast was not affected, the quality of the apple crop was. The damage diminished the value of the apple. Apple growers are now selling their crop at reduced prices because the quality is not as good as it would have been if Hurricane Floyd had not hit the Northeast.

This supplemental appropriations bill contains relief for Hurricane Floyd for some of the states that need help. Unfortunately, the Republican majority does not feel that everyone who needs help should get it.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 450, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. I most certainly am, Mr. Speaker.

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

The Clerk read as follows:

Mr. OBEY moves to recommit the bill, H.R. 3908, to the Committee on Appropriations with instructions to report the same back to the House with provisions that appropriate $262,000,000 to the Office of National Drug Control policy for grants to recognized national, State, or local prevention and treatment organizations.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. Obey) is recognized for 5 minutes in support of his motion to recommit.

Mr. OBEY. Mr. Speaker, this is a general instruction to the committee. The committee has the authority and latitude to bring a bill back within existing or lower levels, and it is fully authorized.

This motion would require the Committee on Appropriations to report a new supplemental bill that includes $262 million for the Office of National Drug Control Policy for purposes of distributing grants to State, local, or national organizations that provide substance abuse treatment and prevention services.

The intention is to recognize that if the House is going to spend $1.3 billion for source-country control of cocaine, then we ought to include at least some funds for treatment services which, according to the Rand Corporation, are 23 times more effective.

This motion recognizes that only 37 percent of the 5.5 million Americans in need of treatment can get it, and a vote for recommittal will reduce that treatment gap in all of our communities.

If we want to destroy the drug traffickers, we should destroy their source of income. That is the best way to get at them. If we invest in drug treatment and drug prevention, we are destroying their source of income. That is the way to kill them.

Vote for this motion.

Mr. Speaker, I yield to the gentleman from California (Mr. CONDIT).

Mr. CONDIT. Mr. Speaker, I rise in support of this motion to recommit. I do this out of respect for the other side and not to lecture anyone. But I, like many of my colleagues, have traveled through Colombia and Peru and Bolivia, took the drug routes, the roads that the drug traffickers took, and met with coca leaf farmers, met with law enforcement and a variety of different other individuals and groups in those countries.

I came to the conclusion that the drug problem is our problem, and for us to solely blame it on those folks is misplaced. Today, we have an opportunity, I think, to correct that. We could do a great service to this country by making sure that we fight the war on our terms and in this country and not in somebody else's country.

Now, for us not to believe that this is our problem, I believe we are sort of like an individual that is addicted. We are in denial. We are in denial that we have to come to grips with this problem.

For us to pick a group of people, whatever country one wants, talk about interdiction, which we ought to do some, but we ought to have drug treatment programs for people in this country.

We as a Congress, Republicans and Democrats, we can do one good thing before we leave here this year, and that is provide a safety net to families, to individuals in this country so that they do not go through the dilemma of, where do I send my young child, where do I send my spouse. We have all been confronted with that. This is a problem that has probably touched every life in this Chamber and probably most families throughout this country.

1400

So I am here today not to just lecture anyone, but simply say that for us to think that it is someone else's problem, that it is not our problem, is misplaced. And if we want to do a service for the people of this country, I think we should recommit this bill, send it to committee, put a program in for people across the country, and I think then we can really talk seriously about a drug war within our borders, not somebody else's.

Mr. OBEY. Mr. Speaker, reclaiming my time, I thank the gentleman for his comments, and close by simply saying that we are putting the money in the drug czar's office because this subcommittee which funds this office currently has $262 million remaining under its existing 302(b) allocation. I ask for a vote in support of the motion.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Does the gentleman from Florida (Mr. YOUNG) rise in opposition?

Mr. YOUNG OF Florida. Mr. Speaker, I do rise in opposition.

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, the issue that the gentleman's motion brings to the attention of the House is an important issue and one that in the next few weeks, as we go to prepare for marking up the regular appropriation bills, I would like to work with the gentleman to try to find the proper way to handle this and not just do it here at the last minute. If we were to agree to this motion to recommit, we will have undone basically everything we have done here in the last difficult 16 hours, yesterday and today.

So I just simply ask the Members to vote ''no'' on the motion to recommit, then vote ''yes'' on final passage, and then for everyone to have a safe trip back home to their districts, visit with their constituents, and come back next week all fired up for another round.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—ayes 194, noes 220, not voting 21, as follows:

[Roll No. 94]

AYES—194

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schakowsky
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Stupak
Tanner
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—220

Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ewing
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—21

Archer
Becerra
Burr
Chenoweth-Hage
Crane
Everett
Franks (NJ)
Granger
Klink
McDermott
McIntosh
McNulty
Quinn
Rangel
Rogan
Ros-Lehtinen
Rush
Spence
Thompson (MS)
Vento
Weiner

1420

Mr. BACHUS and Mr. LOBIONDO changed their vote from ''aye'' to ''no.''

Ms. DELAURO and Mr. MCINTYRE changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCDERMOTT. Mr. Speaker, on Rollcall No. 94, I was unavoidably detained at a meeting. Had I been present, I would have voted ''aye.''

Stated against:

Mr. SCARBOROUGH. Mr. Speaker, on Rollcall No. 94, I inadvertently voted ''yes.'' I meant to vote ''no.''

The SPEAKER pro tempore (Mr. PEASE). The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 263, nays 146, not voting 26, as follows:

[Roll No. 95]

YEAS—263

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Berkley
Berman
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Cardin
Carson
Clayton
Clement
Clyburn
Coble
Condit
Cooksey
Cramer
Cummings
Cunningham
Davis (VA)
DeLauro
DeLay
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Dreier
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Farr
Fletcher
Foley
Forbes
Ford
Fowler
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogers
Rothman
Roukema
Roybal-Allard
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Scott
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stenholm
Strickland
Stump
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Vitter
Walden
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—146

Archer	Goodlatte	Obey
Baird	Graham	Olver
Baldwin	Gutierrez	Owens
Barr	Gutknecht	Paul
Barrett (WI)	Hall (OH)	Payne
Bereuter	Hansen	Pelosi
Berry	Hastings (FL)	Peterson (MN)
Blagojevich	Hefley	Petri
Blumenauer	Hill (IN)	Phelps
Boswell	Hill (MT)	Pitts
Brady (PA)	Hinchey	Porter
Brady (TX)	Hoekstra	Ramstad
Brown (OH)	Holden	Rivers
Campbell	Holt	Roemer
Cannon	Hooley	Rohrabacher
Capuano	Hulshof	Royce
Castle	Inslee	Ryan (WI)
Chabot	Jackson (IL)	Sabo
Clay	Johnson, Sam	Salmon
Coburn	Jones (OH)	Sanders
Collins	Kaptur	Sanford
Combest	Kilpatrick	Schaffer
Conyers	Kind (WI)	Schakowsky
Cook	Kleczka	Sensenbrenner
Costello	Kucinich	Serrano
Cox	LaHood	Sessions
Coyne	LaTourette	Shadegg
Crowley	Lazio	Shays
Cubin	Leach	Simpson
Danner	Lee	Slaughter
Davis (FL)	Lewis (GA)	Stark
Davis (IL)	Lipinski	Stearns
Deal	Lofgren	Stupak
DeFazio	Luther	Sununu
DeGette	Maloney (NY)	Tancredo
Delahunt	Manzullo	Terry
DeMint	Markey	Thurman
Doggett	McDermott	Tierney
Doolittle	McInnis	Towns
Duncan	McKinney	Udall (CO)
Dunn	Meehan	Udall (NM)
Ehlers	Miller, George	Upton
Eshoo	Minge	Velazquez
Fattah	Mink	Visclosky
Filner	Moore	Waters
Fossella	Moran (KS)	Waxman
Frank (MA)	Nadler	Woolsey
Ganske	Nussle	Wu
Gekas	Oberstar	

NOT VOTING—26

Barton	Everett	Rogan
Becerra	Ewing	Ros-Lehtinen
Bilbray	Franks (NJ)	Rush
Brown (FL)	Granger	Spence
Burr	Klink	Thompson (MS)
Chambliss	Largent	Vento
Chenoweth-Hage	McIntosh	Walsh
Crane	McNulty	Weiner
Diaz-Balart	Quinn	

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Mr. BLAGOJEVICH changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 95, I was inadvertently detained. Had I been present, I would have voted ''yes.''

Mr. BILBRAY. Mr. Speaker, on rollcall No. 95, had I been present, I would have voted ''yes.''

Mr. ROGAN. Mr. Speaker, on rollcall No. 95, I was unavoidably detained. Had I been present, I would have voted ''yes.''

Mr. CHAMBLISS. Mr. Speaker, on rollcall No. 95, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. BURR of North Carolina. Mr. Speaker, I regret that I was unable to be present for the vote on final passage of H.R. 3908. Had I been present I would have, albeit reluctantly, voted in favor of the bill.

Stated against:

Mr. BARTON of Texas. Mr. Speaker, on rollcall No. 95, supplemental final passage, had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Ms. ROS-LEHTINEN. Mr. Speaker, on rollcall numbers 91, 92, 93, 94, 95, I was unavoidably detained. Had I been present, I would have voted ''nay'' on rollcall numbers 91, 92, 93, 94, and ''aye'' on rollcall number 95.

APPOINTMENT OF CONFEREES ON H.R. 2559, AGRICULTURAL RISK PROTECTION ACT OF 1999

Mr. COMBEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? The Chair hears none and, without objection, appoints the following conferees: Messrs. COMBEST, BARRETT of Nebraska, BOEHNER, EWING, POMBO, STENHOLM, CONDIT, PETERSON of Minnesota, and DOOLEY of California.

There was no objection.

1430

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3660

Mr. TANNER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3660. Apparently, it was inadvertently added without my knowledge or that of my office.

The SPEAKER pro tempore (Mr. PEASE.) Is there objection to the request of the gentleman from Tennessee?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I ask for this time for the purposes of inquiring from the majority about the schedule for the remainder of this week and the following week.

Mr. Speaker, I yield to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding.

Mr. Speaker, I am pleased to announce that the House has completed its legislative business for this week. The House will not be in session tomorrow. The House will meet next for legislative business on Monday, April 3 at 12:30 p.m. for morning hour, and 2 p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list which will be distributed to Members' offices tomorrow.

On Monday, no recorded votes are expected before 6 p.m. On Tuesday and the balance of the week, the House will consider the following measures, all of which will be subject to rules:

H.R. 3671, the Wildlife and Sport Fish Restoration Improvement Act of 2000;

H.R. 2418, the Organ Procurement and Transplantation Network Amendments of 1999;

H.R. 3660, the Partial-Birth Abortion Ban Act of 2000; and

H.R. 1776, which, I might add, is a signature bill for the entire House of Representatives, the American Homeownership and Economic Opportunity Act.

Mr. BONIOR. Mr. Speaker, reclaiming my time, if I can ask my friend, the gentleman from New York (Mr. LAZIO) a couple of questions. Does the gentleman anticipate any late night sessions next week?

Mr. LAZIO. Mr. Speaker, if the gentleman will continue to yield, I say to the gentleman from Michigan that the only anticipation of a late night possibly would be on Thursday, and that would be as a result of 1776, the American Homeownership bill, which will be on the floor that afternoon and perhaps evening.

Mr. BONIOR. Mr. Speaker, what about next Friday?

Mr. LAZIO. Mr. Speaker, we are looking at a busy week, and we will know later next week if we will be in for sure for legislative business. Right now I think Members should expect to have business on Friday, but we will know by midweek whether we will actually have to be here for legislative business.

Mr. BONIOR. Mr. Speaker, will the Coverdell voucher bill be brought back to the floor next week? If it will be brought back, can we anticipate that the Rangel-Johnson substitute will be made in order on school modernization?

Mr. LAZIO. Mr. Speaker, if the gentleman will continue to yield, the gentleman is referring to the education savings accounts, which would bring opportunity through investments, public investments, in individual investment accounts that would become available. We are going to continue to have a dialogue about that.

We, obviously, ran out of time this week with the supplemental taking up so much time on the House floor, rightfully so. Of course, next week is very busy. I would suggest that we are not optimistic about it coming up next week, but it is not out of the question.

Mr. BONIOR. Mr. Speaker, will that give us the opportunity to offer a school modernization bill?

Mr. LAZIO. Mr. Speaker, I say to the gentleman, I hope the gentleman will be discussing this also with the gentleman from California (Mr. DREIER),

and the Committee on Rules certainly would come to the floor pursuant to a rule. I am sure it will be a fair and responsible rule.

At that point I am sure we will be in a dialogue and the gentleman will be in dialogue with the House leadership, Republican leadership to ensure that we have a means of addressing the gentleman's concerns.

Mr. BONIOR. Mr. Speaker, is the gentleman suggesting that we will have a means to address this issue on the floor if, in fact, you bring up the education opportunity savings act as the gentleman described it?

Mr. LAZIO. Mr. Speaker, if the gentleman would continue to yield, I am sure that the gentleman from Michigan and the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader, will have a discussion with the Republican leadership and, in particular, the gentleman from California (Mr. DREIER) and the Committee on Rules is expected to, if we do have the time, to take up the education savings account, report out a full, fair, and responsible rule. I hope the gentleman will be satisfied with that outcome.

Mr. BONIOR. Mr. Speaker, that is encouraging to hear that we will have a full, fair, and responsible rule; and we look forward to seeing that.

Finally, as the gentleman from New York knows on March 31, tomorrow, the Strategic Petroleum Reserve authorization expires, and given the success of Secretary Richardson, who is talking with many of our friends and allies around the world to increase production of oil so that we can bring down the price of gasoline at the pump and the heating oil prices, given his great success and the announcements that have been made over the last couple of days, why would we not want to reauthorize that before we left here?

It seems to me that the reserve is a very important piece in this whole energy battle that we are engaged in. I would like an explanation from the gentleman on why we have failed to bring this up for reauthorization before we left here.

Mr. LAZIO. Mr. Speaker, I say to the gentleman that the subcommittee chairman, the gentleman from Texas (Mr. BARTON), has been working with committee Democrats to try and find a common solution, resolve mutual problems. I think it is fully the intention of the gentleman from Texas (Mr. BARTON) and the House to try and find a resolution of these concerns so that we could reauthorize the Strategic Petroleum Oil Reserve, and at the same time address the high price of oil which, the gentleman correctly notes, has caused a great amount of discomfort or worse for people through home fuel oil and also at the gasoline pumps.

I guess we are going to continue to see that Members will work together in a bipartisan fashion at the committee level. If those issues are resolved, I think we can be much more optimistic about seeing a reauthorization on the floor.

Mr. BONIOR. Mr. Speaker, I just wanted to ask my friend, the gentleman from New York (Mr. LAZIO) or my friend from California (Mr. DREIER), is it Glendale?

Mr. DREIER. Mr. Speaker, no.

Mr. BONIOR. Is it Pasadena?

Mr. DREIER. Mr. Speaker, no.

Mr. BONIOR. Mr. Speaker, what is it? Will the gentleman tell me?

Mr. DREIER. Mr. Speaker, it is San Dimas.

Mr. BONIOR. It is right next door, either one of those places.

Mr. DREIER. It is not Mount Clements either.

Mr. BONIOR. Mr. Speaker, would either the gentleman from New York (Mr. LAZIO) or the gentleman from California (Mr. DREIER) apprise me if my colleagues are familiar with the bill H.R. 1649 that was introduced by the gentleman from Ohio (Mr. KASICH) and the gentleman from Texas (Mr. ARMEY) and the gentleman from Texas (Mr. DELAY)?

Mr. LAZIO. Mr. Speaker, I cannot say.

Mr. DREIER. Mr. Speaker, what is the bill?

Mr. BONIOR. Mr. Speaker, it was an act that was introduced to abolish the Department of Energy. I guess the reason I raise it, and I raised it in connection with the failure to reauthorize the Strategic Petroleum Reserve, is that when we look at both of those issues side by side running away from a very important issue that the American people are concerned with right now and then not wanting to authorize the Department of Energy, if actually wanting to abolish it, I just want to try to figure out what is happening on your side with regard to the energy policy.

Mr. LAZIO. Mr. Speaker, if the gentleman would yield, as the gentleman knows, over the last year, the prices per gallon increased from about $10 per barrel to over $30 per barrel before there was any decisive, even comment or any action by the administration.

Now we are beginning to see some of the supply interruption. Perhaps we have some more relief as a result of some of the oil-producing nations agreeing to increase their output. That will probably have more of an effect by increasing output and using our influence, our diplomatic efforts to ensure that our allies and friends increase oil production, than anything particularly we might do with the Strategic Petroleum Reserve. But I also would say to the gentleman that I think it is the intention of working through some of the common interests in a bipartisan way and actually reauthorizing the Strategic Petroleum Reserve.

Mr. BONIOR. Can we expect that to maybe come to the floor soon?

Mr. LAZIO. I would say to the gentleman that I think that probably depends on whether both Democratic and Republican Members can find common ground to allow that to come to the floor. But there are people that have concerns obviously about both oil prices and with the reauthorization.

Mr. BONIOR. One of the ways we can find common ground is first to understand and agree upon the fact that we should not abolish the Department of Energy. Would the gentleman agree that that is probably a reasonable place to start, that we should not abolish the Department of Energy?

Mr. LAZIO. If the gentleman will yield further, I would say that the issue of the Strategic Petroleum Reserve and the success of the Department of Energy through the many difficulties that it has had over the last couple of years, especially given some of the national security issues that have risen are two different issues. So I would not want anyone to believe that the flow of oil, or the interruption of supply, would have anything to do with this legislation that the gentleman is referencing.

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

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

Mr. DREIER. I thank my friend from Mt. Clemens for yielding. I would say that I do not see a correlation between the existence of the Federal Department of Energy and the need to bring about a diplomatic strategy to work with our friends in the Middle East and members of the Organization of Petroleum Exporting Countries to bring about some sort of stabilization and a lowering of price and an increase in the supply which obviously is something that we seek.

I will tell the gentleman personally, I do not see a correlation between the existence and the perpetuation of the Federal Department of Energy and the need for the administration using, as President Bush did in the early part of the last decade, putting together a 28-nation coalition to liberate the people of Kuwait. I do not think that it is necessary for a Federal Department of Energy to exist to pursue the goal that we all want to address right now, and that is to bring about a lowering of gasoline and fuel prices for the American people.

Mr. BONIOR. Is the gentleman suggesting that he would agree with H.R. 1649 and his colleagues, the gentleman from Texas (Mr. ARMEY) and the gentleman from Texas (Mr. DELAY) and the gentleman from Ohio (Mr. KASICH), to abolish the Department of Energy?

Mr. DREIER. If the gentleman will yield further, I will tell him that in the committee on which my friend used to sit, we are clearly more than willing to look at a wide range of legislative proposals that come forward; and we are happy to look at that one if a committee were to report it out and they would bring it up to our committee.

Mr. BONIOR. It is interesting, I might say, Mr. Speaker, and I will not belabor this, although I do want to yield to my friend from Massachusetts, that in the 5½ years that my colleagues have been in the majority here, they have failed to pass any legislation to protect our energy security and to

give consumers and commuters and truck drivers and Northeast homeowners and farmers any protection against these volatile oil prices.

Now we have got this bill that wants to abolish the Department of Energy right on top of what I think is a significant, positive effort on the part of the administration and Secretary Richardson of getting the OPEC countries, as the gentleman from California just mentioned, and the non-OPEC countries like Venezuela, Mexico, and Norway to increase production by almost 2.8 million barrels per day which will and has brought down already the price at the pump.

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

Mr. BONIOR. I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman for yielding.

Mr. Speaker, I think the point that the gentleman from Michigan is making is a very valid one. The Senate finished consideration of EPCA, the Energy Policy Conservation Act, last September. The Committee on Commerce in the House finished it last September. So it has been sitting somewhere between the House and the Senate languishing for 6 months right through this entire energy crisis. So the issue is why can we not, especially those of us in the Northeast who are very much dependent upon imported oil, know that the President as of midnight tomorrow night still has the authority to deploy the Strategic Petroleum Reserve that is our weapon against OPEC if he deems it to be necessary?

Why would we have allowed that authority to expire tomorrow? We could have passed it out of here this week, to give the President that authority. We deal with nations. These are the heads of governments that make these decisions. There is no free market in oil in the world. It is all done by governments acting as a cartel. If it happened in any industry in the United States, the Antitrust Division of the Justice Department would break it up. It is illegal. So our President has his own oil field, it is the Strategic Petroleum Reserve, to deploy, to use as a weapon, a bargaining tool with these other countries.

That has helped. That has helped a lot in terms of Secretary Richardson's ability to be able to use that as part of the leverage and getting the highest possible number of barrels as a concession from OPEC over the last couple of weeks. The President is saying, ''I won't deploy the Strategic Petroleum Reserve if you give us a million, a million and a half, two million barrels of oil a day.'' As of tomorrow night, the President's authority to use this expires and all we are asking is when on the schedule will that bill be brought up so that we can give back to the President this leverage he needs in any negotiations with OPEC?

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Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Speaker, let me just comment briefly, and I think the gentleman from Massachusetts will understand that last year, September 30, 1999, we passed and sent to the President our Energy Conservation Policy Act. It was on the day that it expired. So we, with great alacrity and interest, submitted it to the President; and I think the gentleman from Massachusetts realized what the President did, he did not sign it. In fact, he waited 5 days.

So the fact that this expires is not a major crisis, and I think he realizes that from the President himself not signing it when we gave it to him last year.

To answer the gentleman from Michigan as to the point about the Department of Energy, the Department of Energy had nothing to do with the cost per gallon of energy either going from 72 under the Carter administration, the Democrat administration, down to 25 and lower; and now it is going up, notwithstanding the fact we give billions and billions and billions of dollars every day. Even the Secretary of Energy, Mr. Richardson, said we were caught napping.

So after sending billions and billions of dollars year in and year out to this Department of Energy, there are people in Congress, including myself, who felt that perhaps this agency should be reformed. It is an institution that should be changed. It is an institution that is not meeting the demands. I think Secretary Richardson would probably agree today, since he admits that ''we were caught napping'' after all of this money we spent. I think most people in the House agree that the Department of Energy needs to be restructured.

So that is my comment. I thank the gentleman for yielding.

Mr. BONIOR. Mr. Speaker, I thank the gentleman for his comment. I would just say in response to his last comment, though, that I am glad the gentleman now on his side is moving away from the question of abolishing the Department of Energy, because as the gentleman knows, the act that I referred to, that I cited, is called the Department of Energy Abolishment Act. The gentleman says he just wants to reform it now. So it is good to see there is some movement away from abolishing the department, which has, among other things under its jurisdiction, oil conservation programs, research and renewable energy conservation and research programs; and I could just go on and on and on, and I will with the help of my friend from Massachusetts.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I again thank the gentleman for yielding.

I think people have to understand that part of the Contract with America is the pledge to abolish the Department of Energy. So the Department of Energy, in 1995, 1996, 1997, they were just fighting to exist, not to put together an energy policy that would make us independent of OPEC. Here we sit on the day before the President's authority expires, and we still have not produced a bill out here that we can vote on that can give him that authority to continue to keep that leverage strong against OPEC.

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

Mr. BONIOR. I yield to the gentleman from New York.

Mr. LAZIO. Mr. Speaker, I thank the gentlemen for both of their comments, but I would not want the House to be left with the impression that somehow it is the House that conducts diplomatic efforts; it is the House that is involved in negotiating with oil ministers; that it is the House that has the discretion through Executive Order to release all or any part of the Strategic Petroleum Oil Reserve.

Let us see if we cannot work together in a bipartisan fashion to actually come to a solution on this reauthorization; and hopefully, jointly, we can keep the pressure on the administration to continue to use more diplomatic efforts to increase production, because in the end, I think that is the best solution for American consumers and for businesses.

Mr. BONIOR. Mr. Speaker, I think due to the spirit in which that was given we accept that, and we thank the gentleman for his constructive comments; and we look forward to working with him in the weeks ahead.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 1776, AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. DREIER. Mr. Speaker, this afternoon a Dear Colleague letter was sent to all colleagues informing them that the Committee on Rules is expected to meet the week of April 3 to grant a rule which may restrict amendments for consideration of H.R. 1776, the American Homeownership and Economic Opportunity Act of 2000.

Any Member contemplating an amendment to H.R. 1776 should submit 55 copies of the amendment and one copy of a brief explanation to the Committee on Rules no later than 5 p.m. on Tuesday, April 4. The Committee on Rules office is located upstairs in H–312, as the presiding officer knows very well, here in the Capitol.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the Rules of the House.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 701

Mr. DREIER. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 701.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

ADJOURNMENT TO MONDAY, APRIL 3, 2000

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 701

Mr. STEARNS. Mr. Speaker, I ask unanimous consent to have my name withdrawn as a cosponsor of H.R. 701.

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

There was no objection.

REAPPOINTMENT TO BOARD OF TRUSTEES OF THE AMERICAN FOLKLIFE CENTER IN THE LIBRARY OF CONGRESS

The SPEAKER pro tempore. Without objection, pursuant to section 4(b) of Public Law 94–201 (20 U.S.C. 2103(b)), and upon the recommendation of the minority leader, the Chair announces the Speaker's reappointment of the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House:

Mr. William L. Kinney of South Carolina.

There was no objection.

BREAST AND CERVICAL CANCER TREATMENT ACT

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

Mrs. MYRICK. Mr. Speaker, I urge the leadership to schedule a vote on the Breast and Cervical Cancer Treatment Act on the suspension calendar before Mother's Day. This legislation is really vital to provide treatment for low-income, uninsured working women who are diagnosed with breast or cervical cancer. Giving States the option of providing Medicaid coverage for these women if they are screened by the CDC's early detection program and found to have cancer will help save thousands of lives.

The program currently provides screening for the cancer, but it provides no treatment options, no funding for treatment options for these women. So they have no option to be cured of their cancer, which is a harsh reality. I am currently undergoing treatment for breast cancer, but I am very fortunate because I have insurance.

The funding for this bill was included in the budget resolution that we passed in the House last week and so there really is no reason not to have it passed on the floor by Mother's Day.

INTERNATIONAL ABDUCTION: BRING OUR CHILDREN HOME

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

Mr. LAMPSON. Mr. Speaker, I rise today to tell the story of Jeff and Ludwig Koons, a father and his son who have been forced apart because of a country's refusal to abide by the Hague Convention on the Civil Aspects of International Child Abduction.

Jeff Koons' son, Ludwig M. Koons, was born in New York and was abducted from the family residence to Rome by his mother. Mr. Koons was awarded custody in the United States, but the Italian courts refused to accept any American jurisdiction. Mr. Koons won custody in Italy, but the ruling was overturned.

Two investigations were started internally within Europe and within Italy, but they were abruptly stopped when the Italian Supreme Court awarded his ex-wife custody, therefore covering up the tremendous injustices done to Mr. Koons and his son. Their ruling was based on the amount of time Ludwig had been kept in Italy since his abduction. Jeff has been allowed only strictly supervised visitation in Italy.

Mr. Speaker, this 1 minute is not just about Jeff and his son, Ludwig. It is about the 10,000 American children who have been abducted to foreign countries. These children, and the parents they were taken from, are suffering. This House must work together to solve this problem and bring our children home where they belong.

TRIBUTE TO FRANK GIARRIZZO

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

Mr. MANZULLO. Mr. Speaker, I come to the floor of the House today to commend the extraordinary work of Frank Giarrizzo in his efforts to alleviate hunger in Africa.

Ten years ago, Frank served as a Peace Corps volunteer in Malawi. Frank witnessed firsthand the despair brought on by the ''hungry season.'' This is the time when the people run out of the food they have grown, and do not have the money to buy anything until their next crop is ready.

Rather than succumb to the hopelessness of the situation, Frank used it as motivation to solve the problem. He established a program in Malawi known as VEZA, or Village Enterprise Zone Associations. This nongovernment organization works in conjunction with local member associations to help farmers increase production. He helps erect silos in which locally grown grain will be stored until there is a food shortage, such as in the hungry season. The money received for the grain will help to refill the silos after the next harvest. These and other initiatives are all a part of VEZA's aim to alleviate hunger.

It is important to understand that thousands of people in Malawi are alive today thanks to Frank's determination. It is a living example of how one person can truly make a difference.

Mr. Speaker, on behalf of the United States Congress, I want to thank Frank Giarrizzo for his selfless efforts to improve the lives of others.

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

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

EXCHANGE OF SPECIAL ORDER TIME

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent to take the time previously allotted to the gentleman from Connecticut (Mr. SHAYS).

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

There was no objection.

THE IMPORTANCE OF SPACE RESEARCH TO OUR COUNTRY

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

Mr. WELDON of Florida. Mr. Speaker, I would like this afternoon to talk about NASA and the recent report regarding the Mars program, as well as a

recent poll taken by the Zogby Organization.

As most Americans know, NASA and its efforts to put a man on the moon and our space shuttle from become an integral part of America's history, and as well American culture. Furthermore, it is common knowledge that NASA and its exploits in space is a tremendous motivating factor for young people to study math and science. Indeed, there is an entire generation of Americans who now work in areas of high technology, science and mathematics who were originally naturally motivated to get involved in that arena because of the space race and the tremendous attraction of space.

Indeed, when I travel around the United States and talk to teachers, one of the things I hear over and over again when I tell them where I am from, which is an area of Florida that includes Kennedy Space Center and Cape Canaveral, when I tell them that, they invariably tell me that one of the things that helps them in motivating their kids to take an interest in the study of math and science is the space program and talking to them about the applications of our space program to the future.

Indeed, a recent poll that was released by the Zogby Organization bears up a lot of what I am talking about. This chart I have to my left here gets into this. They asked the following questions, and they had other questions, but I want to focus on these two statements. The first statement is: NASA and space exploration in general is a total waste of taxpayer dollars. The second statement is: the exploration of space is vital to the future of the United States and the world no matter what the cost.

I was very surprised, because amongst young people ages 18 to 29, by a ratio of almost 5 to 1, they supported the second statement rather than the first statement, which contends that space exploration is not important.

When we look at people ages 30 to 39, almost the same ratio, 5 to 1, support NASA. Even amongst the older generation, people over the age of 50, it is about a 2 to 1 ratio.

1500

It averages out, as I show here, to about three to one actually support the ongoing investment in space.

I know that NASA had a tough year last year in some of its areas. Certainly they had tremendous success, as well. There was the recent x-ray mapping mission involving the shuttle, which was a huge success. The Hubble repair mission, as well done by the shuttle, was a huge success. But as everybody knows, they had some failures on two probes that were supposed to go to Mars. I think what we need to do is certainly reassess and reevaluate our whole Mars program and how we are going about that.

It was originally proposed that this new approach would be called faster, better, cheaper. The idea in mind is that you do not build a probe to Mars that takes 7 years to build, that costs $1.5 billion, you build several smaller probes. This way, in case you lose one, the mission of exploring Mars can still move ahead.

I would assert that the fundamentals behind that philosophy were very, very good. It makes a lot of sense to have several smaller probes rather than one big one, because, indeed, in the past we have lost some of these big probes, which are very, very costly.

I would assert that the goal or the mission of faster, better, cheaper needs to be redefined to what it was originally intended to be, maybe something like smaller, swifter, and smarter. I believe that the intent was a good one to send multiple smaller probes, rather than one large probe.

I believe that the reassessment that is going on in the Mars program will ultimately end up yielding better value to the American taxpayer. If we are ever going to send people to Mars so that we can explore that planet, or indeed, even some day colonize Mars, it is critical that we send unmanned probes first to learn more about Mars.

Clearly, this poll shows us that the American people are still behind a strong effort to explore space. We are a Nation of pioneers. That is in our spirit. It should always remain in our spirit. I believe we need to reassess what we are doing with Mars and move ahead with the same kind of focus, indeed, where we are trying to get better value for the American taxpayer and gain knowledge of outer space.

BOLSTERING AMERICA'S DEFENSES

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

Mr. HUNTER. Mr. Speaker, we just passed a supplemental appropriations bill which had what a lot of folks think was a fairly sizeable chunk of defense spending. It passed by a very large vote.

The vote surprised a number of Members, but I think the reason we had such a large vote, almost a three to one majority in favor of increased defense spending at this time, is because we have cut defense so drastically in the past.

I think most Americans do not realize that, actually, the defense budget we passed this year was approximately $125 billion less than Ronald Reagan's defense budget of 1986.

Now, this chart here shows how defense spending has fallen like a rock over the last 13 years or so. Certainly the dissolution of the Warsaw Pact, the fall of the Soviet Empire, which incidentally, was brought about by America having a strong national defense, but that dissolution means that we do not have to spend as much money on defense as we did in the 1980s.

However, it does not mean that we can absolutely abandon our troops. I am afraid this administration has put together a blueprint for defense over the next several years that, for practical purposes, abandons the troops. Let me go through some of the problems, Mr. Speaker.

Over the last 18 months or so, we have had about 80 crashes of American military aircraft. I have the crashes listed here. I know my colleagues cannot see this fine print, but that involved 90 dead pilots and crew members, and it involved almost every type of aircraft in the American inventory: helicopters, fixed wing, bombers, in some cases.

There was a reason for that. If we look at another graph, this graph shows how mission capability has dropped. Mission capability means the ability to turn on your airplane just like you would turn on the car in your driveway, put it in gear, make it go, and go off and do its mission and come back. So if I ask you, if you had two cars in your driveway and I called you up and said, what is your mission capability rate, and you said, just a minute, you went out, got in both the cars and tried to start them and only one would start and go into gear, you would come back to the phone and say, it is 50 percent, one out of two.

Our mission capability rate of our aircraft across the services over the last several years has been dropping because we are not spending enough money on spare parts, we are not spending enough time on training, do not have enough training money, and we have old airplanes, because we are not replacing the old airplanes with newer airplanes.

So if we look at the Air Force, it has gone from 83 percent mission capability down to 74 percent. That means about 25 percent of the airplanes cannot get off the ground in the Air Force today.

In the Marine Corps, it has dropped from 77 percent to 61 percent. That means about 40 percent of our marine aircraft cannot get off the ground today. In the Navy, it has gone from 69 percent to 61 percent. That means, again, about 40 percent of our Navy aircraft cannot get off the ground and go do their missions.

A lot of Americans do not realize that we have cut our forces down drastically. This chart shows that since Desert Storm, we have cut our forces in America almost in half. These red tanks indicate what we had in 1991, and the blue tanks indicate what we had in 1992 with respect to the Army. So we went from 18 Army divisions to only 10, 546 Navy ships to only about 316 today, and 36 fighter airwings to only about 20.

Unfortunately, the small military that we have today is not as ready to fight as the big military that we had a few years ago because we have cut funding for the military too drastically.

One thing that we have to look at today is the fact that we have cut the shipbuilding budget from a budget that supported almost 600 ships in the U.S. Navy to a budget that, if we build it out by 2020, we are only going to have a 200-ship Navy.

Ammo shortages, we have about a $3.5 billion ammo shortage in the Army, a $193 million shortage in the U.S. Marine Corps, and the list goes on. So we passed this supplemental today that had a $4 billion military package in it that added spare parts, it added training time, it added health care for our retirees and our active duty people that they desperately need. It added a lot of the critical things that we need to make our military work.

It was absolutely necessary. I commend my colleagues for this first small step to rebuild America's defenses.

AMERICA'S ENERGY POLICY

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

Mr. BLUNT. Mr. Speaker, I was amazed at the end of the business day today when there was a discussion on the floor as to whether or not the failure to extend the law that authorizes the strategic oil reserve, and the concerns that many Members have about the Energy Department, somehow means that the Congress of the United States is responsible for the failure to have an energy policy for the last 7 years. It is exactly the kind of wrong-headed thinking that has allowed us to lull ourselves as a Nation into where we are today with gasoline prices, with heating oil prices.

Certainly nobody is going to release the strategic oil reserve if that authorization is not extended for a few days. I think there is a very legitimate question as to who should control the strategic oil reserve. Should it be the Department of Energy or should it be the Department of Defense? What is the purpose of a strategic oil reserve? Is it militarily strategic, or is it strategic in some other way?

In fact, what has happened for the last 7 years is that on all three fronts that we needed to have an energy policy, we have not had an effective energy policy. We have not dealt with the oil-producing nations that we have come to rely too much on for oil and gasoline. We have done everything we could to discourage domestic production. We have not done anything to encourage alternative sources of energy, and in fact, the Secretary of Energy on February 16 said that we were caught napping at the Department of Energy. The administration really did not expect to see these oil prices go up.

That is the same Department of Energy that there were Members on this floor just a few minutes ago saying should unquestionably be given an extended ability to manage the energy policy of the United States. It is part of the same administration that, for 7 years, has really managed to perform the governmental hat trick of looking at the three areas that we ought to be thinking about for more energy independence and doing everything possible to insure that we would have more energy dependence.

We saw the Secretary of Energy in the last few days and weeks going to those oil-producing nations that in the past have been our dependable allies, certainly we have been their dependable ally, and acting as if it was a huge deal to have a small concession of increased production from those countries.

Whenever those countries, some of those countries, came to us and said, we would like young American men and women to come over and defend our country, we did not have the response that, well, we will see if we can do a little something, and we will do it, and we will let you know when it might happen. It will be out there sometime.

That was not our response. Now to assume that that is an acceptable response, something is wrong. Either something is wrong with our relationship with those countries, or something has been wrong in maintaining that relationship.

In terms of alternative sources, the Secretary of Energy just a couple of Sundays ago said maybe the answer is wind power. Well, the answer may not be wind power, the answer may be brain power. The answer may be looking at what we can do to ensure that we are not caught in this same situation 2 or 3 or 4 or 5 years from now, to become increasingly dependent on foreign oil, to do nothing to encourage alternative energy sources in this country, to do everything to discourage domestic supply.

To do everything to really put the internal combustion engine at risk without coming up with any alternatives is an economic travesty. Our economy has some jeopardy right now because of a failure of policy.

For our colleagues to stand up here and say that the Department of Energy needs to be congratulated for what they have done in energy, or the Department of Energy needs to be extended into the future without any question, or that if this Congress questions the Department of Energy, somehow the Congress becomes automatically responsible for the failures of that department and this administration for the last 7 years in this area, does not really meet the test of credibility on this floor or in the country.

I think we need to look very carefully at where we are, how we got here, and what the Department of Energy has had to do with those results that are likely to lead to $2 gas prices and significant challenges to our economy this summer.

OPPOSING CONTINUED U.S. INVOLVEMENT IN THE BALKAN CONFLICT

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

Mr. METCALF. Mr. Speaker,we have no business in Kosovo. We have no overriding national interest there.

We have heard much vaunted allegations of human rights violations leveled against the Serbian government. Unfortunately, once again, we come to find out that an administration determined to mire us in overseas turmoil has greatly exaggerated the situation to win over a skeptical public and stampede the Congress.

In this case, we were told several months ago that as many as 100,000 Albanian Kosovars were brutally murdered. Now we are looking at a figure closer to 1,000.

What of our continually expanded bombing that eventually included not only public transportation but medical facilities, nearly 100 schools, churches, and homes? What of the innocent deaths we inflicted with tax dollars of the citizens of the United States? What have we done here? What were the objectives of our President's most recent adventure? What are the results?

We were told when we went into Kosovo that we went there to stop ethnic cleansing. It continues with a vengeance, this time with the acquiescence of our own forces.

The KLA, not 2 years ago classified by our own State Department as a heroin-financed terrorist organization, soon to be vaunted by the Clinton administration as freedom fighters, now roams the countryside brutalizing innocents, not only Serbs but gypsies, Muslims, Slavs, and Albanians opposed to their thuggishness.

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Bishop Artemije of the Diocese of Kosovo stated one month ago before the Helsinki Commission, and I quote, ''More than 80 Orthodox churches have been either completely destroyed or severely damaged since the end of the war. The ancient churches, many of which survived 500 years of Ottoman Moslem rule, could not survive 8 months of the internationally guaranteed peace. Regretfully, all this happens in the presence of KFOR, the NATO peacekeeping force in Kosovo, and the U.N.''

Yes, we have cast our lot with the KLA and its affiliates, an organization dedicated to its own version of ethnic cleansing. Removal of all non-Albanians from a region that not only includes Kosovo, but also southern Serbia and Macedonia, with its Albanian minority.

We were told we went into Kosovo to ''stabilize the Balkans.'' Initially, the ambiguity of our policy gave the green light to separatist movements around the region. Today, in both Bosnia and Kosovo, we are committed into the future as far as the eye can see. When I

was able to cause a vote on the floor of the House on the incursion into Bosnia, a vote the administration did not want to take place, I stated on this floor, Mr. Speaker, that Mr. Clinton would not keep his promise to us.

What was his promise? That he would send our American troops home from Bosnia by December 20, 1996. I ask, Mr. Speaker, what stability have we achieved in the Balkans? And at what price to this Nation? Can anyone share with this Congress a realistic exit strategy from this quagmire?

In the Kosovo region, yesterday's Washington Post tells us that Kosovar militias still refuse to disarm and are now destabilizing southern Serbia. A new confrontation with Milosevic and a new refugee crisis is feared. And what will we do with a violent KLA we empowered when it turns its sights on Macedonia, which also has an Albanian population?

I agree with Senator KAY BAILEY HUTCHISON's assessment of our Balkan interventions recently published in the Financial Times. She said, ''NATO has got to get off of this merry-go-round. It must acknowledge that imposing multicultural democracy at the point of a gun is not working.''

Mr. Speaker, we were told we went into Kosovo to thwart the Serbian ruler there, Milosevic. What have we accomplished here? Milosevic is more firmly in place than ever; hard-liners in Serbia in a better place than ever before due entirely to our intervention; the bombing of civilians; the vilification of the Serbian people; and, the destruction of the Serbian culture under our occupation.

We were told we went into Kosovo to ensure the credibility of NATO. But did we do this by violating the first section of the NATO charter by launching a war against a sovereign Nation that has committed no aggression against any of its neighbors? NATO's strength was that it was a shield, not a sword. Some skeptics say that NATO actions were one of justification, considering their original mission was to protect Europe from a Soviet Union that no longer exists.

The costs of Kosovo? Displacement of hundreds of thousands of Kosovars. Displacement of hundreds of thousands of Serbs and expansion of conflict into Serbia proper. The potential instability of Macedonia and a new and probably undying hatred for the United States on the part of Serbians, and from what we have recently seen, Albanian Kosovars as well, as a result of this foolhardy intervention.

Mr. Speaker, we need to bring America home. We can be a light to the world. We cannot be agents of violence as enforcers of one dubious cause after another without accumulating some frightful costs and terrible consequences.

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

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

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

(Ms. KAPTUR 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 Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD 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 Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS 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 Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD 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 North Carolina (Mr. JONES) is recognized for 5 minutes.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today after 2 p.m. on account of personal reasons.

Mr. RUSH (at the request of Mr. GEPHARDT) for today on account of official business in the district.

Mr. BURR of North Carolina (at the request of Mr. ARMEY) for today on account of attending a funeral.

Mrs. CHENOWETH-HAGE (at the request of Mr. ARMEY) for today on account of official business.

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. WELDON of Florida) to revise and extend their remarks and include extraneous material:)

Mr. SHAYS, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, April 5.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. NORWOOD, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. METCALF, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title

On March 29, 2000:

H.R. 5. To amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

ADJOURNMENT

Mr. METCALF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Monday, April 3, 2000, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6863. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Revisions to Handling Requirements [Docket No. FV99–932–3 FR] received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6864. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP–300963; FRL–6485–2] (RIN: 2070–AB78) received January 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6865. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Emamectin Benzoate; Pesticide Tolerances for Emergency Exemptions [OPP–300958; FRL–6398–5] (RIN: 2070–AB78) received January 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6866. A letter from the Assistant General Counsel for Regulations, Office of the Chief

Procurement Officer, Department of Housing and Urban Development, transmitting the Department's final rule—HUD Acquisition Regulation; Miscellaneous Revisions [Docket No. FR–4291–F–02] (RIN: 2535–AA25) received January 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6867. A letter from the Assistant General Counsel for Regulations, Office of the Chief Procurement Officer, Department of Housing and Urban Development, transmitting the Department's final rule—HUD Acquisition Regulation; Miscellaneous Revisions [Docket No. FR–4115–F–03] (RIN: 2435–AA24) received January 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6868. A letter from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Non-Discretionary Funding Provisions of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (RIN: 0584–AC77) received December 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6869. A letter from the Director, Office of General Counsel, Office of Personnel Management, transmitting the Office's final rule—Processing Garnishment Orders for Child Support and/or Alimony and Commercial Garnishment of Federal Employees' Pay (RIN: 3206–AI91) received January 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6870. A letter from the Attorney, Office of the Secretary of Transportation, Department of Transportation, transmitting the Department's final rule—Nondiscrimination on the Basis of Disability in Air Travel [Docket OST–96–1880] (RIN: 2105–AC28) received January 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6871. A letter from the Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Magnetic Levitation Transportation Technology Deployment Program [FRA Docket No. FRA–98–4545; Notice No.3] (RIN: 2130–AB29) received January 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6872. A letter from the Fiscal Assistant Secretary, the Department of the Treasury, transmitting the 2000 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 106–220); to the Committee on Ways and Means and ordered to be printed.

6873. A letter from the Fiscal Assistant Secretary, the Department of the Treasury, transmitting the 2000 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 106–221); to the Committee on Ways and Means and ordered to be printed.

6874. A letter from the Fiscal Assistant Secretary, the Department of the Treasury, transmitting the 2000 Annual Report of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 106–219); jointly to the Committees on Ways and Means and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3671. A bill to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts, and for other purposes; with an amendment (Rept. 106–554). Referred to the Committee of the Whole House on the State of the Union.

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. STUMP (for himself, Mr. EVANS, Mr. QUINN, and Mr. FILNER):

H.R. 4131. A bill to increase, effective December 1, 2000, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. DOOLITTLE:

H.R. 4132. A bill to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984; to the Committee on Resources.

By Mr. EVANS (for himself, Mr. CLAY, Mr. DEFAZIO, Mr. FRANK of Massachusetts, Mr. HOLDEN, Ms. KAPTUR, Mr. SANDERS, and Mr. WYNN):

H.R. 4133. A bill to amend the Internal Revenue Code of 1986 to reduce tax benefits for foreign corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 4134. A bill to amend title 10, United States Code, to authorize transportation on military aircraft on a space-available basis for veterans with a service-connected disability rated 50 percent or more; to the Committee on Armed Services.

By Mr. HEFLEY:

H.R. 4135. A bill to facilitate the acquisition of inholdings in Federal land management units and the disposal of surplus public land, and for other purposes; to the Committee on Resources.

By Mr. HEFLEY:

H.R. 4136. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for certain charitable conservation contributions of land by small farmers and ranchers, and for other purposes; to the Committee on Ways and Means.

By Mr. HOEFFEL (for himself, Mr. LIPINSKI, Mr. BORSKI, Ms. MILLENDER-MCDONALD, Mr. NADLER, Ms. CARSON, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. ENGEL, Mr. BRADY of Pennsylvania, Mr. FATTAH, and Mr. MARKEY):

H.R. 4137. A bill to make Federal law apply to antique firearms in the same way it applies to other firearms; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas (for herself and Mr. GUTIERREZ):

H.R. 4138. A bill to amend section 249 of the Immigration and Nationality Act to permit the Attorney General to create a record of lawful admission for permanent residence for certain aliens who entered the United States prior to 1986; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. DICKS):

H.R. 4139. A bill to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington; to the Committee on Resources.

By Ms. MILLENDER-MCDONALD:

H.R. 4140. A bill to amend the Foreign Assistance Act of 1961 to authorize appropriations for HIV/AIDS prevention efforts; to the Committee on International Relations.

By Mr. GOODLING (for himself, Mr. CASTLE, Mr. MCKEON, Mr. BALLENGER, Mr. PETRI, Mrs. ROUKEMA, Mr. BOEHNER, Mr. BARRETT of Nebraska, Mr. HILLEARY, Mr. GREENWOOD, Mr. DEMINT, Mr. ISAKSON, Mr. FLETCHER, Mr. MCINTOSH, Mr. NORWOOD, Mr. UPTON, and Mr. SAM JOHNSON of Texas):

H.R. 4141. A bill to amend the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NEY (for himself, Mr. TRAFICANT, Mr. OXLEY, and Mr. GREEN of Wisconsin):

H.R. 4142. A bill to amend section 3729 of title 31, United States Code, popularly known as the False Claims Act, to eliminate the minimum fine under that section; to the Committee on the Judiciary.

By Mr. PRICE of North Carolina:

H.R. 4143. A bill to establish a national teaching fellowship program to encourage individuals to enter and remain in the field of teaching at public schools; to the Committee on Education and the Workforce.

By Mr. RAHALL (for himself, Mr. NEY, Mr. BACHUS, Mr. BOUCHER, Mr. HOLDEN, Mr. KLINK, Mr. MOLLOHAN, Mr. MURTHA, Mr. STRICKLAND, and Mr. WISE):

H.R. 4144. A bill to provide for the allocation of interest accruing to the Abandoned Mine Reclamation Fund, and for other purposes; to the Committee on Resources.

By Mr. SHIMKUS (for himself, Mr. SWEENEY, Mr. PORTER, Mrs. WILSON, Mr. HYDE, Mr. PHELPS, Mr. EWING, Mrs. BIGGERT, Mr. EVANS, Mr. LAHOOD, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Mr. BLAGOJEVICH, Ms. MCCARTHY of Missouri, Mr. SAWYER, Mr. TIERNEY, and Mr. MARKEY):

H.R. 4145. A bill to improve safety standards for child restraints in motor vehicles; to the Committee on Commerce.

By Mr. SMITH of Michigan (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WELDON of Florida, Mr. BISHOP, Mr. BOEHLERT, Mr. ANDREWS, Mr. EHLERS, Mr. SHERWOOD, Mr. LARSON, Mr. BARCIA, and Mr. UPTON):

H.R. 4146. A bill to authorize appropriations to address the needs of State and local emergency responders, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, Commerce, Resources, and Banking and Financial Services, 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. TANCREDO:

H.R. 4147. A bill to amend title 18, United States Code, to increase the age of persons considered to be minors for the purposes of the prohibition on transporting obscene materials to minors; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself and Mr. HAYWORTH):

H.R. 4148. A bill to make technical amendments to the provisions of the Indian Self-Determination and Education Assistance Act

relating to contract support costs, and for other purposes; to the Committee on Resources.

By Mr. DICKEY (for himself and Mr. WATTS of Oklahoma):

H. Con. Res. 296. Concurrent resolution expressing the sense of the Congress regarding the necessity to expedite the settlement process for discrimination claims against the Department of Agriculture brought by African-American farmers; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, 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.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

300. The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to H.P. 1838 Joint Resolution memorializing the President of the United States, the Congress of the United States and the Secretary of Energy to release from the Strategic Petroleum Reserve for sale to critically affected regions; to the Committee on Commerce.

301. Also, a memorial of the House of Representatives of the State of Alabama, relative to House Resolution 139 memorializing the United State Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; to the Committee on International Relations.

302. Also, a memorial of the House of Representatives of the State of Alabama, relative to House Resolution No. 130 memorializing the United States Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, and to support the convention's continuing goals; to the Committee on International Relations.

303. Also, a memorial of the Senate of the State of West Virginia, relative to Senate Resolution No. 4 memorializing the United States Congress to adopt legislation establishing loan guarantee programs or other mechanisms for the delivery of local television satellite signals to markets not receiving local television satellite signals; jointly to the Committees on Commerce, Agriculture, and the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mrs. MORELLA and Mr. MCHUGH.
H.R. 49: Ms. DUNN.
H.R. 72: Mr. GOODE.
H.R. 73: Mrs. EMERSON.
H.R. 303: Mr. UDALL of Colorado.
H.R. 371: Mr. NADLER.
H.R. 443: Mr. COYNE.
H.R. 488: Mr. TIERNEY.
H.R. 531: Mr. TOOMEY and Mr. BARR of Georgia.
H.R. 538: Mr. GORDON.
H.R. 701: Mr. SWEENEY.
H.R. 793: Mr. HALL of Texas.
H.R. 828: Mr. BUYER.
H.R. 864: Mr. COBLE and Mr. DEMINT.
H.R. 979: Mr. GUTIERREZ, Mr. BAIRD, Ms. PELOSI, Mr. ENGEL, Mr. DINGELL, and Mr. PRICE of North Carolina.
H.R. 1041: Mr. CONDIT, Ms. ROS-LEHTINEN, Mr. COLLINS, Mr. MORAN of Kansas, Mr. BALLENGER, Mr. BUYER, and Mr. TAYLOR of Mississippi.
H.R. 1109: Mr. RANGEL.
H.R. 1182: Mr. SAXTON.
H.R. 1187: Mr. DAVIS of Florida, Mr. TANCREDO, Mr. GOODLATTE, Mr. BONILLA, Mr. RAHALL, Mr. TOOMEY, Mr. HINOJOSA, Mr. BACA, Mr. DEMINT, and Ms. NORTON.
H.R. 1227: Mr. FATTAH.
H.R. 1228: Mr. MOAKLEY, Mr. ORTIZ, and Mrs. MALONEY of New York.
H.R. 1247: Mr. ENGEL.
H.R. 1294: Mr. TAUZIN, Mr. MCCOLLUM, and Mr. HERGER.
H.R. 1322: Mr. MEEKS of New York, Mr. DIXON, Ms. MILLENDER-MCDONALD, Mr. PITTS, Mr. MICA, Mr. FLETCHER, Mr. OWENS, Mr. SMITH of Texas, Mr. CUNNINGHAM, and Mr. TOWNS.
H.R. 1388: Ms. DEGETTE, Mr. ACKERMAN, and Mrs. CHRISTENSEN.
H.R. 1413: Ms. CARSON and Ms. STABENOW.
H.R. 1414: Mr. SANDLIN.
H.R. 1432: Mr. QUINN.
H.R. 1472: Mr. LOBIONDO.
H.R. 1577: Mr. GOODE.
H.R. 1728: Mr. REYES, Mr. ACKERMAN, and Mr. GOODE.
H.R. 1824: Mr. GARY MILLER of California.
H.R. 1898: Ms. BERKLEY.
H.R. 2119: Mr. MARKEY.
H.R. 2120: Mr. LEVIN.
H.R. 2221: Mr. YOUNG of Alaska.
H.R. 2267: Ms. LEE.
H.R. 2282: Mr. SMITH of New Jersey.
H.R. 2382: Mr. CALVERT.
H.R. 2573: Mr. MARKEY.
H.R. 2660: Mr. SIMPSON.
H.R. 2697: Mr. KUCINICH.
H.R. 2720: Mr. DEUTSCH and Mr. KLINK.
H.R. 2733: Mr. BRADY of Pennsylvania and Mr. EHLERS.
H.R. 2892: Ms. DEGETTE.
H.R. 2919: Mr. OXLEY.
H.R. 3003: Mr. BALLENGER.
H.R. 3195: Mr. BARRETT of Wisconsin, Mr. ENGEL, and Ms. MCKINNEY.
H.R. 3235: Ms. WOOLSEY and Mr. PAYNE.
H.R. 3249: Ms. SCHAKOWSKY, Mr. MCHUGH, and Mr. DEUTSCH.
H.R. 3295: Mr. EVANS and Mr. MEEKS of New York.
H.R. 3308: Mr. DEFAZIO.
H.R. 3313: Mrs. MORELLA.
H.R. 3514: Mr. LEVIN.
H.R. 3561: Mr. STARK.
H.R. 3575: Mr. PORTER.
H.R. 3593: Mr. FROST and Mrs. THURMAN.
H.R. 3634: Mr. UDALL of Colorado, Mr. TIERNEY, and Mr. PASTOR.
H.R. 3671: Mr. CALVERT, Mr. STUPAK, Mr. SHERWOOD, Mr. SOUDER, Mr. SHUSTER, Ms. PRYCE of Ohio, and Mr. CHAMBLISS.
H.R. 3682: Ms. SLAUGHTER.
H.R. 3700: Mr. OWENS, Mr. KLECZKA, and Mr. CLYBURN.
H.R. 3710: Mr. LEVIN and Mr. MCGOVERN.
H.R. 3842: Mr. UPTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HOLDEN, Mr. GOODE, and Ms. BALDWIN.
H.R. 3850: Mr. MORAN of Kansas.
H.R. 3872: Mr. RAHALL, Mr. PAUL, Mr. MCGOVERN, Mr. MANZULLO, and Mr. BUYER.
H.R. 3873: Mr. HINOJOSA, Ms. MCKINNEY, Mr. TIERNEY, Ms. CARSON, and Mr. CONYERS.
H.R. 3880: Mr. WAXMAN, Mr. OWENS, Ms. HOOLEY of Oregon, and Mr. ROGERS.
H.R. 3905: Ms. DUNN and Mr. JEFFERSON.
H.R. 3910: Mr. MCHUGH, Mr. CAMP, and Mr. DICKEY.
H.R. 3916: Mr. KENNEDY of Rhode Island and Mr. FOSSELLA.
H.R. 4017: Mr. CAMPBELL.
H.R. 4033: Mr. RANGEL, Ms. DEGETTE, Mr. MICA, Mr. GORDON, Ms. STABENOW, Mr. PICKERING, Mr. PETERSON of Pennsylvania, Mr. SPENCE, Mr. BLUMENAUER, and Mr. GILLMOR.
H.R. 4040: Mr. GILMAN.
H.R. 4055: Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mr. GALLEGLY, Mr. BURR of North Carolina, Mr. ROEMER, Mr. SANDERS, Mr. NADLER, Mrs. TAUSCHER, Mr. SANDLIN, Mr. WAXMAN, Mr. DOOLEY of California, Mr. EVANS, Mr. FRELINGHUYSEN, Mr. ENGLISH, Mr. WALSH, Mr. TERRY, Mr. POMEROY, Mr. BARRETT of Nebraska, Mr. HAYWORTH, Ms. ROYBAL-ALLARD, and Mr. BEREUTER.
H.R. 4067: Mr. BEREUTER.
H.R. 4082: Mr. MANZULLO, Mr. WATKINS, and Mr. GOODE.
H.R. 4094: Mr. SAWYER, Mr. WEXLER, Mr. VENTO, Mr. HOLDEN, Mr. GUTIERREZ, Mr. INSLEE, Mr. MARTINEZ, Mr. THOMPSON of California, Mr. HINOJOSA, Mr. UDALL of Colorado, Mr. RODRIGUEZ, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. WYNN, Mr. ROTHMAN, and Ms. DEGETTE.
H.R. 4112: Mr. BARR of Georgia.
H.R. 4122: Mr. THOMPSON of California and Mr. STRICKLAND.
H. Con. Res. 115: Mr. WAXMAN, Mr. TIERNEY, and Mr. BRADY of Pennsylvania.
H. Con. Res. 252: Mr. DAVIS of Florida and Mr. GONZALEZ.
H. Con. Res. 259: Mr. KUYKENDALL, Mrs. LOWEY, and Mr. BLUMENAUER.
H. Con. Res. 262: Mr. BAKER and Mr. OSE.
H. Con. Res. 293: Mr. PICKERING and Mr. LEWIS of Georgia.
H. Res. 163: Mr. HOLT, Mr. BURR of North Carolina, Mr. PRICE of North Carolina, Ms. SCHAKOWSKY, Ms. WOOLSEY, Ms. CARSON, and Ms. KILPATRICK.
H. Res. 213: Mr. RANGEL.
H. Res. 238: Mr. BRADY of Pennsylvania and Mr. EHLERS.
H. Res. 420: Mrs. THURMAN, Mr. BILBRAY, and Mr. PACKARD.
H. Res. 437: Mr. BRADY of Pennsylvania, Mr. MCGOVERN, and Mr. LAFALCE.
H. Res. 452: Mr. HALL of Ohio.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 701: Mr. STEARNS and Mr. DREIER.
H.R. 3660: Mr. TANNER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

79. The SPEAKER presented a petition of Luis F. Crespo High School Camuy, Puerto Rico, relative to a Resolution petitioning the President of the United States and Congress to withdraw the US Navy from the Island of Vieques, return the lands occupied by the US Navy to the people of Vieques, to condemn the murder of David Sanes and total indemnity for the damages caused by military occupation; to the Committee on Armed Services.

80. Also, a petition of Mr. Gregory D. Watson of Austin, Texas, relative to a Resolution petitioning Congress to direct the Congressional Research Service division of the Library of Congress to conduct an exhaustive inventory of the legislative records of all 50 states—dating back to the beginning of statehood in each individual state—in order to ascertain all applications (and recissions of applications), pursuant to Article V of the United States Constitution, made by the legislatures thereof, for conventions to propose, subject to ratification, amendments to the Federal Constitution; and to publish the results of such comprehensive inventory; to the Committee on House Administration.

81. Also, a petition of Colorado Water Conservation Board, Department of Natural Resources Denver, Colorado, relative to a Resolution petitioning the President of the

United States and the House of Representatives to support HR–3112 and the construction of the modified Animas-La Plata Project; to the Committee on Resources.

82. Also, a petition of National Conference of Lieutenant Governors, relative to a Resolution petitioning the United States Congress to amend the Internal Revenue Code to increase the annual state ceiling on tax-exempt Private Activity Bonds and to index the ceiling to inflation; to the Committee on Ways and Means.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1776

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 1: At the end of title IV, add the following new section:

SEC. 408. CDBG SPECIAL PURPOSE GRANTS.

Section 107(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5307(a)(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''$60,000,000'' and inserting ''$95,000,000''; and

(B) by striking ''subsection (b)'' and inserting ''this section''; and

(2) by striking subparagraph (G) and inserting the following new subparagraph:

''(G) $35,000,000 shall be available in fiscal year 2001 for a grant to the City of Youngstown, Ohio, for the site acquisition, planning, architectural design, and construction of a convocation and community center in such city;''.

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Vol. 146 WASHINGTON, THURSDAY, MARCH 30, 2000 *No. 38*

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:

Blessed Father, thank You for motivating millions of Americans to pray for the women and men of this Senate and all of us who are privileged to work with them. Around the clock, prayers of intercession are prayed for the work of this Senate. Help us to remember that You are seeking to answer those prayers as the Senators are offered Your wisdom and guidance. Your mighty power is impinging on them as a result of people's prayers. An unlimited supply of supernatural strength and vision from You is ready to be released because of the faithful intercession of Your people. Grant the Senators a sense of awe and wonder and humility by realizing that their creativity comes from Your Spirit as a result of the prayers of the American people.

Help us to be ready to pray for each other here in the Senate family. We renew our commitment to pray not only for those with whom we agree, but also for those with whom we disagree, our political adversaries and those who test our patience. Bind us together as prayer partners as we deal with the diversity of ideas, for You are our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. CRAPO). Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Texas is recognized.

ORDER OF PROCEDURE

Mr. GRAMM. Mr. President, I understand the Democrat leader has a statement to make. Let me just say to our colleagues, we are going to take up the bill providing loan guarantees to those who would develop the technology and make the investments to bring local television to rural America. We expect there to be opening statements this morning. Let me say, since there is no one here on the other side to debate the issue, I intend at some point to ask unanimous consent that we might have an hour or so for opening statements and then I might be recognized to offer an amendment at that point. If there is an objection to that, then I will go ahead and offer an amendment at the conclusion of my statement.

Let me say we should have votes throughout the day. We are confident we will finish this bill today—or we hope to.

Following the disposition of this bill, there will be a cloture vote on the motion to proceed to the gasoline tax legislation. After the cloture vote, the Senate will begin a period of morning business with statements expected by Senator BROWNBACK on the marriage penalty.

I thank our colleagues for their attention.

Mr. President, before I go into a discussion of the bill, I ask unanimous consent I might yield to the Democrat leader to make a statement on his leadership time, and then that I might be recognized to make the initial opening statement.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Nevada.

Mr. REID. Mr. President, while the two managers of the bill are on the floor, the Senator from Texas asked that there be an hour for opening statements. The Senator from Maryland, the manager on the minority side, thinks that is a good idea.

Mr. GRAMM. Mr. President, that being the case, let me ask unanimous consent, following the comments of the acting Democrat leader, that there be an hour equally divided for opening statements and that at the conclusion of that hour I be recognized to offer an amendment.

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

GAS TAX REPEAL

Mr. REID. Mr. President, I want to take a little while this morning to lay the foundation for a vote we will be taking later today. There is going to be a limited amount of time to talk about the cloture vote on the gas tax repeal.

No one is happy about the cost of gasoline in America today. It is something of which we are all aware, especially those of us on the west coast. In the State of Nevada, there are places where gas can cost more than $2 a gallon. In California, that is the rule rather than the exception.

However, what the majority is attempting to do today, in moving this legislation forward, is something that should not take place. The bill was placed on the calendar under what we call rule XIV. That means it is acted on in an expedited fashion. It goes right here. It has not had a single hearing in the Finance Committee, the committee of jurisdiction. There is no companion bill that has passed the House. If this bill is passed by this body, only two things can happen: No. 1, it will lie here on the desk indefinitely; or, No. 2, it can be sent to the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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House where it will be automatically blue slipped, meaning that the bill is dead. So it is quite clear the repeal of the gas tax is nothing more than an effort to make a political statement, and I think the political statement is not appropriate.

If the majority is serious about this matter, it should call up, for example, the House-passed tax bill. There is one there, H.R. 3081, dealing with minimum wage and various other tax matters.

I do not believe there is anyone in this body who does not want a tax decrease on fuel. But this is not the way to go about it. Let's keep in mind where we are. OPEC has agreed to produce more oil. In addition to that, there are other nations, such as Mexico and Norway, that have agreed to produce more oil. It is going to take some time before these gas prices go down, but they will.

To show how really frail in logic the majority is on this matter, they recognize it should be just a short-term fix. That is, by the end of the year a certain mechanical thing would happen that would reestablish the tax. Remember, we are talking about a tax of 4.3 cents per gallon. So I think the action by the majority leader is wrong.

There are a lot of things we can do, I think, to meet some of the demands for fuel we have in this country. For example, there are 300,000 barrels of oil every day produced in our country, in Alaska, that are shipped to Asia. Should that oil not be shipped to the United States? Obviously, the answer is yes.

There is also every reason to believe there are things we can do to lessen our dependency on this foreign oil. We could develop alternative fuels. I think we could improve the efficiency of energy use through different economy measures. One of the things we have not done for many years is advance and enhance fuel efficiency standards, what we call CAFE. Given the modern technology that we have, there is no reason in the world we cannot produce automobiles in America that are more fuel efficient. We did it once before, and it was tremendous. It was unheard of, that cars would get over 20 miles to the gallon of gasoline, but we were able to do that through modern technology.

We need to promote renewable energy. In what ways? Geothermal, solar, wind. As soon as the energy crisis was over, it seemed we backed off from that as a government. We fight every year in this Senate Chamber. Every year, there is a battle. I am the ranking member of the Energy and Water Development Subcommittee on Appropriations. Senator DOMENICI, from New Mexico, is the chairman. We have an ongoing battle in here every year, trying to get more money for alternative energy programs—geothermal, solar, wind.

There are other things that simply need to be done that are not being done. Reducing the price of fuel by 4.3 cents a gallon for part of a year is not the solution to the problem.

It is important that we recognize some of the things that are being written around the country. There are lots of things being written about how foolish it would be to reduce the price of gas for part of the year by 4.3 cents a gallon, especially when one keeps in mind the tremendous infrastructure needs in this country.

Take, for instance, the State of Nevada. I hope to travel to Nevada tomorrow to be part of a very large celebration. That celebration will deal with cutting a ribbon to open a highway project, the largest public works project in the history of the State of Nevada, except for Hoover Dam and a few other programs. Certainly, without question, it is the largest public works project that relates to highways. This one thing we call the spaghetti bowl cost $100 million.

Those moneys came from this tax. When the American consumer goes to the fuel pump and buys gasoline, there is money taken every time, about 18 cents a gallon, and put into a trust fund. That money can be used for the construction of roads, bridges, highways. That is why I am able to go to Las Vegas tomorrow and cut the ribbon on this project. It will alleviate traffic problems significantly in that area.

These programs take place all over America, and if we cut this program, if we eliminate this 4.3-cents-a-gallon gasoline tax, it will mean we will not have approximately $6 billion a year for construction projects around the country.

That is why there is a bipartisan effort to defeat this foolish proposal to take away this tax.

I was here yesterday afternoon when Senator WARNER of Virginia, who serves, and has served for many years, on the Environment and Public Works Committee and is one of the senior members of that committee, said it is not the right thing to do. Sitting in the position of Presiding Officer yesterday was Senator VOINOVICH of Ohio. He was relieved of his duties as Presiding Officer and came down and gave a speech as to why this should not be done.

I hope we will look at this and realize that papers all over America, not the least of which is the New York Times, talks about the ''Gasoline Tax Follies.'' This means it is simply a foolish thing to do.

Quoting from the New York Times:

Let's start with why the oil cartel should love this proposal.

Put yourself in the position of an OPEC minister: What sets the limits to how high you want to push oil prices? The answer is that you are afraid that too high a price will lead people to use less gasoline, heating oil and so on. Suppose, however, that you can count on the U.S. Government to reduce gasoline taxes whenever the price of crude oil rises. Then Americans are less likely to reduce their oil consumption if you conspire to drive prices up—which makes such a conspiracy a considerably more attractive proposition.

They go on to say:

A cynic might suggest that that is the point.

They are being critical in this article, among other things, about Gov. George W. Bush pushing for repeal of this gas tax. In fact, they say, as others say, it appears his solution to all the problems in America today is tax reduction. For example, we know he wants over a $1 trillion tax cut over the next few years. The American people do not accept this. Why? Because they think it is more important that we have targeted tax cuts and we also spend these moneys, if we have extra moneys, to do something about education, to fix the prescription drug problem we have with Medicare, make sure we bolster Social Security, and, most important, that we do something to reduce the $5 trillion debt that has accumulated.

This New York Times article goes on to state:

A cynic might suggest that that is the point. But I'd rather think that Mr. Bush isn't deliberately trying to throw his friends in the oil industry a few extra billions; I prefer to believe that the candidate, or whichever adviser decided to make gasoline taxes an issue, was playing a political rather than a financial game. . . .

This is one case in which a tax cut would lead directly to cutbacks in a necessary and popular government service.

I hope the Senate, in a bipartisan fashion, will resoundingly defeat this effort to roll back this 4.3-cents-a-gallon gas tax. There are other places we can look to move taxes back or adjust taxes. Certainly, this is not one of those places. We need to do better than this.

I repeat, I hope in a bipartisan fashion this afternoon we will defeat the motion to invoke cloture on the repeal of the 4.3-cents-a-gallon gas tax.

The PRESIDING OFFICER. The Senator from Texas.

MEASURES PLACED ON THE CALENDAR—S. 2314 AND S. 2323

Mr. GRAMM. Mr. President, I understand there are two bills at the desk due for their second reading.

The PRESIDING OFFICER. The clerk will report the bills by title.

The bill clerk read as follows:

A bill (S. 2314) for the relief of Elian Gonzalez.

A bill (S. 2323) to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

Mr. GRAMM. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDING OFFICER. The bills will be placed on the calendar.

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 2097, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 2097) to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved areas, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Launching Our Communities' Access to Local Television Act of 2000''.

SEC. 2. PURPOSE.

The purpose of this Act is to facilitate access, on a technologically neutral basis and by December 31, 2006, to signals of local television stations for households located in unserved areas and underserved areas.

SEC. 3. LOCAL TELEVISION LOAN GUARANTEE BOARD.

(a) ESTABLISHMENT.—There is established the LOCAL Television Loan Guarantee Board (in this Act referred to as the ''Board'').

(b) MEMBERS.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall consist of the following members:

(A) The Secretary of the Treasury, or the designee of the Secretary.

(B) The Chairman of the Board of Governors of the Federal Reserve System, or the designee of the Chairman.

(C) The Secretary of Agriculture, or the designee of the Secretary.

(2) REQUIREMENT AS TO DESIGNEES.—An individual may not be designated a member of the Board under paragraph (1) unless the individual is an officer of the United States pursuant to an appointment by the President, by and with the advice and consent of the Senate.

(c) FUNCTIONS OF THE BOARD.—

(1) IN GENERAL.—The Board shall determine whether or not to approve loan guarantees under this Act. The Board shall make such determinations consistent with the purpose of this Act and in accordance with this subsection and section 4 of this Act.

(2) CONSULTATION AUTHORIZED.—

(A) IN GENERAL.—In carrying out its functions under this Act, the Board shall consult with such departments and agencies of the Federal Government as the Board considers appropriate, including the Department of Commerce, the Department of Agriculture, the Department of the Treasury, the Department of Justice, the Department of the Interior, the Board of Governors of the Federal Reserve System, the Federal Communications Commission, the Federal Trade Commission, and the National Aeronautics and Space Administration.

(B) RESPONSE.—A department or agency consulted by the Board under subparagraph (A) shall provide the Board such expertise and assistance as the Board requires to carry out its functions under this Act.

(3) APPROVAL BY MAJORITY VOTE.—The determination of the Board to approve a loan guarantee under this Act shall be by a vote of a majority of the Board.

SEC. 4. APPROVAL OF LOAN GUARANTEES.

(a) AUTHORITY TO APPROVE LOAN GUARANTEES.—Subject to the provisions of this section and consistent with the purpose of this Act, the Board may approve loan guarantees under this Act.

(b) REGULATIONS.—

(1) REQUIREMENTS.—The Administrator (as defined in section 5 of this Act), under the direction of and for approval by the Board, shall prescribe regulations to implement the provisions of this Act and shall do so not later than 120 days after funds authorized to be appropriated under section 10 of this Act have been appropriated in a bill signed into law.

(2) ELEMENTS.—The regulations prescribed under paragraph (1) shall—

(A) set forth the form of any application to be submitted to the Board under this Act;

(B) set forth time periods for the review and consideration by the Board of applications to be submitted to the Board under this Act, and for any other action to be taken by the Board with respect to such applications;

(C) provide appropriate safeguards against the evasion of the provisions of this Act;

(D) set forth the circumstances in which an applicant, together with any affiliate of an applicant, shall be treated as an applicant for a loan guarantee under this Act;

(E) include requirements that appropriate parties submit to the Board any documents and assurances that are required for the administration of the provisions of this Act; and

(F) include such other provisions consistent with the purpose of this Act as the Board considers appropriate.

(3) CONSTRUCTION.—(A) Nothing in this Act shall be construed to prohibit the Board from requiring, to the extent and under circumstances considered appropriate by the Board, that affiliates of an applicant be subject to certain obligations of the applicant as a condition to the approval or maintenance of a loan guarantee under this Act.

(B) If any provision of this Act or the application of such provision to any person or entity or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of this Act, or the application of such provision to such person or entity or circumstance other than those as to which it is held invalid, shall not be affected thereby.

(c) AUTHORITY LIMITED BY APPROPRIATIONS ACTS.—The Board may approve loan guarantees under this Act only to the extent provided for in advance in appropriations Acts. The Board may delegate to the Administrator (as defined in section 5 of this Act) the authority to approve loan guarantees of up to $20,000,000. To the extent the Administrator is delegated such authority, the Administrator shall comply with the terms of this Act applicable to the Board.

(d) REQUIREMENTS AND CRITERIA APPLICABLE TO APPROVAL.—

(1) IN GENERAL.—The Board shall utilize the underwriting criteria developed under subsection (g), and any relevant information provided by the departments and agencies with which the Board consults under section 3, to determine which loans may be eligible for a loan guarantee under this Act.

(2) PREREQUISITES.—In addition to meeting the underwriting criteria under paragraph (1), a loan may not be guaranteed under this Act unless—

(A) the loan is made to finance the acquisition, improvement, enhancement, construction, deployment, launch, or rehabilitation of the means by which local television broadcast signals will be delivered to an unserved area or underserved area;

(B) the proceeds of the loan will not be used for operating expenses;

(C) the proposed project, as determined by the Board in consultation with the National Telecommunications and Information Administration, is not likely to have a substantial adverse impact on competition that outweighs the benefits of improving access to the signals of a local television station in an unserved area or underserved area;

(D) the loan is provided by an insured depository institution (as that term is defined in section 3 of the Federal Deposit Insurance Act) that is acceptable to the Board, and has terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

(E) repayment of the loan is required to be made within a term of the lesser of—

(i) 25 years from the date of the execution of the loan; or

(ii) the economically useful life, as determined by the Board or in consultation with persons or entities deemed appropriate by the Board, of the primary assets to be used in the delivery of the signals concerned; and

(F) the loan meets any additional criteria developed under subsection (g).

(3) PROTECTION OF UNITED STATES FINANCIAL INTERESTS.—The Board may not approve the guarantee of a loan under this Act unless—

(A) the Board has been given documentation, assurances, and access to information, persons, and entities necessary, as determined by the Board, to address issues relevant to the review of the loan by the Board for purposes of this Act; and

(B) the Board makes a determination in writing that—

(i) to the best of its knowledge upon due inquiry, the assets, facilities, or equipment covered by the loan will be utilized economically and efficiently;

(ii) the terms, conditions, security, and schedule and amount of repayments of principal and the payment of interest with respect to the loan protect the financial interests of the United States and are reasonable;

(iii) to the extent possible, the value of collateral provided by an applicant is at least equal to the unpaid balance of the loan amount covered by the loan guarantee (the ''Amount'' for purposes of this clause); and if the value of collateral provided by an applicant is less than the Amount, the additional required collateral is provided by any affiliate of the applicant; and if the combined value of collateral provided by an applicant and any affiliate is not at least equal to the Amount, the collateral from such affiliate represents all of such affiliate's assets;

(iv) all necessary and required regulatory and other approvals, spectrum rights, and delivery permissions have been received for the loan, the project under the loan, and the Other Debt, if any, under subsection (f)(2)(B);

(v) the loan would not be available on reasonable terms and conditions without a loan guarantee under this Act; and

(vi) repayment of the loan can reasonably be expected.

(e) CONSIDERATIONS.—

(1) TYPE OF MARKET.—

(A) PRIORITY CONSIDERATIONS.—To the maximum extent practicable, the Board shall give priority in the approval of loan guarantees under this Act in the following order: First, to projects that will serve the greatest number of households in unserved areas; and second, to projects that will serve the greatest number of households in underserved areas. In each instance, the Board shall consider the project's estimated cost per household to be served.

(B) PROHIBITION.—The Board may not approve a loan guarantee under this Act for a project that is designed primarily to serve 1 or more of the 40 most populated designated market areas (as that term is defined in section 122(j) of title 17, United States Code).

(2) OTHER CONSIDERATIONS.—The Board shall consider other factors, which shall include projects that would—

(A) offer a separate tier of local broadcast signals, but for applicable Federal, State, or local laws or regulations;

(B) provide lower projected costs to consumers of such separate tier; and

(C) enable the delivery of local broadcast signals consistent with the purpose of this Act by a means reasonably compatible with existing systems or devices predominantly in use.

(f) GUARANTEE LIMITS.—

(1) LIMITATION ON AGGREGATE VALUE OF LOANS.—The aggregate value of all loans for which loan guarantees are issued under this Act (including the unguaranteed portion of loans issued under paragraph (2)(A)) and Other Debt under paragraph (2)(B) may not exceed $1,250,000,000.

(2) GUARANTEE LEVEL.—A loan guarantee issued under this Act—

(A) may not exceed an amount equal to 80 percent of a loan meeting in its entirety the requirements of subsection (d)(2)(A). If only a portion of a loan meets the requirements of that subsection, the Board shall determine that percentage of the loan meeting such requirements

(the ''applicable portion'') and may issue a loan guarantee in an amount not exceeding 80 percent of the applicable portion; or

(B) may, as to a loan meeting in its entirety the requirements of subsection (d)(2)(A), cover the amount of such loan only if that loan is for an amount not exceeding 80 percent of the total debt financing for the project, and other debt financing (also meeting in its entirety the requirements of subsection (d)(2)(A)) from the same source for a total amount not less than 20 percent of the total debt financing for the project (''Other Debt'') has been approved.

(g) UNDERWRITING CRITERIA.—Within the period provided for under subsection (b)(1), the Board shall, in consultation with the Director of the Office of Management and Budget and an independent public accounting firm, develop underwriting criteria relating to the guarantee of loans that are consistent with the purpose of this Act, including appropriate collateral and cash flow levels for loans guaranteed under this Act, and such other matters as the Board considers appropriate.

(h) CREDIT RISK PREMIUMS.—

(1) ESTABLISHMENT AND ACCEPTANCE.—The Board may establish and approve the acceptance of credit risk premiums with respect to a loan guarantee under this Act in order to cover the cost, as determined under section 504(b)(1) of the Federal Credit Reform Act of 1990, of the loan guarantee. To the extent that appropriations of budget authority are insufficient to cover the cost, as so determined, of a loan guarantee under this Act, credit risk premiums shall be accepted from a non-Federal source under this subsection on behalf of the applicant for the loan guarantee.

(2) CREDIT RISK PREMIUM AMOUNT.—

(A) IN GENERAL.—The Board shall determine the amount of any credit risk premium to be accepted with respect to a loan guarantee under this Act on the basis of—

(i) the financial and economic circumstances of the applicant for the loan guarantee, including the amount of collateral offered;

(ii) the proposed schedule of loan disbursements;

(iii) the business plans of the applicant for providing service;

(iv) any financial commitment from a broadcast signal provider; and

(v) the concurrence of the Director of the Office of Management and Budget as to the amount of the credit risk premium.

(B) PROPORTIONALITY.—To the extent that appropriations of budget authority are sufficient to cover the cost, as determined under section 504(b)(1) of the Federal Credit Reform Act of 1990, of loan guarantees under this Act, the credit risk premium with respect to each loan guarantee shall be reduced proportionately.

(C) PAYMENT OF PREMIUMS.—Credit risk premiums under this subsection shall be paid to an account (the ''Escrow Account'') established in the Treasury which shall accrue interest and such interest shall be retained by the account, subject to subparagraph (D).

(D) DEDUCTIONS FROM ESCROW ACCOUNT.—If a default occurs with respect to any loan guaranteed under this Act and the default is not cured in accordance with the terms of the underlying loan or loan guarantee agreement, the Administrator, in accordance with subsections (h) and (i) of section 5 of this Act, shall liquidate, or shall cause to be liquidated, all assets collateralizing such loan as to which it has a lien or security interest. Any shortfall between the proceeds of the liquidation net of costs and expenses relating to the liquidation, and the guarantee amount paid pursuant to this Act shall be deducted from funds in the Escrow Account and credited to the Administrator for payment of such shortfall. At such time as determined under subsection (d)(2)(E) when all loans guaranteed under this Act have been repaid or otherwise satisfied in accordance with this Act and the regulations promulgated hereunder, remaining funds in the Escrow Account, if any, shall be refunded, on a pro rata basis, to applicants whose loans guaranteed under this Act were not in default, or where any default was cured in accordance with the terms of the underlying loan or loan guarantee agreement.

(i) JUDICIAL REVIEW.—The decision of the Board to approve or disapprove the making of a loan guarantee under this Act shall not be subject to judicial review.

SEC. 5. ADMINISTRATION OF LOAN GUARANTEES.

(a) IN GENERAL.—The Administrator of the Rural Utilities Service (in this Act referred to as the ''Administrator'') shall issue and otherwise administer loan guarantees that have been approved by the Board in accordance with sections 3 and 4 of this Act.

(b) SECURITY FOR PROTECTION OF UNITED STATES FINANCIAL INTERESTS.—

(1) TERMS AND CONDITIONS.—An applicant shall agree to such terms and conditions as are satisfactory, in the judgment of the Board, to ensure that, as long as any principal or interest is due and payable on a loan guaranteed under this Act, the applicant—

(A) shall maintain assets, equipment, facilities, and operations on a continuing basis;

(B) shall not make any discretionary dividend payments that impair its ability to repay obligations guaranteed under this Act; and

(C) shall remain sufficiently capitalized.

(2) COLLATERAL.—

(A) EXISTENCE OF ADEQUATE COLLATERAL.—An applicant shall provide the Board such documentation as is necessary, in the judgment of the Board, to provide satisfactory evidence that appropriate and adequate collateral secures a loan guaranteed under this Act.

(B) FORM OF COLLATERAL.—Collateral required by subparagraph (A) shall consist solely of assets of the applicant, any affiliate of the applicant, or both (whichever the Board considers appropriate), including primary assets to be used in the delivery of signals for which the loan is guaranteed.

(C) REVIEW OF VALUATION.—The value of collateral securing a loan guaranteed under this Act may be reviewed by the Board, and may be adjusted downward by the Board if the Board reasonably believes such adjustment is appropriate.

(3) LIEN ON INTERESTS IN ASSETS.—Upon the Board's approval of a loan guarantee under this Act, the Administrator shall have liens on assets securing the loan, which shall be superior to all other liens on such assets, and the value of the assets (based on a determination satisfactory to the Board) subject to the liens shall be at least equal to the unpaid balance of the loan amount covered by the loan guarantee, or that value approved by the Board under section 4(d)(3)(B)(iii) of this Act.

(4) PERFECTED SECURITY INTEREST.—With respect to a loan guaranteed under this Act, the Administrator and the lender shall have a perfected security interest in assets securing the loan that are fully sufficient to protect the financial interests of the United States and the lender.

(5) INSURANCE.—In accordance with practices in the private capital market, as determined by the Board, the applicant for a loan guarantee under this Act shall obtain, at its expense, insurance sufficient to protect the financial interests of the United States, as determined by the Board.

(c) ASSIGNMENT OF LOAN GUARANTEES.—The holder of a loan guarantee under this Act may assign the loan guaranteed under this Act in whole or in part, subject to such requirements as the Board may prescribe.

(d) MODIFICATION.—The Board may approve the modification of any term or condition of a loan guarantee or a loan guaranteed under this Act, including the rate of interest, time of payment of principal or interest, or security requirements only if—

(1) the modification is consistent with the financial interests of the United States;

(2) consent has been obtained from the parties to the loan agreement;

(3) the modification is consistent with the underwriting criteria developed under section 4(g) of this Act;

(4) the modification does not adversely affect the interest of the Federal Government in the assets or collateral of the applicant;

(5) the modification does not adversely affect the ability of the applicant to repay the loan; and

(6) the National Telecommunications and Information Administration has been consulted by the Board regarding the modification.

(e) PERFORMANCE SCHEDULES.—

(1) PERFORMANCE SCHEDULES.—An applicant for a loan guarantee under this Act for a project covered by section 4(e)(1) of this Act shall enter into stipulated performance schedules with the Administrator with respect to the signals to be provided through the project.

(2) PENALTY.—The Administrator may assess against and collect from an applicant described in paragraph (1) a penalty not to exceed 3 times the interest due on the guaranteed loan of the applicant under this Act if the applicant fails to meet its stipulated performance schedule under that paragraph.

(f) COMPLIANCE.—The Administrator, in cooperation with the Board and as the regulations of the Board may provide, shall enforce compliance by an applicant, and any other party to a loan guarantee for whose benefit assistance under this Act is intended, with the provisions of this Act, any regulations under this Act, and the terms and conditions of the loan guarantee, including through the submittal of such reports and documents as the Board may require in regulations prescribed by the Board and through regular periodic inspections and audits.

(g) COMMERCIAL VALIDITY.—A loan guarantee under this Act shall be incontestable—

(1) in the hands of an applicant on whose behalf the loan guarantee is made, unless the applicant engaged in fraud or misrepresentation in securing the loan guarantee; and

(2) as to any person or entity (or their respective successor in interest) who makes or contracts to make a loan to the applicant for the loan guarantee in reliance thereon, unless such person or entity (or respective successor in interest) engaged in fraud or misrepresentation in making or contracting to make such loan.

(h) DEFAULTS.—The Board shall prescribe regulations governing defaults on loans guaranteed under this Act, including the administration of the payment of guaranteed amounts upon default.

(i) RECOVERY OF PAYMENTS.—

(1) IN GENERAL.—The Administrator shall be entitled to recover from an applicant for a loan guarantee under this Act the amount of any payment made to the holder of the guarantee with respect to the loan.

(2) SUBROGATION.—Upon making a payment described in paragraph (1), the Administrator shall be subrogated to all rights of the party to whom the payment is made with respect to the guarantee which was the basis for the payment.

(3) DISPOSITION OF PROPERTY.—

(A) SALE OR DISPOSAL.—The Administrator shall, in an orderly and efficient manner, sell or otherwise dispose of any property or other interests obtained under this Act in a manner that maximizes taxpayer return and is consistent with the financial interests of the United States.

(B) MAINTENANCE.—The Administrator shall maintain in a cost-effective and reasonable manner any property or other interests pending sale or disposal of such property or other interests under subparagraph (A).

(j) ACTION AGAINST OBLIGOR.—

(1) AUTHORITY TO BRING CIVIL ACTION.—The Administrator may bring a civil action in an appropriate district court of the United States in the name of the United States or of the holder

of the obligation in the event of a default on a loan guaranteed under this Act. The holder of a loan guarantee shall make available to the Administrator all records and evidence necessary to prosecute the civil action.

(2) FULLY SATISFYING OBLIGATIONS OWED THE UNITED STATES.—The Administrator may accept property in satisfaction of any sums owed the United States as a result of a default on a loan guaranteed under this Act, but only to the extent that any cash accepted by the Administrator is not sufficient to satisfy fully the sums owed as a result of the default.

(k) BREACH OF CONDITIONS.—The Administrator shall commence a civil action in a court of appropriate jurisdiction to enjoin any activity which the Board finds is in violation of this Act, the regulations under this Act, or any conditions which were duly agreed to, and to secure any other appropriate relief, including relief against any affiliate of the applicant.

(l) ATTACHMENT.—No attachment or execution may be issued against the Administrator or any property in the control of the Administrator pursuant to this Act before the entry of a final judgment (as to which all rights of appeal have expired) by a Federal, State, or other court of competent jurisdiction against the Administrator in a proceeding for such action.

(m) FEES.—

(1) APPLICATION FEE.—The Board may charge and collect from an applicant for a loan guarantee under this Act a fee to cover the cost of the Board in making necessary determinations and findings with respect to the loan guarantee application under this Act. The amount of the fee shall be reasonable.

(2) LOAN GUARANTEE ORIGINATION FEE.—The Board may charge, and the Administrator may collect, a loan guarantee origination fee with respect to the issuance of a loan guarantee under this Act.

(3) USE OF FEES COLLECTED.—Any fee collected under this subsection shall be used to offset administrative costs under this Act, including costs of the Board and of the Administrator.

(n) REQUIREMENTS RELATING TO AFFILIATES.—

(1) INDEMNIFICATION.—The United States shall be indemnified by any affiliate (acceptable to the Board) of an applicant for a loan guarantee under this Act for any losses that the United States incurs as a result of—

(A) a judgment against the applicant or any of its affiliates;

(B) any breach by the applicant or any of its affiliates of their obligations under the loan guarantee agreement;

(C) any violation of the provisions of this Act, and the regulations prescribed under this Act, by the applicant or any of its affiliates;

(D) any penalties incurred by the applicant or any of its affiliates for any reason, including violation of a stipulated performance schedule under subsection (e); and

(E) any other circumstances that the Board considers appropriate.

(2) LIMITATION ON TRANSFER OF LOAN PROCEEDS.—An applicant for a loan guarantee under this Act may not transfer any part of the proceeds of the loan to an affiliate.

(o) EFFECT OF BANKRUPTCY.—(1) Notwithstanding any other provision of law, whenever any person or entity is indebted to the United States as a result of any loan guarantee issued under this Act and such person or entity is insolvent or is a debtor in a case under title 11, United States Code, the debts due to the United States shall be satisfied first.

(2) A discharge in bankruptcy under title 11, United States Code, shall not release a person or entity from an obligation to the United States in connection with a loan guarantee under this Act.

SEC. 6. ANNUAL AUDIT.

(a) REQUIREMENT.—The Comptroller General of the United States shall conduct on an annual basis an audit of the administration of the provisions of this Act.

(b) REPORT.—The Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives a report on each audit conducted under subsection (a).

SEC. 7. SUNSET.

No loan guarantee may be approved under this Act after December 31, 2006.

SEC. 8. RETRANSMISSION OF LOCAL TELEVISION BROADCAST STATIONS.

An applicant shall be subject to applicable rights, obligations, and limitations of title 17, United States Code. If a local broadcast station requests carriage of its signal and is located in a market not served by a satellite carrier providing service under a statutory license under section 122 of title 17, United States Code, the applicant shall carry the signal of that station without charge, and shall be subject to the applicable rights, obligations, and limitations of sections 338, 614, and 615 of the Communications Act of 1934.

SEC. 9. DEFINITIONS.

In this Act:

(1) AFFILIATE.—The term ''affiliate''—

(A) means any person or entity that controls, or is controlled by, or is under common control with, another person or entity; and

(B) may include any individual who is a director or senior management officer of an affiliate, a shareholder controlling more than 25 percent of the voting securities of an affiliate, or more than 25 percent of the ownership interest in an affiliate not organized in stock form.

(2) UNSERVED AREA.—The term ''unserved area'' means any area that—

(A) is outside the grade B contour (as determined using standards employed by the Federal Communications Commission) of the local television broadcast signals serving a particular designated market area; and

(B) does not have access to such signals by other widely marketed means.

(3) UNDERSERVED AREA.—The term ''underserved area'' means any area that—

(A) is outside the grade A contour (as determined using standards employed by the Federal Communications Commission) of the local television broadcast signals serving a particular designated market area; and

(B) has access to local television broadcast signals from not more than one commercial, forprofit multichannel video provider.

(4) COMMON TERMS.—Except as provided in paragraphs (1) through (3), any term used in this Act that is defined in the Communications Act of 1934 (47 U.S.C. 151 et seq.) has the meaning given that term in the Communications Act of 1934.

SEC. 10. AUTHORIZATIONS OF APPROPRIATIONS.

(a) COST OF LOAN GUARANTEES.—For the cost of the loans guaranteed under this Act, including the cost of modifying the loans, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661(a)), there are authorized to be appropriated for fiscal years 2001 through 2006, such amounts as may be necessary.

(b) COST OF ADMINISTRATION.—There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, other than to cover costs under subsection (a).

(c) AVAILABILITY.—Any amounts appropriated pursuant to the authorizations of appropriations in subsections (a) and (b) shall remain available until expended.

The PRESIDING OFFICER. There will now be 1 hour for general debate equally divided. The Senator from Texas.

Mr. GRAMM. Mr. President, at the end of the last session of Congress, we passed a very important piece of legislation establishing the legal framework whereby local television stations and satellites could negotiate contracts under which television broadcasts could be carried by satellite.

In the midst of that conference, a sizable majority of the conference committee members from the House and the Senate concluded there was a problem in rural America that the bill they were considering would not address: that there were substantial economic impediments to the development of systems that would deliver the local television broadcast into remote, isolated, and rural areas of the country.

In trying to deal with this situation, with all the time constraints in the midst of a conference, an effort was made to write a loan guarantee into that bill. That loan guarantee program has subsequently been offered in the House and is pending before the House committee. And when I talk about it again, I will be talking about the bill as introduced in the House.

There was great concern at that time about how the system would work and what it would cost. As a result of numerous negotiations and a lot of good will, a decision was made to drop that provision at the end of the last session with a commitment I made that, by the end of this month, we would report a loan guarantee bill from the Banking Committee to address this very real concern. I am happy to say that on a bipartisan basis we reported such a bill by unanimous vote and we, in doing so, fulfilled the commitment we made at the end of the last session.

Rather than go through a fairly complicated bill in detail, I will focus in my opening statement on the problems we face—why it is difficult—why there are economic perils involved—in guaranteeing loans to do something that has never been done before using technology that is unproven, why it is so expensive to do this, and then how we have tried to deal with each of these problems.

It is important to remember that when the Congressional Budget Office looked at the loan guarantee program pending in the House of Representatives, they concluded that of the loan guarantees that would be made—and let's be precise, a loan guarantee is where the taxpayers are committed to stand in the place of the borrower should the borrower default—roughly 45 percent of the $1.25 billion worth of loans made under that bill will be defaulted.

When I say defaulted, I am not saying just that the borrower would be unable to pay that face amount. I am saying that if one looks at the CBO estimate—which is an estimate of the present value of the losses they estimate will arrive, remembering that a loss 20 years from now is discounted using the Government's cost of borrowing—what they concluded was, as the bill is structured in the House, we were looking at the potential of the taxpayers paying 45 percent of the cost of these loan guarantees as a result of their being defaulted and ultimately not being repaid.

The Banking Committee, in looking at this number, concluded that it presented an unacceptable risk for the American taxpayer.

Sometimes people get confused by these estimated CBO costs because the cost often looks low because it is the present value of a default which would occur 10 years, 20 years, even 25 years from now.

But basically, the CBO analysis of the House bill is that we are looking at a potential default rate of about 45 percent.

How did we try to deal with that?

We held a set of hearings where we heard from experts in industry, and we worked with the Congressional Budget Office. We decided there were two ways we could reduce the probability the taxpayer was going to end up paying off these loans.

One way we could do would be to set up a board that could exercise independent judgment as to the quality of the project being proposed and the risks that were involved, and that we could put someone who was responsible, who had knowledge of financial markets, and who was responsible to the taxpayer, in a position to make that judgment.

We concluded we should have a board made up of the Secretary of the Treasury, the Chairman of the Federal Reserve Board, and the Secretary of Agriculture, or their designees—but their designees would have to be people who were appointed by the President and confirmed by the Senate.

Our first line of defense is the good judgment and prudence of the three people on this board. The House would give that basically to a Government agency, but we have rejected that.

Our second and, by far, our more important line of defense is that we do not guarantee the entire loan. The loan would have only an 80-percent guarantee.

What this means is, when a private lender makes this loan, they are going to be liable for 20 percent. The protection we get from that requirement is not just that they lose the first 20 percent, and then we lose the other 80 percent, if the loan goes bad—that is important; and we guarantee that the taxpayer is protected first, unlike the House bill—but what we get is far more important because with a private lender, if they are liable for 20 percent of the money, they are going to perform their due diligence, they are going to scrutinize this loan, and they are going to realize that if the loan goes bad, they are going to lose 20 percent of the money they have lent.

As we initially wrote this bill—in fact, the language of the bill as reported out of the Banking Committee I will amend in our first amendment today in an effort to reach a compromise—the logic was that we would have a private lender. The language of the bill requires that they be FDIC insured, that they would make the loan, and that they would be liable for 20 percent of the cost.

Why is this so important? We are not talking about making a loan to deliver electricity to rural America, where we have a captive customer base, where someone cannot buy electricity from anybody else. We are not talking about making a loan to deliver telephone service to rural America where you either buy from the telephone co-op or you do not have a telephone. We are talking about a very risky business where there will be no guaranteed ratepayer. Nothing in this bill—nothing in law—requires any American living in a rural area to buy these services. So there is no captive base. When we get to the discussion of the amendment I will offer, we are going to be discussing this in detail because this is very important.

The second important risk is, no one has ever done what we are proposing to do. We have one company proposing to use a satellite, which has a directed beam so that it would send a signal into a geographic area, and they are pretty confident it is going to work. In fact, they are going to invest over $1 billion to build such a system to basically service these top 40 markets in terms of viewership.

But the plain truth is, no one has ever used that satellite. So while we hope it will work, while we have reason to believe it will work, and while the fact that somebody is willing to invest $1 billion in it suggests to me it might very well work, we do not know it will work. It has never been proven on the scale we are talking about.

But there is a second and more fundamental risk. It is one that I think, in our rush to do something here, we want to look beyond. It is not the risk that the technology does not work.

Let's say we are talking about a satellite—and our bill is neutral in terms of technology—but let's say someone comes in and asks for a loan of $1.25 billion to build and launch and put into orbit a directed beam satellite. Obviously, you have the risk that somehow the system does not work, it is not launched into orbit. Maybe they would buy insurance. I assume a lender would require that. Maybe it would work; maybe it wouldn't work.

But let's say it does work. The biggest risk you face in dealing with new technology is we have no guarantee, that if someone borrowed $1.25 billion and we guaranteed 80 percent of it —and it worked perfectly—that 2 years from now some young computer genius, getting a degree in computer science at Texas A&M, might not develop a technology that would use the Internet to deliver the local TV signal and would do it at one one-thousandth of the cost of this satellite.

I say to my colleagues, if that happened, obviously, it would be a godsend for rural America because then everybody would have local television, and they would have it inexpensively, but it would not be a godsend for the taxpayer because we all know that if that happened, which would be the answer to someone's prayer, it would not be the answer to the taxpayer's prayer. The company that launched that satellite and invested $1.25 billion in it would lose every customer they had to someone who could sell for one one-thousandth of their cost.

Let me say, this isn't just theoretical, this is happening every day in America.

The taxpayer would be on the hook for over $800 million of losses.

This is risky business, which is why the Congressional Budget Office estimates that the House bill will have a default rate of roughly 45 cents out of every $1 that is loaned. That is risky business.

We have tried to deal with this by establishing a loan board to exercise due diligence, requiring a private lender, as it is now written, and an FDIC-insured lender, so basically we are talking about an institution that is in business to make money, and they are going to be making loans. They can make loans to anybody—to REA or to a private, for-profit company. They know as the bill is now written, they are going to be liable for 20 percent of that loan. If it goes bad, they will lose that money.

It is my understanding that we are going to have a series of amendments that assault, in my opinion, these two basic protections of this bill. One amendment, which has been discussed, is the amendment to let Government lend the money. I totally and absolutely reject that. If we let Government lend any of this money, we destroy the whole foundation of this bill. Our protection is, if Chase Manhattan is lending this money, they are liable for 20 percent of the money. If the loan goes bad, they lose that money, and somebody will probably lose their job. So they are going to be paying attention to their business.

On the other hand, if we allow an amendment which says the Government can make the loan guaranteed part directly, we are eliminating some of the due diligence that is at the very heart of this bill and which CBO has scored as lowering the cost of this loan by $100 million.

The second proposal that is going to be made, a proposal I am going to accept but with a very important amendment, relates to the CFC, which is the Cooperative Finance Corporation. This is basically a captive lender of the REA. It is an entity that is given tax exemption. Why is it given tax exemption? It is given tax exemption because it is serving a public purpose: it is a lending institution that historically has lent money to REAs to provide telephone service and electric power.

The important difference between a loan to provide telephone service or electric power and a loan to launch a satellite or to invest in an unproven technology is twofold. One, we have been doing phones a long time. We have been generating power for over 100 years. We know how to do it. There is no uncertainty about the technology of

telephones and power generation in a traditional sense.

Second, in these activities, they have captive customers. Where I am an REA customer, I can't buy power from anybody else. So if a mistake is made, there is an easy way to cover it up—raise my rates. There won't be an easy way to cover up a mistake here because there won't be any captive ratepayer whose rate can be raised.

Let me make it clear, I have the highest opinion of the CFC. I think it has done a great job. It was chartered and given a tax subsidy to do that job in the public interest, and I think it does that job well. But I believe we are taking an unnecessary risk in letting the CFC make these loans. I am willing to do that as part of an effort to have a bipartisan compromise but only under the following circumstances:

No. 1, what we are being asked to do is take out of the bill the requirement that the lender be FDIC insured. When we do that, we open up this whole process to institutions that we may never have considered. So we have two sort of boilerplate requirements. One is, if it is a traditional financial institution, they have to meet two requirements: First, no self-dealing; that is, they can't lend the money to themselves, so to speak; and, second, they have to meet the normal capital requirement, which is, you can't lend more than 10 or, in some cases, 15 percent of your capital to any one borrower.

Now, for the CFC, we don't impose—in the final compromise I offered last night—the 10-percent loan to one borrower restriction. I would prefer it, but I know that some of my colleagues are opposed to it because CFC is opposed to it.

What we require is the following: To be sure we are talking about CFC and not some other Government or some other nonprofit entity that none of us have thought about, we say that to qualify, a nonprofit institution must have one of the three highest credit ratings on a long-term bond. Some people have gotten confused between a credit rating on a long-term bond and a credit rating on any commercial paper. Almost any institution can issue a 30-day note that will be AAA rated. We are talking about lending for 25 years here, so the fact that somebody can get a good rating for short-term borrowing, what we want to know is their rating for long-term lending. That is what is significant.

The first requirement is that those nonprofits that can participate must have one of the top three ratings and the Cooperative Finance Corporation qualifies.

The second requirement, which I think is of equal importance, is that the board must find that by making this loan the Cooperative Finance Corporation will not see its credit rating decline, that in making the loan they are not jeopardizing the good credit they have.

Why is that important? We have, as best I can estimate—and we are trying to get the final number—25 million Americans who are captive ratepayers. They are customers of REA for telephone and for electric power—one or the other and, in some cases, both. If the rating of the CFC in borrowing money to lend principally to co-ops is diminished by making this loan, every ratepayer of every co-op in America will end up paying more because this happened. We want to prevent that from happening. I am going to argue all day long, if I have to, that we should not imperil 25 million Americans who are captive ratepayers by allowing CFC to get into a risky business that can push down their credit rating.

What I am proposing and will propose in the first amendment, when the general debate is over, is that we let CFC make the loans but that the board has to find that, in making the loans, CFC is not going to downgrade its creditworthiness, and in the process impose new costs on ratepayers.

Finally, if their creditworthiness does decline, then they would be required, in an arm's length transaction, to sell this note on the open market. I think these are important requirements.

Someone may argue that the CFC has engaged in providing television services. That is a real stretch because what really happened is the co-ops borrowed $100 million to enter into a contract with Direct Television where they were the marketing arm of Direct Television. As it turns out, over 80 percent of what they were doing, they have subsequently sold off to a private company named Pegasus that is a long way from launching a satellite and engaging in this business.

Let me sum up.

I think we have put together a well-crafted bill. To this point, this bill costs $100 million less than the House bill. It is still risky business. Let's remember that if this loan is defaulted, rural America is probably going to lose its television service.

I hope my colleagues will look at the amendment I have offered, and I hope it can be accepted.

I thank all members of the Banking Committee, Republicans and Democrats, for the bipartisanship we had in committee.

I thank Senator CONRAD BURNS. I thank him for his leadership. There is no question that we would not be here today were it not for his persistence. I also thank him for not only trying to get television signals to rural America but trying to do it in the right way. It is very easy when you are trying to deal with all the groups that hope to benefit from some program such as this to just throw caution to the wind and say don't worry about the cost. I thank Senator BURNS not only for the leadership in seeing that we are writing this bill, but for his leadership in seeing that we are doing it right.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, I will be very brief because Senator JOHNSON is going to handle the time on this side. He has been very intimately involved in shaping this legislation and has done an outstanding job and I think made a major contribution.

The bill that is now before us is a consequence of a unanimous consent agreement that was reached last year. Much discussion took place within the committee. As a consequence, we were able to move considerably closer on many of the issues that divided Members when we first addressed S. 2097. In fact, I think it is fair to say, with the exception of the issue Senator JOHNSON will raise on the floor, we have a consensus product before us that we can move through in short order.

We seek a loan guarantee program that will provide comprehensive television service for the American people at the best possible price. We are particularly concerned about rural Americans who have either no access or inadequate access to local television service. We seek to obtain that for them at an affordable price and yet, at the same time, protect the American taxpayer as we move forward with the loan guarantee program. Obviously, you have to strike the right balance among these objectives. I think the bill, with the Johnson amendment, with the proposal of the very able Senator from South Dakota, would accomplish that.

The chairman has gone over some of the specific provisions of the bill. I think it is important to note that the board we are providing, which will grant the loan guarantees, is made up from the Federal Reserve, the Treasury, and the Department of Agriculture. The day-to-day administration of the program would be done by the Rural Utilities Service, which would also write the regulations, subject to the approval of the board. The Rural Utilities Service is the most experienced agency in the Federal Government in dealing with this type of investment in rural areas. Therefore, we think they have a clear understanding of what is involved.

The guarantee level provided in the legislation is 80 percent. That differs, of course, from the House bill. It is designed to provide some additional safeguards. We also worked to ensure that the legislation would give priority to the projects seeking to provide services to areas in this country that are unserved and underserved, as we move toward trying to provide a universal service.

Senator JOHNSON led the effort on our side. We were markedly assisted by Senator BAUCUS, Senator HARKIN, and many others. I know there are a number of Senators on the Republican side of the aisle, too, who come from rural areas who are very deeply concerned about this issue.

Let me touch on the one important improvement that I hope will be made to this legislation, and that is the

Johnson initiative. The bill, as it is now before us, requires that the lenders involved in this program be FDIC insured. That is the requirement in the bill as it now stands. Many believe this is unnecessarily restrictive, that there are a number of other lenders and, in particular, the National Rural Utilities' Cooperative Finance Corporation, the CFC, which would be barred from participating in the program as the bill now stands.

Senator JOHNSON is intending to address that issue. Actually, the lender we are talking about—the Cooperative Finance Corporation—is extremely well capitalized. It has over 11 percent shareholders' equity capital, which is better than 9 of the 10 largest banks in the country. The credit rating agencies rate CFC's debt as high as any of the largest federally insured banks and higher than most. So by these market standards, they are an extremely strong and well-managed financial institution. I see no reason to exclude it from the program. I think we can adjust to accommodate this issue.

I think we can achieve a broad, if not total, consensus on this legislation. I think, in fact, including lenders of this nature in the program will help to encourage the participation of organizations, such as rural cooperatives that have the most experience in doing business in rural areas and therefore make it more likely that the program will reach its ultimate goal of universal service in rural areas.

So I am supportive of the legislation with this change that we will seek to make. I think it meets all the questions and concerns that have been raised in a balanced and straightforward manner. Again, I thank Senator JOHNSON for his leadership on this issue, and I commend all the members of the committee, the chairman and all the members on his side, and on our side, who worked closely together to try to work out agreeable solutions to most of the concerns that have been expressed.

I think if we can address this one remaining concern on the floor in a positive and constructive way, we will have done a good piece of legislative work and will be able to move this issue forward.

Mr. President, I will yield the floor. Senator JOHNSON will manage the remainder of the time of the debate on this side of the aisle.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. JOHNSON. Mr. President, may I inquire as to the time remaining on both sides?

The PRESIDING OFFICER. The Senator from Texas has 6 minutes. The Senator from South Dakota has 22 minutes.

Mr. JOHNSON. Mr. President, I yield myself 15 minutes.

Mr. President, I rise today in support of S. 2097, which will help provide local broadcast coverage for all Americans. Under legislation we passed last year, satellite companies are for the first time free to broadcast local network broadcasting into local markets. What we are doing today will make that benefit a reality for Americans who live outside the largest 40 television markets across America.

As do many colleagues, I represent a State with rural viewers who should not be left out of the information age. South Dakota is one of the 16 States that do not have a single city among the top 70 markets. Without this loan guarantee, markets such as Sioux Falls and Rapid City simply will not get local service, despite the fact there is a great need for the reception of that local broadcasting.

This proposal is about more than just providing sports or entertainment programming over local channels. It is a critical way to receive important local news, public affairs, storm information, road reports, public safety, school closings, and so on. Rural Americans need the same opportunity to access their local networks as do our urban friends, and this legislation would go a long way toward making that a reality.

I want to thank the chairman of the Banking Committee, Senator GRAMM, for his hard work on this important issue. He correctly raised several issues which have strengthened this bill, adding critical taxpayer protections to the program. I want to thank Senator SARBANES, the ranking member of the Banking Committee for his hard work on this legislation as well.

As a sign of the support we have for this package, I have agreed with Senators GRAMM and SARBANES to oppose all amendments to the bill with one exception. I will be offering shortly an amendment to correct a significant flaw in this bill. Other than that one change, I believe we have produced a substantive bill that will produce this service to all Americans without resorting to risks for the American taxpayers.

S. 2097 provides an 80 percent guarantee of projects to bring local to local to all markets. The remaining 20 percent will be private capital provided by qualified lenders. These private capital will bring market discipline to the program. No entity will fund a project it has not scrutinized, that it does not believe will succeed.

We have created an oversight board consisting of the Federal Reserve Chairman, the Secretary of the Treasury, and the Secretary of Agriculture. This board will review loan applicants with a eye toward fiscal discipline. The Fed and Treasury are especially tasked with ensuring that the taxpayer dollars are protected. They will look carefully at the proposals and support projects that will work. The USDA brings expertise in rural America to this venture. The experience of the Rural Utilities Service, with its $40 billion loan portfolio and phenomenally low default rate, will make this a sound venture.

The combination of these experts plus the market discipline of a lender with 20 percent of the project at risk, will screen applicants so only the soundest, most viable proposals are funded.

With this program, we can take a giant step for rural America. All of our citizens will be enabled to follow local events. In states like South Dakota, wide stretches of area are not served by any form of local programming; this bill for the first time makes that possible.

There is one area where the bill could be improved. The bill in its current form requires that lenders be FDIC insured to participate in the program. This would effectively eliminate rural electric cooperatives and telephone systems from participation in the program.

This limitation excludes private finance corporations that have years of experience lending to rural utilities (including institutions that have years of experience in lending guaranteed loans). It would also exclude institutions with billions of dollars of assets, that operate on a national basis, are highly rated by the rating agencies and file with the Securities Exchange Commission.

The amendment I will be offering is supported by Senators THOMAS and GRAMS and others. It is bipartisan in nature. It simply allows qualified lenders with experience and expertise in these types of programs to participate in the funding subject to board approval, keeping in mind always that everything we do must be approved by the Federal Reserve, Treasury, and USDA. As an example, Cooperative Financing Corporation is AA rated and considered to be ''the best investment in the high quality electric utility sector'' by Shearson Lehman. These are the types of lenders that should be potentially part of this program.

I encourage my colleagues to support rural America by making S. 2097 more likely to successfully provide local to local to smaller markets. My amendment provides, but does not mandate, alternate financing options. The purpose behind the change is to allow participants in the program to seek the lowest possible interest rate. Those dollars saved on interest make the program more likely to succeed, and improve the viability of the program, making it more likely the loans will be repaid without recourse to the guarantee.

This issue has aroused the greatest level of constituent concern in quite some time in my State. With this amendment to S. 2097, we will provide a fiscally responsible, prudent response to the concerns raised by thousands of our constituents. The issue which Senator GRAMM has ably outlined this morning is in response to a concern Senators THOMAS and GRAMS and I also share but to which we take a different approach.

The view of those of us who will be offering our amendment as a second-degree amendment, I believe, to Senator GRAMS' amendment would be to

recognize that institutions that have years of experience in lending to rural electric and telephone cooperatives should not be excluded from participation.

Our amendment simply allows qualified lenders that have experience and expertise in these kinds of programs to participate subject to board approval. It will also require eligible lenders that have at least one issue of outstanding debt that is rated in one of the three categories rated by a national statistical rating agency. This will ensure that an expanded list of lenders will have subjected themselves to rigorous market discipline. The CFC and other private lenders have substantial experience providing multiple million-dollar loans in cooperative environments and provide important protections in rural areas.

We encourage all of our colleagues to support rural America by supporting S. 2097. We are more likely to succeed in doing that by providing local-to-local programming to these smaller markets.

Mr. President, I do not have any additional Members on the floor at the moment with opening remarks. I withhold my time but yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank my good friend from Texas, chairman of the Banking Committee, and also the ranking member of the Banking Committee, my good friend from South Dakota, for his work on this bill.

We offered in the Satellite Home Viewers Act last year, an amendment in conference that would enable us to help people in smaller markets around the country. This would help people to receive their local television signal on satellite by facilitating the delivery of these local stations in the gray areas—the B contour and the C contour where reception is poor —in the station's area of dominant influence.

I chair the Communications Subcommittee of the Commerce Committee. In Montana, we have great distances to cover with few people in between. Other States share this difficulty and also the geographical challenge posed by the mountains. Since the television signal is line of sight, mountains can make the problem of providing local coverage for people in hard to reach places even harder to solve. So, how do we do that? How do we level the playing field and still provide the compulsory licensing for cable, and for satellite television users and, of course, for those local programmers?

I think we now have before us a better bill than the one we offered last year. This bill is more complete, because it takes into account both the agencies that are going to make the loans, and also those who will be borrowing the money. It puts some responsibility on each of the parties to make sure, No. 1, that it works and, second, that they assume some of the risk so taxpayers' money is not in jeopardy.

I thank the Senate Banking Committee for their commitment in bringing this issue to the Senate floor as fast as they possibly could. Their word has been good, and by working with the Agriculture Committee and also a lot of us individually, the Banking Committee has helped us build a better bill than we had last year.

Providing access to local television signals is crucial to rural States. With over-the-air broadcast signals and cable delivery limited by geography in my own State, satellite television has been a staple of the so-called video marketplace for many years. Montana has the highest penetration level of satellite television of any State, at over 35 percent.

When I initially proposed the legislation in this area, I was concerned that, without it, only the largest television markets in America would receive local-to-local service as authorized by the Satellite Home Viewer Improvement Act. These are the profitable cities such as New York and Los Angeles with millions of television households. But it is not so profitable a venture in areas where we have quite a lot of dirt between light bulbs.

The issue we will be debating, of course, will be the amendment offered by my good friend from South Dakota and the cosponsors.

Let's talk about the other 140 TV markets in this country. There are 16 States, including my own, that do not have a single city in the top 70 markets. It is time we help those 16 States gain equal footing with the ones with more urban populations. Just because they are small doesn't mean they should be left out of the mix when we talk about local to local, because people enjoy their local sports, they enjoy their local weather, they enjoy their local news. It doesn't do any good for anybody who lives in rural Kentucky to watch a station that is based out of Charlotte, NC.

We have to find ways of delivering their signal off the satellite. The ability to receive local television signals is much more than just having access to local sports or entertainment programming. It is a critical and an immediate way to receive local news, weather, and community information.

Access to local signals is particularly critical in rural areas, such as Montana, when we experience flooding and other weather situations, including blizzards.

This is very important. The LOCAL TV Act reflects the belief that the loan guarantee program should not favor one technology, it should be technology neutral. It is a win-win for consumers. It is also a win-win for the taxpayers, and I urge my colleagues to support this. I don't think we have received more mail on any other subject since I have been here. Whenever they start turning our networks off the satellite, we get immediate responses.

I look at this the way I looked at REA when I was a lad on a farm in northwest Missouri. I have made this speech many times. Had it not been for the Rural Electrification Administration, we would be watching television by candlelight. That is fact. We were in rural areas. We would never have seen the build-out of electricity or power to our farms and ranches.

We have to take the same look at smaller markets in television because the only support they get is through advertising. That advertising is based on viewership, and the profitability of that station is at stake and, with that, the services they provide. I think it is pretty important.

This bill is set up with a three-member board. It offers access. The administration is very tight, and it also protects the taxpayer. Remember, the taxpayers' dollars are at stake.

We will move through the debate on different amendments that will come up and should be debated. The concept of the bill, if passed right now as it is, is darn good. There are a couple of amendments that I think will improve this piece of legislation.

Mr. KERREY. Mr. President, I rise today in strong support of the LOCAL TV Act of 2000. Last year, Congress passed a law allowing satellite providers to retransmit local signals into local markets, but we knew then that the large satellite providers had no plans to provide ''local into local'' into rural areas, completely ignoring Nebraska and 14 other states. At the time I strongly supported the inclusion of a $1.25 billion loan guarantee program to encourage companies to retransmit local signals in rural areas. Unfortunately, political wrangling left this important provision behind as we passed the bill.

I am pleased that the Senate has fulfilled its promise to pass a loan guarantee program before April 1, 2000. The LOCAL TV Act of 2000 will provide $1.25 billion in loan guarantees to companies to bring local stations into currently unserved areas. Local stations are vital to a community, broadcasting local news, sports, weather, and emergency warnings. A small but significant portion of the U.S. population cannot receive local television signals from any means, while as much as half of the population must settle for New York or Los Angeles news (so-called distant network signals) via satellite. Nebraska has over 270,000 satellite viewers who cannot receive their local stations through their satellite dishes. This bill will provide the financial backing necessary to support companies to bring local television to all areas of America. ''Local into local'' has become another technology that urban areas are able to enjoy, while rural communities get left behind. The LOCAL TV Act will ensure that does not happen.

I have great confidence in the Rural Utilities Service (RUS) which is charged with administrating this loan guarantee program. Many previous programs launched through RUS to help

close the gap between urban and rural areas have proven successful. The public/private partnership between RUS and its borrowers has helped develop electric, telecommunications, and safe, clean drinking water in rural America. It has also fostered rural economic development across the nation. I believe the RUS will administer this program with the same expertise it has demonstrated in the past.

Bridging the so-called ''Digital Divide'' remains one of my top priorities. It is absurd that some areas of the country cannot receive high speed internet access, local television programming, or other technologies, simply because they live too far from a big city. I will continue to work hard to bring the newest technologies into all regions of Nebraska. The LOCAL TV Act of 2000 is an important step in this direction, so I enthusiastically support this legislation.

Ms. COLLINS. Mr. President, I rise to lend my support for S. 2097, the Launching Our Communities' Access to Local Television, legislation of which I am proud to be an original cosponsor.

Mr. President, this legislation is simply about equity. Should satellite customers in the rural Maine communities of Lovell and Greenville and Fort Fairfield have the right to receive the local broadcasts of stations in Portland, Bangor, and Presque Isle, Maine? Should they have the ability to receive their local news, emergency weather forecasts, information about school closures, and the wrap-up of the local school sports via satellite? My answer is yes, of course, they should.

While Congress authorized the ability of local network stations to broadcast their local signals via satellite by passing the Satellite Home Viewer Improvement Act last November, current satellite capacity only allows the top 40 to 50 television markets to receive this unique service. Unfortunately, this excludes the Portland, Bangor, and Presque Isle, Maine, markets and the satellite customers within those markets who want to view local programming.

This last year has been a particularly difficult and frustrating one for satellite customers. We took an important step in addressing many of the problems they and local broadcasters have experienced by passing the Satellite Home Viewer Improvement Act. We are, however, lacking a final component. Providing a rural loan guarantee program that is technologically-neutral, fiscally responsible, and focused on underserved markets will encourage companies to bring important information access to my State's rural communities and lead us to a conclusion of this important issue. I urge my colleagues to pass this important legislation.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. GRAMM. 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. GRAMM. Mr. President, I think it is now timely for me to offer an amendment.

The PRESIDING OFFICER. The Senator from South Dakota has 15 minutes remaining.

Mr. JOHNSON. Mr. President, I yield back the reminder of my time so we can proceed with the substance of this legislation.

AMENDMENT NO. 2897

(Purpose: To address certain lending practices)

Mr. GRAMM. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM] proposes an amendment numbered 2897.

Mr. GRAMM. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 30, strike line 22 and all that follows through page 31, line 3, and insert the following:

''(D)(i) the loan (including Other Debt, as defined in subsection (f)(2)(B))—

''(I) is provided by any entity engaged in the business of commercial lending—

''(aa) if the loan is made in accordance with loan-to-one-borrower and affiliate transaction restrictions to which the entity is subject under applicable law; or

''(bb) if subclause (aa) does not apply, the loan is made only to a borrower that is not an affiliate of the entity and only if the amount of the loan and all outstanding loans by that entity to that borrower and any of its affiliates does not exceed 10 percent of the net equity of the entity; or

''(II) is provided by a nonprofit corporation engaged primarily in commercial lending, if the Board determines that the nonprofit corporation has one or more issues of outstanding long term debt that is rated within the highest 3 rating categories of a nationally recognized statistical rating organization, and that such rating will not decline upon the nonprofit corporation's approval and funding of the loan;

''(ii)(I) no loan (including Other Debt as defined in subsection (f)(2)(B)) may be made by a governmental entity or affiliate thereof, or a Government-sponsored enterprise as defined in section 1404(e)(1)(A) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) or any affiliate thereof;

''(II) any loan (including Other Debt as defined in subsection (f)(2)(B)) must have terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

''(III) if a nonprofit corporation fails to maintain the debt rating required by subclause (i)(II), the subject loan shall be sold to another entity described in clause (i) through an arm's length transaction, and the Board shall by regulation specify forms of acceptable documentation evidencing the maintenance of such debt rating;

''(IV) for purposes of subclause (i)(I)(bb), the term 'net equity' means the value of the issued and outstanding voting and nonvoting interests of the entity, less the total liabilities of the entity, as recorded under generally accepted accounting principles for the fiscal quarter ended immediately prior to the date on which the subject loan is approved;''.

Mr. GRAMM. Mr. President, let me try to explain the amendment and what the issue is. I know there are strong feelings on both sides of the issue. I believe we have worked out 95 percent of the bill to everybody's satisfaction. But we now have come down to an issue. I really believe that while there will be extraneous amendments offered, this and possibly one other amendment might be the only amendments we will be actively debating.

Let me first explain what the bill now does. Then I would like to explain the changes my amendment makes, why I am making them, and then I would like to address the overall issue we are about to debate, potentially through a second-degree amendment or through another freestanding amendment.

In the bill as it is now written—as it passed unanimously in committee, even though I knew an amendment was going to be offered—in order to make a loan that the Federal Government guarantees, you have to be an insured depository institution. There has been objection raised to this because of a desire on the part of the Cooperative Finance Corporation. This is a captive lender, for all purposes, for America's REAs, with a very proud record and with a great record of achievement.

The question then is, if we take out of the bill that a lender has to be FDIC insured—and remember we are having the taxpayer guarantee the loan they are making—What kind of protections do we need for that guarantee to be extended? I have offered this amendment, really, as an effort at a compromise where we take the FDIC lender out but where we set specifically three sets of rules to apply to different lenders.

The first two have to do with commercial for-profit lenders. They are the standard kind of constraints you would normally see in any financial transaction; that is, they have to meet the capital requirement which traditionally, for banks and S&Ls, has been that you cannot lend more than 10 percent or 15 percent of your capital to any one borrower.

Second, we eliminate the potential for any for-profit institution to lend to an affiliate. What we are trying to do here is ban self-dealing. I do not believe there is any objection to these two provisions, but it is very important that they be in the bill.

Now we get to the controversy. What do we do about nonprofit lenders? Let me remind my colleagues, institutions are not nonprofit for nothing. We grant a very special privilege to an institution when we make it a nonprofit institution because we dramatically lower its costs. And we do it because that institution is serving a public purpose.

In this case, the institution that is basically going to be discussed here is CFC, the Cooperative Finance Corporation. Its public purpose is that it provides funding at a very low cost to our REAs that are providing telephone and electric power to rural America. It is true that it makes some other loans, but the principal purpose for its lending is REA power and REA telephone.

What we are saying is for these nonprofits, since they are carrying out a Government function, even though they may be chartered as private institutions, they are chartered with tax exemption because they are promoting a public purpose. Therefore, we do have some concern about them.

Now, if Citigroup or Bank of America or Chase makes this loan and it is defaulted and they lose 20 percent of it, I am not happy about it—and I am very unhappy about the taxpayer losing 80 percent—but I figure they are in this for profit. They know what they are doing and what they do to their credit rating and what they do to their profitability; that is their business. That is what for-profit private enterprise is about.

I am more concerned about what a nonprofit corporation does because it is nonprofit and it is carrying out a public purpose. In the case of CFC, that public purpose is to make loans to bring electric power and telephone, and to continually modernize both to rural America. More important, they are lending money to 25 million captive customers. Why do I say captive? Because if you are buying power from the REA, you do not have the right to buy it from anybody else. If you are buying telephone services through an REA affiliate, you do not have the right to buy telephone services from anybody else, on a hard line anyway. So in making loans, these nonprofits, and principally CFC, are carrying out a public mandate in providing these services for rural America as cheaply as possible.

Why should there be a certain set of rules for nonprofit corporations? Because they are nonprofit; because they do have tax exemption; because they are supposed to be promoting a public purpose. If Citigroup or Bank of America makes a bad loan and it is defaulted, people do not have to do business with them. They can borrow money from somebody else. But if the CFC makes a bad loan and their credit rating goes down, then every REA customer for electric power and telephone, all of whom are captive customers, would have to pay higher prices; hence, the public interest in seeing that we protect the interests of those ratepayers.

How do we protect the interests of the ratepayers in this amendment? I have colleagues on both sides of the aisle who want the CFC to be able to make these loans. Frankly, if this were left to me, I would not do it that way. The whole logic of this is for-profit lending. But in an effort to try to reach a compromise, we would let CFC, this tax-exempt entity which is providing credit to rural America, make these loans. But the board would have to find, in making the loan, that they would not lower their credit rating.

Why is that important? Why should we care what the credit rating of CFC is? Because that credit rating affects their ability to borrow money, affects the interest they have to pay, and since they are in turn lending that money to REA providers who have captive American customers—25 million of them—if they do something speculative and drive down their bond rating, everybody in rural America is going to pay more money for electric power and telephones.

The restriction we are imposing is hardly overwhelming. All it says is, where we are dealing with a nonprofit lender, where the Congressional Budget Office has estimated the probability of default is such that 45 percent of the loan will be defaulted under the House bill, if they want to make this loan, doesn't it sound reasonable on behalf of the 25 million ratepayers in rural America that we would simply ask that the board—the Secretary of the Treasury, the Federal Reserve Board chairman, and the Secretary of Agriculture—that they determine that the CFC is not going to see its bond rating go down as a result of making this loan?

Why do we care if it goes down? Because if it goes down, every buyer of electricity, every buyer of telephone services in rural America, is going to pay more money. That is why we should care. So we say, if the board finds that this is not going to lower their credit rating, they can do it.

We have a provision that says, if the CFC's credit rating is lowered—and credit rating agencies, when they change somebody's credit, say why they have changed it, so that if they change it and the reason is this loan—we require the loan to be sold so it can move to restore their credit rating.

I believe this is an eminently reasonable amendment, and while it does not bear directly on the loan guarantee, it does bear directly on another issue, and that is the well-being of 25 million Americans who live in rural America. I represent more of them than any other Senator here. I am not indifferent to CFC taking action that will drive up interest rates and drive up power rates and telephone rates in my State to Texans who choose to live in rural areas. That is what this amendment is about.

This amendment, in responding to a request by Members of the Senate, takes out the requirement that you have to have an insured lender. That opens it up potentially to anybody.

We tighten it up in three ways. We say if you are a commercial lender—a bank, for example—you have to meet the capital requirements and the loan-asset ratio that is currently the law, and you cannot do self-dealing. You cannot lend it to your brother-in-law, and you cannot lend it to the bank. It has to be an arm's length transaction.

For those lenders, such as Morgan Stanley, that do not have a capital requirement, we say they have to have one. We are not going to guarantee a loan that Morgan Stanley makes if that loan is more than 10 percent of their capital. Why? Because it is risky, and if they lose money, it enhances the chances that the taxpayers will lose money.

Finally, for nonprofits, we do not have a capital requirement, but what we say is, since we gave this institution nonprofit status to perform a public purpose—in the case of CFC, to make loans to electrify and bring telephones to rural America—that if the board finds that by making this loan it is going to drive down their bond rating and drive up their cost of borrowing and, in turn, drive up power rates and phone rates for 25 million Americans, the board will be required to not guarantee their loan. I hope my colleagues will look at this provision.

Let me give an example. Under current market conditions, the 1-year cost of borrowing for dropping from a AA to a AA− is 5 basis points, or $500,000 on a $1 billion loan. Over 10 years, that would be $5 million. It is pretty relevant when one is talking about dropping a bond rating. If it just dropped by one notch, from AA to AA− on a 10-year loan, that 5 basis points will cost $5 million. If you drop from AA to BB, then the cost will drive by a great multiple of that.

This is a reasonable issue. It is not an issue directly involved in this loan, but it is an issue that, unfortunately, has gotten pulled into it. I hope my colleagues on both sides of the aisle will look at this very closely.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 2898 TO AMENDMENT NO. 2897

(Purpose: To improve the loan guarantee program)

Mr. JOHNSON. Mr. President, I send to the desk a second-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself, Mr. THOMAS, Mr. GRAMS, Mr. ROBB, Mr. WELLSTONE, Mr. HARKIN, and Mr. BAUCUS, proposes an amendment numbered 2898 to amendment No. 2897.

Mr. JOHNSON. 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 amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

''(D) The loan is provided by an insured depository institution (as defined in section 3 of the F.D.I. Act) that is acceptable to the Board, or any lender that (i) has not fewer than one issue of outstanding debt that is rated within the highest three rating categories of a nationally recognized statistical

rating agency; or (ii) has provided financing to entities with outstanding debt from the Rural Utilities Service and which possess, in the judgment of the Board, the expertise, capacity and capital strength to provide financing pursuant to this act and has terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;''.

Mr. JOHNSON. Mr. President, we have reached concurrence on the core of this legislation, and I commend Senator GRAMM for his work with us on that matter. We have had bipartisan cooperation.

We have one remaining issue in particular, however, that remains to be resolved. Senator GRAMM has an amendment which opens up the possibility of CFC financing but under very circumscribed conditions, which I contend are so severe as to make CFC financing very unlikely. The question is: What can we do to lower the cost of financing to make this programming available to rural Americans and yet do so in a responsible, fiscally prudent manner?

The amendment offered by Senator GRAMM does essentially three things:

First, it requires that any lender that is a nonprofit, such as a CFC, cannot provide financing under this act unless the board determines the credit rating of the lender will not decline upon the approval and funding of the loan.

Second, it requires that nonprofit lenders sell any loans guaranteed under this act if their credit rating declines.

Third, it excludes GSE lenders, such as CoBank, from participating in this program.

It is inappropriate, I believe, to require the board to make a judgment on the impact on the credit rating of a nonprofit lender, such as a CFC, because, one, it places the burden of proof on the lender to show why its rating would not decrease. Under the proposed amendment, the board would need to predict future actions of credit rating agencies, and I do not believe this is a reasonable requirement to impose on a governmental board.

In reaching the bipartisan compromise in this legislation, I went along with the creation of a board. This was a good idea on the part of Chairman GRAMM. It involved the Federal Reserve, the Treasury, as well as the Department of Agriculture, to oversee this lending to make sure we have that extra element of prudence. But I believe it is simply not fair to put a burden of proof on the board to certify in advance what, in fact, is going to happen to a rating on the part of a CFC or another nonprofit.

Wall Street credit rating agencies make determinations on credit ratings on a continuous basis. This is a real world market discipline that is imposed on lenders by the capital markets. A board of three people, qualified as they may be, is not an appropriate substitute for market discipline. It makes no sense, I believe, to charge this board with the requirement to predict that the credit rating of any lender will not decline.

CFC raises funds in the private capital markets through sale of bonds, sale of equity hybrid securities, and by equity investments by CFC owners. All of these entities have expressed their confidence in CFC, and that is a real test of the CFC's strength.

The CFC has demonstrated over its 30-year life that it understands rural energy and telecommunications markets. It has done a fine job of evaluating credit risks and has made sound credit decisions. CFC is not a new or untested entity in the marketplace.

It may be argued that all CFC loans are to ''utilities with captive customers.'' This is not true. Many rural electric and telephone cooperatives do have a monopoly position in their service areas, just as other utilities do. However, in the electric area, deregulation is being implemented in a number of States, and co-ops and other utilities in those States are, in fact, facing a competitive marketplace.

In the telecommunications area, CFC, through its controlled affiliate, the Rural Telephone Finance Cooperative, has made loans to a number of projects that include highly competitive services, including wireless telephone services, PCS, and CLEC service in rural areas that were previously poorly served by incumbent providers.

The question then is: Why add an additional layer of bureaucratic review to one class of lenders—CFC and other nonprofits—when that level of review is not imposed on other lenders? This delays implementation in this needed program, adds costs, and provides a competitive advantage to for-profit finance companies.

The amendment does not require banks to be within the highest three ratings categories, and most are not.

Why would this provision be applied to nonprofit lenders and not to for-profit banks?

I have a chart here which I think is interesting. The bottom line shows the Cooperative Finance Corporation's AA− rating under S&P and Aa3 rating under Moody, which compares with the largest banks in America. I think it is of interest that even if there were a decline, the CFC would still have a rating higher than most of the largest banks in the United States.

A second point has to do with the requirement that a lender sell its loan if its credit rating declines. The requirement that a nonprofit lender sell a loan guaranteed under this act if its credit rating declines is an onerous provision that would cause significant financial stress and costs to the lender. If such a decline in a lender's rating should occur, a forced sale at that time could result in still further financial losses.

This is basically, I believe, a poisonous provision designed to exclude nonprofit lenders, such as the CFC. Even if the credit rating of an AA rated company would decline to AA−, it would still have a significantly higher credit rating than the vast majority of banks in America. No similar requirement is being imposed on banks. I believe the idea of requiring a lender to sell loans is not the proper remedy.

The last point I would make is, I believe the exclusion of lenders under the program is an unwise public policy. The exclusion of lenders under this program will only increase the cost of funds to borrowers and ultimately to rural and other TV viewers.

The bill already establishes a sound process for the evaluation of projects applying for financing. This process includes approval by a board that includes the Secretary of Commerce, the Secretary of the Treasury, and the Secretary of Agriculture, advice from NTIA, evaluation, underwriting and analysis by the Rural Utilities Service, and the commitment of private lenders that are on the line to take a very substantial risk in the event of default by a project funded under this program.

I believe that much of what we have accomplished in this legislation—the creation of a board and an 80-percent guaranteed loan rather than the 100 percent which, frankly, was the idea being pushed in the House and which I originally thought might be the way to go—we have diminished to an 80-percent guarantee; we have set up a board. I think we have a responsible approach to this guaranteed loan process.

But I do believe that Senator GRAMM's amendment would go one step further to the point of, in effect, making it very difficult, if not impossible, for the board and institutions, such as a Cooperative Financing Corporation, to participate in the program.

Keep in mind, our amendment does not require that the CFC be involved at all. It simply makes it an alternative financing strategy that would be available for the board, with the Secretaries of Commerce, Treasury, and USDA to evaluate. I have great confidence in their leadership.

I think if we were to adopt this second-degree amendment, we would be back to what I believe would be a clean bill.

I look forward to additional debate.

Mr. SARBANES. Will the Senator yield for a question?

Mr. JOHNSON. Yes, I yield to the Senator from Maryland.

Mr. SARBANES. It is my understanding that the House-committee-reported bill provided a 100-percent guarantee. Is that correct?

Mr. JOHNSON. The Agriculture Committee in the House of Representatives reported a 100-percent guaranteed bill. The Commerce Committee, it is my understanding, is working on a bill that may involve an 80-percent guarantee.

Mr. SARBANES. I just want to make the point that in our committee, we agreed to an 80-percent guarantee, which I think was, in the end, accepted by everyone on the committee, although there were differing views about that question. I think it does provide an important measure of safety in considering this matter.

Secondly, is it correct that if these institutions, which amendment No. 2898 addresses in terms of qualifying—if this amendment carries, the board that is being established under this legislation would still have to approve any loan guarantee made by such an institution, is that correct?

Mr. JOHNSON. That is absolutely correct.

Mr. SARBANES. In other words, the institutions, they are only being included in the sense that they are eligible to submit their proposal to the board. It does not mean they can then go ahead and do these loan guarantees simply on their own. They have to obtain board approval in order to do that; that is, this board of the Federal Reserve, the Treasury, and the Department of Agriculture. Is that correct?

Mr. JOHNSON. That is absolutely right.

Mr. SARBANES. Thirdly, I just make this observation. We are allowing FDIC institutions to do this. But, of course, in a sense, that creates an extra exposure that one of these institutions would not have because the Government, the taxpayer, would be exposed on the loan guarantee. But, in addition, if the institution itself were to run into serious trouble, there would be taxpayer exposure on the Federal deposit insurance for the depositors of that institution. Is that correct?

Mr. JOHNSON. That is right.

Mr. SARBANES. Of course, we do not have the latter in the case of these institutions. I think we have to exercise caution and prudence, but as you have pointed out, certainly for the CFC, they rank very well indeed. It seems to me they ought to qualify. I think the limitations have a great deal of difficulty connected with them, which the Senator has outlined in his statement.

I thank the Senator.

Mr. JOHNSON. I thank the Senator from Maryland for his leadership on this issue. He has been of great assistance to us. When we ultimately pass this legislation, a great share of credit goes to the Senator.

I also note that the second-degree amendment, which is pending, is a bipartisan amendment. I express appreciation particularly to Senators THOMAS of Wyoming and GRAMS of Minnesota for their work and their staffs' work on this legislation. Those two Senators share a very great concern for access to local programming for rural residents. I am appreciative of that kind of bipartisan cooperation on this second-degree amendment.

Mr. President, I yield back.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Wyoming.

Mr. THOMAS. Mr. President, I rise to discuss the pending second-degree amendment, of which I am a cosponsor.

First, I thank the Senator from Texas for his good work in getting this bill moved forward. We remember that this came up last year when we talked about the local-to-local broadcasting, and so on. The Senator—properly, I think—suggested it be sent back for more consideration by the Banking Committee. Indeed, it was. He promised us at that time that this bill would come forward. He has adhered to that promise and is out here with it now.

The other thing on which I agree with the Senator from Texas is that he has divided this responsibility and there is an 80-percent guarantee. I agree with that. There needs to be someone who has some risk and promises that there will be more attention paid to it. I have agreed with all those things.

What we are talking about is being able to include a not-for-profit financing organization that has been involved with rural telecommunications, that has been involved with rural electric, and, indeed, serves the rural area. Very appropriately, that should be considered.

By the way, this is the Cooperative Finance Corporation, not the Commodity Finance Corporation that has been mentioned a time or two. It is not set up by the Feds. It is a private co-op without Federal support.

CFC is adequately capitalized, so it has actually better ratings than most of those banks.

Furthermore, as we talk about the requirement that might include increased costs to rural electrics—rural electrics, by the way, with which I am rather familiar, having worked in that area before I came to the Senate—they can get their financing other places; they are not captive borrowers from the CFC.

I think this second-degree amendment is one that simply provides more opportunity for this unit, this nonprofit unit, owned by rural people, to participate in the financing of an effort to provide rural television, local-to-local television, the kinds of coverage we now do not have in Wyoming. If you want to see ABC, you have to get your program from California or from Chicago. We are saying we can provide that locally so you can get local news, local information. We think that is very important. Of course, that is what this bill is all about.

The proposal that is before us and that we seek to second degree places the burden of proof to show that the lender's ratings will not decrease. Under the proposed amendment, this board would need to predict what the financial condition is going to be. That is a pretty unreasonable requirement for this governmental board composed of Cabinet officers or their designees.

Secondly, of course, Wall Street rating agencies make these kinds of ratings, and they will be making it here. This, after all, is a market function. CFC raises its capital in the private capital markets through the sale of bonds, through the sale of equity securities, equity investments. So these things are all a function of the market and are tested by the market. We don't need to set up an artificial organizational effort to do that.

CFC is over 31 years old. I think it has $600 million worth of capitalization. They have been in the energy and telecommunications markets. They are mature. What we are saying is that we appreciate very much the Senator's willingness to allow these kinds of nonprofits to participate, but our argument basically is there are restrictions and regulations here that are not needed. They are additional bureaucratic reviews that are not necessary in order to accomplish the purpose the Senator has set forth.

I won't take longer. I am very much in favor of this bill. I hope we will move to pass it quickly. I thank Senator JOHNSON and Senator GRAMS for joining in this effort to make some changes. I do not think they changed the policy direction that the Senator from Texas takes, and I urge the support of the second-degree amendment.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I rise in opposition to the amendment.

I think, as people try to follow this debate, it often looks complicated, but if they burrow into the real issue, it boils down to this: In trying to accommodate those who want the Cooperative Finance Corporation to participate in this program, I have taken from the bill in my amendment the requirement that the lender be FDIC insured. I have set out some conditions. For banks, I require that they meet a capital requirement and that they do not engage in self-dealing. That requirement is not in this amendment that would strike my amendment. Under this amendment, potentially we could have an 80-percent Government guaranteed loan to some institution that is lending the money to itself. I am opposed to that. I am adamantly opposed to that. I think that is an outrage.

Under this provision, we could have an institution lend all of its capital and the Federal Government is going to guarantee 80 percent of it. Under this amendment which strikes my amendment, some institution somewhere could lend 100 percent of its capital, and the Federal Government is going to guarantee 80 percent of it. I don't think so. Under the amendment I have offered, I have said that in such institutions, we are not going to guarantee their loan if they are lending more than 10 percent of their capital. This is taxpayers' money we are talking about. Both of those provisions are dropped.

This amendment does a curtsy toward fiscal responsibility in that it says for a lender to qualify, they have to have one of the top three ratings on at least one issue of outstanding debt. You can issue a 30-day note, and almost anybody can get a AAA rating for their credit for 30 days, but the taxpayer is going to be on the hook for 25 years. The fact that a borrower could get a good rating for a 30-day note does not excite me very much, when the taxpayer is going to be on the hook for

25 years. And that does not even apply to the CFC. They don't have to have any capital requirement at all. Every other nonprofit institution does in their amendment, but not CFC.

Let me explain the issue of the CFC. The Congressional Budget Office has estimated that the loan guarantee in the House is going to have 45 percent of the loan defaulted. The scoring by the Congressional Budget Office of the House bill assumes 45 percent of the loan guarantee the Federal Government makes will be defaulted and that the taxpayer will be left holding the bag. That is what the present value of $350 million is when you are discounting on a 25-year bond.

This is risky business. We are lending money on a technology that has never worked anywhere. We are talking about totally new technology. I know there are people running around saying: We are going to have a directed beam satellite. Where are they? Show me one. Where is one working in the world today? They may work.

The point is, this is new technology. We are talking about somebody borrowing the money, launching a satellite, for example, using brand new technology, cutting it on, it works. Maybe it works; maybe it doesn't work. The Congressional Budget Office believes this is risky business. They assume 45 percent of the loan is not going to be repaid.

I have tried to build in protections, and those protections are critical. The most important protection is that a private lender is on the hook for 20 percent.

Our Presiding Officer used to be in the banking business. He did not often get an 80-percent Government loan guarantee, but when he was on the hook for 20 percent, he paid attention to his business because it was his money. The guarantee that we are getting is that people are going to be judicious with the part we are not guaranteeing.

Why do we treat nonprofits differently? What is this issue about credit rating of nonprofits? Why should Joe Brown who lives in San Geronimo Creek, TX, care about the credit rating of the Cooperative Finance Corporation when he is going to guarantee 80 percent of the loan they make? What difference does it make to him?

First of all, why do they have a tax exemption at the Cooperative Finance Corporation? Because we gave it to them to promote a public purpose. What was the public purpose? The public purpose was to provide electricity to rural America and to provide telephone to rural America and to keep it moderate. That is why they have a tax exemption—because they are providing a public purpose.

In letting them be involved in an activity where, under the conditions set in the House, 45 percent of the loan will be, according to the estimate of CBO, defaulted, all I have asked is that this nonprofit organization, or any other, since they are performing a public purpose by lending money to provide electricity in rural Texas and rural America, I want the board to find that their credit rating is not going to go down as a result of making this loan.

Now, our colleague from South Dakota says, what business is it of ours whether the credit rating of the Cooperative Finance Corporation goes down or not? It is my business. It is my business because I have over a million Texans who buy electric power and/or telephone from rural co-ops that borrow money from the CFC. That is why it is my business. If they make a bad loan and their credit rating goes down, the cost of borrowing money to maintain electric power and telephone in my State is going to go up, and my ratepayers, who are captive—they can't buy electric power from anybody else and they can't buy hard-line telephone services from anybody else—are going to end up paying more money. That is why I care. That is why it is relevant.

Now, this is risky business we are engaged in here. All I am trying to do is say, if you want the financial institution that has historically serviced REA and serviced electric power and telephone—and let me remind my colleagues you don't lose money lending money to an electric co-op to provide telephone or electric power generation. Why? Because you have a captive market so that if the loan doesn't work out, you raise the rates—you restructure the loan, you raise the rates to pay it.

In this case, if that satellite doesn't go into orbit, whose rates are you going to raise? You are going to raise the rates of people in Texas who are buying electric power. That is whose rates you are going to raise. That satellite doesn't work. You don't have anybody buying its services. They have a right not to buy them. You are not going to be able to raise their rates. So all I am trying to do is say before we let this lending institution, with a proud history, which has done a great job—and I don't dispute any of that—this tax-exempt lender that we gave tax exemption to electrify America and to provide phone services to America, before we have them make a loan that the Congressional Budget Office says 45 percent of, under the House structure, will be defaulted, before we let them do it—why is it so offensive to have, among other people, Alan Greenspan look at their loan and their proposal and try to make an estimate as to whether or not making this loan is going to drive down their bond rating and drive up the cost of electric power and telephone services in rural America? Do we not trust Alan Greenspan to make an honest judgment?

I don't understand this issue. It seems to me what we have is a captive lender that somehow desperately wants to get into a business we didn't give it tax exemption to do. We have a mission creep here on a gigantic scale. Now, I am willing to let them do the mission creep as long as it doesn't cost Texas consumers of electric power and telephone services in rural Texas money. If it is not going to cost them money, I am willing to let them basically dramatically change the business they are in. If they make a $1.25 billion loan, that is larger by far—twice as big—than any loan they have ever made. Their average loan is less than $20 million. I would say that is a pretty dramatic change in business. If we are going to let them do that, all I am asking is that there be somebody responsible—and I would call Alan Greenspan responsible—who is going to look at their application and make a determination as to whether this is going to drive down their bond rating and cost every REA customer in America a bunch of money.

The second provision is if, in fact, it does drive down their bond rating, I want them to sell it and get out of that business. You might say how dare we tell them they can't engage in some of the most speculative lending in America. How dare we tell them that. Well, the reason we dare tell them that is they are tax exempt. We gave them a very special privilege to do a certain kind of work, and that special privilege was to bring electricity and telephone service to America. I know we have let them get into other kinds of business. We let them make a loan so that REAs could go into a partnership with Direct Television. But they didn't put up any satellite or develop any new technology, and they didn't take any real risk. This is big-time risk.

So the difference between the two amendments is, first of all, this amendment, in my opinion, is not very well crafted in that it strikes all of my provisions against self-dealing, all of the provisions in my amendment—and you don't have to worry about that when you are dealing with FDIC institutions because they have those requirements already. But those provisions in my amendment that were struck by this amendment are pretty important. If we are going to have the taxpayers on the hook for over $800 million, I want to be sure somebody is not lending this money to his brother in law, or to an affiliate of the company. I don't understand why those provisions were struck by this amendment.

Secondly, if we have a traditional REA lender in the Cooperative Finance Corporation making loans, I am willing to let them into this business if they want to get into it; though, to the best of my mental ability, I can't see why they want in this business. But they do. They are determined to get into it. I am saying, let them in the business, but don't let them in if it is going to drive up the cost of electric power and telephone service to rural America by driving down their bond rating.

I thought, when we made the concession to treat these nonprofits differently by not requiring them to meet a capital requirement for the size of their loans, that the compromise was

going to be accepted. But it seems to me that, basically, what we are trying to do is we are trying to go back and undo all the other stuff we have done in this bill because the logic of the bill is that we are going to have a private lender who is going to be on the hook. Now, some people say, won't the Cooperative Finance Corporation be on the hook? Who will be on the hook if they lose $800 million? Who really loses? Whose money is it? Well, ultimately, who is going to lose is the people who are buying electric power in America, in rural areas, and people who are buying telephone services, because they are going to lose a very cheap source of credit because the Cooperative Finance Corporation is going to end up losing its double-A rating.

So that is what this whole issue is about. Unfortunately, we have a series of votes in the Budget Committee, and we don't have proxy voting. It is going to require Senator JOHNSON, Senator SARBANES, and I to be there.

I ask unanimous consent that we set aside this amendment, that we let other amendments be offered in our absence, but that we don't reach a final disposition of any amendment until the hour of 1:30.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON. Reserving the right to object, and I don't intend to object, if I might inquire of the Senator so I am clear about this, we have a number of Members who would like to speak to the Senator's amendment and the second-degree amendment. I assume they will have an opportunity in that context.

Mr. GRAMM. They will. Under the unanimous consent, any Member could speak on this amendment and on the bill, and any Member could offer another amendment. But there could be no final disposition of an amendment until 1:30 when we are back and have an opportunity to address it.

I would prefer, if no one objects, to let people offer amendments because we want to finish this bill today. It is not going to hurt my feelings if somebody offers an amendment when I am gone. I can read it when I get back and discuss it.

Mr. SARBANES. Reserving the right to object, I suggest to the Senator that 2 o'clock might be a better time.

Mr. GRAMM. Mr. President, I ask unanimous consent to change the request to 2 o'clock.

Mr. SARBANES. And then, for clarification, the time between now and 2 would be spent either debating what is before us at the moment or offering some other amendment and debating that amendment.

Mr. GRAMM. That is correct.

Mr. SARBANES. One of those amendments might be involved.

Mr. GRAMM. That is correct.

Mr. SARBANES. I have no objection.

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

Mr. JOHNSON. Mr. President, if I might take 1 minute—I know there are a number of others who want to address this legislation, and I have to return to the Budget Committee as well for a series of votes—let me observe, having listened carefully to the chairman's remarks, that I think the differences we have are fairly straightforward, in a sense.

On the one hand, our amendment says we have already come up with some safety provisions with an 80-percent guarantee rather than 100 percent, and so on. But what we are suggesting is that guidelines be adopted by the board, by Mr. Greenspan, by Treasury, and by USDA. They certainly have it within their prerogative to develop whatever guidelines they feel appropriate to ensure that the lending practices are secure and sound from the perspective of the taxpayers.

The Senator from Texas, rather than relying on the Fed, the Treasury and USDA, is suggesting that he will impose guidelines statutorily. We now have, I believe, the consequence of, in effect, shutting out the CFC from participating in the program.

I think we have a solid piece of legislation with the Johnson-Thomas-Grams amendment. We would then turn to the board as the chief instrument for any further fine-tuning of what kind of provisions might be helpful to them in seeing to it that these loans are handled in due course and in the proper fashion.

I think that is the difference we have between the underlying Gramm amendment and our second-degree amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise in support of the amendment offered by Senator GRAMM, and am also in opposition, then, to the second-degree amendment offered by Senator JOHNSON.

The Gramm amendment puts all possible lenders on an equal footing. I believe we must protect the taxpayers. It is the primary charge for the Banking Committee to ensure that this program does not turn into a source of free money. The amendment would do that and make the requirements for lending institutions equal regardless of the lender.

I have concerns about allowing lenders that are active in the farm credit programs—Government-sponsored enterprises—to get into risky business ventures potentially lending to a new satellite TV venture. The CFC and farm credit banks focus their lending on electric and telephone loans, as well as farm operating and housing loans. They don't have experience with launching satellites.

Where taxpayer money is concerned, we can't just open up the program to any lender that has previously participated in the Rural Utilities Service program. Too much is at stake.

The amendment would not only allow FDIC-insured institutions to make the loan, but it allows investment banks and commercial lending institutions such as GE Capital and TransAmerica to make the loan. These institutions have unique knowledge of market risks of investing in satellite services.

The amendment also provides for not-for-profit cooperative lending corporations to participate in the program only if the loan can be made and not cause the credit rating to fall below an AA rating. A lower credit rating could cause rate increases for rural electric and telephone customers.

The Gramm amendment also restricts all lenders to lend only up to 10 percent of their net equity. This solution ensures that no lender is treated differentially.

The comment was made earlier that the board is going to be required to predict the future on the ratings for the CFC. That is what boards do. They don't predict the past. They predict the future. And they have to determine whether there will be a significant impact on a lending institution.

Earlier we saw a chart. It pointed out that CFC has an AA rating. And it showed the other 10 rating agencies.

One of the things that emphasis was not placed on was the asset size of those different institutions. The banks range in size from $716 billion in assets down to $63 billion in assets. CFC has $15 billion in assets—one-fourth of what the smallest of the 10 banks have.

Why is this important? We are talking about a $1.25 billion loan. That is a pretty significant portion of $15 billion. We should pay attention to the impact that it can have on that institution. That is why we have a board to make those decisions.

The basis for this legislation is to create incentives for private investors to use their own risk capital to bring local television service to rural areas. The Congress decided it was in the national interest to allow satellite companies to rebroadcast local television stations to their home markets. The loan guarantee program is designed to make that possible in smaller markets, such as Casper, WY, and Glendive, MT. It is not being created to give away the taxpayers' money.

The amendment that Senator GRAMM has offered levels the playing field for all lenders and addresses the concerns of the Banking Committee. One of those concerns is how to bring more lenders into the program and ensure that any potential qualified borrower can participate. Rural electric cooperatives borrow through the Cooperative Finance Corporation. It is a private corporation with an AA credit rating that caters to the special needs of rural electric cooperatives. Historically, they lend for electricity and telephone projects. A loan to launch a satellite and provide local television stations in rural areas is a much bigger and much different risk than an electric project. There is less guarantee that the service will attract customers or that the launch of the satellite will be successful.

The rural language that members of the Banking Committee have been working on with the distinguished Senator from Texas protects the REA members and CFC from taking a bigger risk than necessary but allows them to take the risk. It does not give any lender an advantage over any other lender to obtain the guarantee.

I believe Congress should make the playing field as level as possible for all participants. I don't think it should give more potential to those that have some Federal connection. Senator GRAMM's language does that. I urge its adoption. I urge a vote against the second-degree amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 2896

(Purpose: To require that the entity, if any, that receives the entire amount of the available loan guarantee shall provide in each under-served area or unserved area in each State all the local television broadcast signals broadcast in such State)

Mr. BUNNING. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky (Mr. BUNNING) proposes an amendment numbered 2896.

Mr. BUNNING. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 33, between lines 11 and 12, insert the following:

(4) REQUIREMENT RELATING TO APPLICANT RECEIVING ENTIRE GUARANTEE AMOUNT.—The entire amount of the guarantee available under subsection (f) may not be provided for the guarantee of a single loan unless the applicant for the loan agrees to provide in each unserved area and underserved area of each State the signals of all local television stations broadcast in such State.

Mr. BUNNING. Mr. President, this amendment is pretty simple. It says that any entity that receives the entire $1.25 billion loan under this bill must provide to its subscribers all of the local television broadcast signals which are broadcast in that State.

Since coming to the Senate I have heard from my constituents about satellite TV more than any other issue. More than impeachment, Social Security, taxes, or anything else.

That might sound strange, but I constantly hear from Kentuckians who are unhappy that they can't get local news and local programming. Believe me, when the University of Kentucky is playing basketball, that's a big deal.

Kentucky is rural, and a lot of our communities are isolated and hard to reach. Cable isn't an option for them because the cable companies won't come—it's too expensive to wire them.

And they often can't get a clear signal with traditional TV antennae because of the geography and landscape of our commonwealth. This has led many Kentuckians to try satellite coverage, but then they often hear more about New York City, Los Angeles, or Chicago.

With my amendment, I am trying to make sure Kentuckians and other Americans living in rural areas get local news and local programming. In Kentucky, this problem is made even worse because much of our State is dominated by media markets from surrounding States, making it even harder to get local programming.

I live in northern Kentucky near Cincinnati, OH. It is frustrating to constantly hear Ohio news and not be able to find out what is happening in Louisville, Lexington, Paducah, or Bowling Green.

In talking with the industry, the satellite technology soon is going to allow for spot beaming to provide local-to-local coverage for everyone. I think that is great. I encourage them to keep pushing forward. I also want to make sure that if anyone gets the full value of this loan, then they have to provide local programming for local areas. These loans are going to be guaranteed 80 percent by the Federal Government and taxpayers in Kentucky and other rural States deserve to be considered.

I am simply trying to look out for my constituents. I have a feeling there are other rural States in the same boat. I bet they are as frustrated as we are when they can learn about New York City politics or the Chicago Cubs baseball or the latest news in neighboring States but they cannot find out what is going on in their own backyards.

I urge adoption of this amendment. I want to make sure Kentuckians, and all others in rural States who do not have local broadcasts in their own State, can receive local news from their State, not just news from an adjoining State. I urge passage of the amendment.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I am proud the U.S. is the world leader in the advancement of technology, providing businesses and consumers faster and better ways to work and to communicate. But even though we have made great progress in technology, much of rural and small town America has been left behind. In the small town of Cumming, IA, where I was born and still have a house I live in when I am not here, we do not have access. We do not even have cable yet. So a lot of people are putting up satellite dishes as the only way of getting adequate information through television.

I joined a Senate rural telecommunications task force last year to address these issues and to work, as a group, to pass legislation to help rural communities catch up. Just as cable and telephone companies say it does not make good business sense to provide service to a few customers in Cumming, IA, for example, we know that without this access rural America will suffer and will be left behind in the new digital age. You talk about a digital divide. There is a digital divide and rural America is on the short end of that divide.

We are not just talking about high-speed Internet access or reliable telephone lines. We are talking about the lack of access to basic local TV programming—local weather, local news, local school information for rural residents and farm families. You would think it is easy; if you live on a farm or in a small town in rural Iowa, you just put an antenna on your house and get the local weather and news from a local TV station. Once again, it is not that easy for rural and small town residents. An antenna just doesn't reach that far. Weather conditions interrupt, for example. Cable will not extend lines outside of metropolitan areas because of the high cost. As I said, in my hometown, we do not have cable yet. We live fairly close to a metropolitan area.

The satellite dish came along and provided relief and access and they sprouted up like mushrooms all over rural Iowa and rural America. But the satellite also has its problems. It does not include what is called ''local-into-local'' programming, into small and rural TV markets. The satellite dish companies say they do not have the capacity in their existing satellites. That is what they say.

I happen to have a satellite dish on my house in Virginia, 12 miles from here. I can turn that thing on any time and get hundreds of channels—many of which are, I think, kind of ridiculous, but they are there. So they can provide hundreds of channels to customers in metropolitan areas, but they cannot transmit local TV to the 60 million customers who live outside the big TV markets, they say, without launching more multimillion-dollar satellites.

Last year, we fought hard to keep in the satellite bill a rural loan guarantee program, one that would make it easier for companies or nonprofit cooperatives to provide local TV to rural customers. Unfortunately, it was taken out at the last minute before the bill was passed and signed into law. Senator GRAMM, the Chairman of the Banking Committee, has drafted a rural loan guarantee bill, similar to the one I cosponsored last year, that will go a long way to ensuring that rural residents receive the benefit of local television.

However, I am concerned about the provision in the bill that requires all potential lenders in the Loan Guarantee Program to be Federal Deposit Insurance Corporation insured. That

language would exclude several qualified lenders who have previously provided financing under the Rural Electrification Act. These institutions include the Cooperative Finance Corporation, the CFC, and other lenders that have the financial strength, the expertise, and the ability to participate in this program for rural citizens. These institutions have had years of experience. They have had a strong record in lending to rural and electric cooperatives.

I urge my colleagues to approve the Johnson-Thomas bipartisan amendment, of which I am a cosponsor, to allow qualified lenders with experience, expertise, and a strong reputation in these types of programs, to participate in the funding subject to approval. The cooperatives use lenders such as CFC because it means lower interest rates, resulting in a more affordable and workable project.

Again, I don't want to say I am favoring cooperatives or any one over another providing local TV in rural areas. I favor any institution and any technology that would be willing to provide local service to most customers in unserved areas; however, without the Johnson-Thomas amendment, we are effectively, legislatively shutting out a potential participant interested in extending local TV to rural America. They might win, they might not, but why should we shut them out of this process.

I would also like to mention Senator DORGAN's Rural Broadband Enhancement Act, introduced yesterday—again of which I am a cosponsor. This important legislation would help ensure that rural and small town America are not left behind by the revolution taking place in the technology industry that I mentioned earlier. The Dorgan bill would authorize $3 billion for a revolving loan fund over 5 years to provide capital for low-interest loans to finance construction of the needed broadband infrastructure. I am an original cosponsor of this bill because we cannot sit around waiting for this important technology to come to rural and small town America on its own. We know from past experience that we need to help make it happen. I believe the Dorgan bill will provide the incentives for companies to expand beyond their urban markets.

The Rural Broadband Enhancement Act and the Rural Loan Guarantee—LOCAL TV bill that is being considered on the floor today, are sorely needed in rural America. They both are akin to what happened in the 1930s with the Rural Electrification Act when we started to electrify rural America. I at one time did some research on that. I read the Senate debates when the Senate was debating whether or not to pass the Rural Electrification Act to provide the long-term, low-interest loans through cooperatives to build rural electric lines to families such as mine in rural Iowa.

At that time there was more than one Senator who got up and said this is a free market. If private companies do not want to go out there and build these electric lines to rural America, that is the marketplace. If people living in rural America don't like it there because they don't have electricity, they can move to the cities.

Fortunately, those voices were in the minority. The majority recognized that because of the sparse population in rural America, it was going to cost a little more for the initial installing of those rural electrification lines. What happened after that, of course, was because of the electrification of rural America we saw new schools go up. We saw new factories and plants go up to buttress the farm economy in our rural areas. We saw colleges being built.

So all of rural America expanded and became financially more sound because of the investment we made up front in rural electrification. We face that same kind of frontier right now both in broadband access and also in access to local television broadcasting.

That is why I feel so strongly that these are synergistic. The Dorgan bill introduced yesterday for broadband access and the Johnson-Thomas amendment which is before the body will provide the same kind of long-term, low-interest loans that could be made available through cooperatives and through other institutions to provide for a better possibility that we will get direct, local-to-local satellite broadcasting in rural America.

I hope the Senate will review this history. I hope the majority of this body will support the Johnson-Thomas bipartisan amendment so that rural America can have the same kind of satellite dish reception that we get in rural Virginia 12 miles from here. We can get on our satellite dish in our home ABC, NBC, CBS, Fox, all local from Washington, DC. It costs about four or five bucks a month. I believe people all over rural Iowa and rural Kansas would be willing to pay four or five bucks a month to get that kind of local television service from their local stations' satellite so they can know when tornadoes are approaching, bad weather, when schools are closed, and other local information they need which they otherwise do not get.

I urge adoption of the Johnson-Thomas amendment. I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I ask unanimous consent to go into morning business for 3 minutes.

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

MINIMUM WAGE AMENDMENT

Mr. KENNEDY. Mr. President, in morning business, I send an amendment to the desk to S. 2285.

The PRESIDING OFFICER. The amendment will be received and numbered.

Mr. KENNEDY. Mr. President, soon the Senate will have an opportunity to consider legislation to lower the Federal gasoline tax. The amendment I submit intends to at least consider on that particular measure an increase in the minimum wage in two phases—50 cents this year and 50 cents next year.

If the idea of repealing the gasoline tax is to provide some relief for hard-working Americans, it seems to me the best way we can provide some relief to the 11 million Americans who are earning the minimum wage is to provide a modest increase—50 cents this year and 50 cents next year—so they have less of an adverse impact, whether they are paying for gas to go to work at the present time or otherwise dealing with increased costs with which they are faced every single day.

I am mindful of some of the recent reports about whether this gasoline reduction will have much of an impact, in any event, for consumers and working families in this country. All one has to do is read what a Republican leader in the House of Representatives said about this particular issue when he pointed out in the New York Times—this is J.C. Watts:

> If that were not chilling enough to Republicans eager to maintain their tenuous control of the House this fall, other party leaders voiced skepticism over the repeal's impact on consumers.
>
> ''I don't know if the tax has any effect on fuel costs,'' says Rep. J.C. Watts. ''Supply and demand is driving prices right now.''

That is an interesting and, I think, a pretty accurate statement. As a matter of fact, included in the fundamental legislation is a study as to whether lowering the cost of gasoline will have any positive impact on consumers.

On Wednesday, March 15, in the New York Times, there was a very interesting article by Paul Krugman of MIT talking about ''Gasoline Tax Follies.'' I will reference part of the article.

I ask unanimous consent the article be printed in the RECORD.

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

[From the New York Times, March 15, 2000]

GASOLINE TAX FOLLIES

(By Paul Krugman)

Teachers of economics cherish bad policies. For example, if New York ever ends rent control, we will lose a prime example of what happens when you try to defy the law of supply and demand. And so we should always be thankful when an important politician makes a really bad policy proposal.

Last week George W. Bush graciously obliged, by advocating a reduction in gasoline taxes to offset the current spike in prices. This proposal is a perfect illustration of why we need economic analysis to figure out the true ''incidence'' of taxes: The people who really pay for a tax increase, or benefit from a tax cut, are often not those who ostensibly fork over the cash. In this case, cutting gasoline taxes would do little if anything to reduce the price motorists pay at the pump. It would, however, provide a windfall both to U.S. oil refiners and to the Organization of Petroleum Exporting Countries.

Let's start with why the oil cartel should love this proposal. Put yourself in the position of an OPEC minister: What sets the limits to how high you want to push oil prices?

The answer is that you are afraid that too high a price will lead people to use less gasoline, heating oil and so on, cutting into your exports. Suppose, however, that you can count on the U.S. government to reduce gasoline taxes whenever the price of crude oil rises. Then Americans are less likely to reduce their oil consumption if you conspire to drive prices up—which makes such a conspiracy a considerably more attractive proposition.

Anyway, in the short run—and what we have right now is a short-run gasoline shortage—cutting gas taxes probably won't even temporarily reduce prices at the pump. The quantity of oil available for U.S. consumption over the near future is pretty much a fixed number: the inventories on hand plus the supplies already en route from the Middle East. Even if OPEC increases its output next month, supplies are likely to be limited for a couple more months. The rising price of gasoline to consumers is in effect the market's way of rationing that limited supply of oil.

Now suppose that we were to cut gasoline taxes. If the price of gas at the pump were to fall, motorists would buy more gas. But there isn't any more gas, so the price at the pump, inclusive of the lowered tax, would quickly be bid right back up to the pre-tax-cut level. And that means that any cut in taxes would show up not in a lower price at the pump, but in a higher price paid to distributors. In other words, the benefits of the tax cut would flow not to consumers but to other parties, mainly the domestic oil refining industry. (As the taxtbooks will tell you, reducing the tax rate on an inelastically supplied good benefits the sellers, not the buyers.)

A cynic might suggest that that is the point. But I'd rather think that Mr. Bush isn't deliberately trying to throw his friends in the oil industry a few extra billions; I prefer to believe that the candidate, or whichever adviser decided to make gasoline taxes an issue, was playing a political rather than a financial game.

There still remains the argument that the only good tax is a dead tax. This leads us into the whole question of whether those huge federal surplus projections are realistic (they aren't), whether the budget is loaded with fat (it isn't), and so on. But anyway, the gasoline tax is dedicated revenue, used for maintaining and improving the nation's highways. This is one case in which a tax cut would lead directly to cutbacks in a necessary and popular government service. You could say that I am making too much of a mere political gambit. Gasoline prices have increased more than 50 cents per gallon over the past year; Mr. Bush only proposes rolling back 1993's 4.3-cent tax increase.

But the gas tax proposal is nonetheless revealing. Mr. Bush numbers some of the world's leading experts on tax incidence among his advisers. I cannot believe that they think cutting gasoline taxes is a good economic policy in the face of an OPEC power play. So this suggests a certain degree of cynical political opportunism. (I'm shocked, shocked!) And it also illustrates the candidate's attachment to a sort of knee-jerk conservatism, according to which tax cuts are the answer to every problem.

As a citizen, then, I deplore this proposal. As a college lecturer, however, I am delighted.

Mr. KENNEDY. Mr. Krugman writes:

Anyway, in the short run—and what we have right now is a short-run gasoline shortage—cutting gas taxes probably won't even temporarily reduce prices at the pump. The quantity of oil available for U.S. consumption over the near future is pretty much a fixed number; the inventories on hand plus the supplies en route from the Middle East. Even if OPEC increases its output next month—

Which they did, as we heard from the announcements in the last couple of days—

supplies are likely to be limited for a couple more months. The rising price of gasoline to consumers is in effect the market's way of rationing that limited supply of oil.

Now suppose that we were to cut gasoline taxes. If the price of gas at the pump were to fall, motorists would buy more gas. But there isn't any more gas, so the price at the pump, inclusive of the lower tax, would quickly be bid right back up to the pre-tax-cut level. And that means that any cut in taxes would show up not in lower price at the pump, but in a higher price paid to distributors. In other words, the benefits of the tax cut would flow not to consumers but to the other parties, mainly the domestic oil refining industry.

There is a very substantial body of opinion that agrees with that. If we are talking about enhancements of profits of the domestic oil refining industry—and that is going to be the result of legislation—we ought to give consideration to men and women in this country making the minimum wage, trying to make ends meet, playing by the rules, working hard 40 hours a week, 52 weeks of the year trying to keep their families together.

There is a more compelling public interest for a modest increase in the minimum wage than in lowering the gas tax. If we are talking about providing some relief to the American consumers, it seems to me among the American consumers, the ones who are the most hard-pressed in our society, are those who are earning the minimum wage. If we are interested in providing such relief, we ought to at least address their particular needs.

That is what this amendment will do, and that is the reason I have filed it.

I yield the floor, 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. SPECTER. 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. SPECTER. I ask unanimous consent that I may speak for up to 10 minutes as in morning business.

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

CONSPIRACIES OF CARTELS

Mr. SPECTER. Mr. President, I have sought recognition to discuss a Dear Colleague letter which Senator BIDEN and I are circulating today. I expect to have the agreement of at least two other Senators to circulate this Dear Colleague letter. It is an effort to deal with the very serious problems which have been caused by the rise in the price of oil as a result of the activities of the OPEC countries.

The price of imported crude oil rose from $10.92 per barrel, for the first quarter of 1999, to over $31 per barrel in this month. In the first quarter of last year gasoline prices were, on an average, 95 cents per gallon, and heating oil was 80 cents per gallon. A year later both have peaked at $1.70.

On Tuesday, the day before yesterday, OPEC agreed to raise oil production over the next 3 months by up to 1.7 million barrels a day. But this is far less than what is necessary to take care of the very serious problems imposed upon Americans at the gas pump, for heating oil, diesel fuel for the truckers, and our whole society beyond the United States—foreign countries, as well—as a result of these cartels and conspiracies.

This conduct is reprehensible. If it were going on in the United States, it would be a clear-cut violation of our antitrust laws.

There have been declarations at the international level. The Organization for Economic Development, consisting of some 29 countries, made a declaration in March of 1998 that conspiracies in restraint of trade constitute a violation of international law.

At about the same time, 11 countries from Latin America made a similar declaration that conspiracies of cartels to restrain trade violate international law.

After a considerable amount of research, we are writing to the President asking him to consider two courses of litigation going to court. One course of action would be to file suit under United States antitrust laws, because these conspiracies of cartels in restraint of trade have an economic impact on the United States. There is ample authority for the Government of the United States to proceed in this way.

Suits were filed by private parties in 1979 in the Central District of California. The Court of Appeals for the Ninth Circuit concluded in 1981 that it would be inappropriate for a U.S. court to pass on that subject because international law was not clearly defined at that time. But there have been significant developments in international law since that 1981 decision by the Court of Appeals for the Ninth Circuit so that, in my judgment, the opportunities would be excellent to win this case and certainly well worth the effort.

The Dear Colleague letter which we are submitting has a second aspect, and that is a recommendation to the President that legal action be instituted in the International Court of Justice, perhaps for only an advisory opinion, that OPEC countries were violating international law.

I was surprised to see the International Court of Justice take jurisdiction in a case involving the issue of the legality to use or threaten to use nuclear weapons in war. I had thought that such an issue would be what is called nonjusticiable law, that is, not subject to going to court. You talk

about national sovereignty. You talk about nuclear weapons. Such a subject would be really beyond the scope of what the International Court of Justice would decide. But the court did take jurisdiction on that issue. The court rendered an advisory opinion it would be illegal to either use or threaten to use nuclear weapons except in self-defense.

We have also seen, in the last few years, very significant developments in international law with the War Crimes Tribunal for the former Yugoslavia, where there have been indictments, prosecutions and convictions for crimes against humanity. There was also the extensive use of international law from the War Crimes Tribunal for Rwanda.

In a surprising case which has captured international headlines for months, an effort has been made to try Pinochet, former leader of Chile, on the application of the courts of Spain, although the acts did not occur in Spain. Customarily under criminal law, the prosecution is brought where the acts occurred. Pinochet was in England. There was a tremendous amount of litigation there. Surprisingly, there was an extension of international law into areas where conduct is really despicable, as are the allegations related to Pinochet. Recently the former dictator from Chad was tried in the courts of Senegal on charges of torture and violation of human rights.

We are looking at a rapidly expanding international picture. I believe we ought to be taking every step possible to deal with these cartels and this conspiratorial and reprehensible conduct by the OPEC nations. While they have agreed to raise production slightly, we are at their whim for action any time they see fit to cut back on production, to extract and extort enormous sums of money from consumers in the United States and consumers around the world.

This is not a problem for this day only. This is a problem which plagued the United States, with the long gas lines in 1974, 26 years ago, but I remember them well. People lined up for three blocks waiting in a gas line to get some fuel. By the time you got there, the pumps sometimes were out or sometimes it was limited. There is no reason why we should have to put up with this kind of conduct because it does violate international norms and really ought to be stopped.

This letter does not contain any reference to actions on a class action basis by consumers. Right now, the antitrust law calls for actions only by so-called direct purchasers. But consideration is being given by a number of Senators to an amendment to the existing antitrust laws to allow indirect purchasers; that is, somebody who buys gas at the pump. Texaco could sue OPEC, at least would have standing to sue OPEC. There would be the other considerations that would have standing as a direct purchaser.

Under a case denominated Illinois v. Brick, an indirect consumer cannot sue. But I believe there would be good reason to amend our antitrust laws, limited to the field of purchases relating to oil. That is a distinction, because oil is such a critical part of our economy and such a critical part of our everyday life: for keeping our houses and offices warm, our general buildings warm, to supplying gasoline for truckers who transport necessary items for everyday life, and for the gasoline which is necessary for our automobiles. This is where we have been gouged by the OPEC conduct.

Some have raised the question: What good would it do to take these cases to court; what would the remedy be? The fact is, there are considerable assets from these OPEC countries in the United States which would be subject to attachment. With respect to the suit in the International Court of Justice, there would be considerable opprobrium in being sued, hauled into court. Nobody likes to be sued, whether an individual, a company, or a country. This conduct is reprehensible and we ought to call them on it.

I do believe, in the final analysis, our U.S. laws on antitrust would enable us to get a remedy. Actually, the International Court of Justice would hold out these international pirates to be nothing more than they are, really preying on the weak, those who have to buy the oil at any price. This conspiracy and restraint of trade and these cartels ought not to be allowed to go on.

Mr. President, I ask unanimous consent that the full text of the letter to the President be printed in the RECORD, together with a copy of a Dear Colleague letter which Senator BIDEN and I are circulating.

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

UNITED STATES SENATE,
Washington, DC.

President WILLIAM JEFFERSON CLINTON,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In light of the very serious problems caused by the recent increase in oil prices, we know you will share our view that we should explore every possible alternative to stop OPEC and other oil-producing states from entering into agreements to restrict oil production in order to drive up the price of oil.

This conduct is nothing more than an old-fashioned conspiracy in restraint of trade which has long been condemned under U.S. law, and which should be condemned under international law.

After some considerable research, we suggest that serious consideration be given to two potential lawsuits against OPEC and the nations conspiring with it:

(1) A suit in Federal district court under U.S. antitrust law.

(2) A suit in the International Court of Justice at the Hague based, perhaps, upon an advisory opinion under ''the general principles of law recognized by civilized nations,'' which includes prohibiting oil cartels from conspiring to limit production and raise prices.

(1) A suit in Federal district court under U.S. antitrust law

A case can be made that your Administration can sue OPEC in Federal district court under U.S. antitrust law. OPEC is clearly engaging in a ''conspiracy in restraint of trade'' in violation of the Sherman Act (15 U.S.C. Sec. 1). The Administration has the power to sue under 15 U.S.C. Sec. 4 for injunctive relief to prevent such collusion.

In addition, the Administration should consider suing OPEC for treble damages under the Clayton Act (15 U.S.C. Sec. 15a), since OPEC's behavior has caused an ''injury'' to U.S. ''property.'' After all, the U.S. government is a major consumer of petroleum products and must now pay higher prices for these products. In *Reiter* v. *Sonotone Corp.*, 442 U.S. 330 (1979), the Supreme Court held that the consumers who were direct purchasers of certain hearing aides who alleged that collusion among manufacturers had led to an increase in prices had standing to sue those manufacturers under the Clayton Act since ''a consumer deprived of money by reason of allegedly anticompetitive conduct is injured in 'property' within the meaning of [the Clayton Act].'' Indirect purchasers would appear to be precluded from suit, even in a class action, under *Illinois Brick* v. *Illinois*, 431 U.S. 720 (1977), but this would not bar the United States Government, as a direct purchaser, from having the requisite standing.

One potential obstacle to such a suit is whether the Foreign Sovereign Immunities Act (''FSIA'') provides OPEC, a group of sovereign foreign nations, with immunity from suit in U.S. courts. To date, there has been a ruling on this issue in only one case. In *International Association of Machinists* v. *OPEC*, 477 F. Supp. 553 (1979), the District Court for the Central District of California held that the nations which comprise OPEC were immune from suit in the United States under the FSIA. We believe that this opinion was wrongly decided and that other district courts, including the D.C. District, can and should revisit the issue.

This decision in *Int. Assoc. of Machinists* turned on the technical issue of whether or not the nations which comprise OPEC are engaging in ''commercial activity'' or ''governmental activity'' when they cooperate to sell their oil. If they are engaging in ''governmental activity,'' then the FSIA shields them from suit in U.S. courts. If, however, these nations are engaging in ''commercial activity,'' then they are subject to suit in the U.S. The California District Court held that OPEC activity is ''governmental activity.'' We disagree. It is certainly a governmental activity for a nation to regulate the extraction of petroleum from its territory by ensuring compliance with zoning, environmental and other regulatory regimes. It is clearly a commercial activity, however, for these nations to sit together and collude to limit their oil production for the sole purpose of increasing prices.

The 9th Circuit affirmed the District Court's ruling in *Int. Assoc. of Machinists* in 1981 (649 F.2d 1354), but on the basis of an entirely different legal principle. The 9th Circuit held that the Court could not hear this case because of the ''act of state'' doctrine, which holds that a U.S. court will not adjudicate a politically sensitive dispute which would require the court to judge the legality of the sovereign act of a foreign state.

The 9th Circuit itself acknowledged in its *Int. Assoc. of Machinists* opinion that ''The [act of state] doctrine does not suggest a rigid rule of application,'' but rather application of the rule will depend on the circumstances of each case. The Court also noted that, ''A further consideration is the

availability of internationally-accepted legal principles which would render the issues appropriate for judicial disposition.'' The Court then quotes from the Supreme Court's opinion in *Banco Nacional de Cuba* v. *Sabbatino*, 376 U.S. 398 (1964):

''It should be apparent that the greater the degree of codification or consensus concerning a particular area of international law, the more appropriate it is for the judiciary to render decisions regarding it, since the courts can then focus on the application of an agreed principle to circumstances of fact rather than on the sensitive task of establishing a principle not inconsistent with the national interest or with international justice.''

Since the 9th Circuit issued its opinion in 1981, there have been major developments in international law that impact directly on the subject matter at issue. As we discuss in greater detail below, the 1990's have witnessed a significant increase in efforts to seek compliance with basic international norms of behavior through international courts and tribunals. In addition, there is strong evidence of an emerging consensus in international law that price fixing by cartels violates such international norms. Accordingly, a court choosing to apply the act of state doctrine to a dispute with OPEC today may very well reach a different conclusion than the 9th Circuit reached almost twenty years ago.

You should also examine whether the anticompetitive conduct of the international oil cartel is being effectuated by private companies who are subject to the enforcement of U.S. antitrust laws (for example, former state oil companies that have now been privatized) rather than sovereign foreign states. If such private oil companies are determined to in fact be participating in the anticompetitive conduct of the oil cartel, then we would urge that these companies be named as defendants in an antitrust lawsuit in addition to the OPEC members.

(2) A suit in the International Court of Justice at the Hague based upon ''the general principles of law recognized by civilized nations,'' which includes prohibiting oil cartels from conspiring to limit production and raise prices

In addition to such domestic antitrust actions, we believe you should give serious consideration to bringing a case against OPEC before the International Court of Justice (the ''ICJ'') at the Hague. You should consider both a direct suit against the conspiring nations as well as a request for an advisory opinion from the Court through the auspices of the U.N. Security Council. The actions of OPEC in restraint of trade violate ''the general principles of law recognized by civilized nations.'' Under Article 38 of the Statute of the ICJ, the Court is required to apply these ''general principles'' when deciding cases before it.

This would clearly be a cutting-edge lawsuit, making new law at the international level. But there have been exciting developments in recent years which suggest that the ICJ would be willing to move in this direction. In a number of contexts, we have seen a greater respect for and adherence to fundamental international principles and norms by the world community. For example, we have seen the establishment of the International Criminal Court in 1998, the International Criminal Tribunal for Rwanda in 1994, and the International Criminal Tribunal for the former Yugoslavia in 1993. Each of these bodies has been active, handing down numerous indictments and convictions against individuals who have violated fundamental principles of human rights. For example, as of December 1, 1999 the Yugoslavia tribunal alone had handed down 91 public indictments.

Today, adherence to international principles has spread from the tribunals in the Hague to individual nations around the world. Recently, the exiled former dictator of Chad, Hissene Habre, was indicted in Senegal on charges of torture and barbarity stemming from his reign, where he allegedly killed and tortured thousands. This case is similar to the case brought against former Chilean dictator Augusto Pinochet by Spain on the basis of his alleged atrocities in Chile. At the request of the Spanish government, Pinochet was detained in London for months until an English court determined that he was too ill to stand trial.

The emerging scope of international law was demonstrated in an advisory opinion sought by the U.N. General Assembly in 1996 to declare illegal the use or threat to use nuclear weapons. Such an issue would ordinarily be thought beyond the scope of a judicial determination given the doctrines of national sovereignty and the importance of nuclear weapons to the defense of many nations. The ICJ ultimately ruled eight to seven, however, that the use or threat to use nuclear weapons ''would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law.'' The fact that this issue was subject to a decision by the ICJ, shows the rapidly expanding horizons of international law.

While these emerging norms of international behavior have tended to focus more on human rights than on economic principles, there is one economic issue on which an international consensus has emerged in recent years—the illegitimacy of price fixing by cartels. For example, on April 27, 1998, the Organization for Economic Cooperation and Development issued an official ''Recommendation'' that all twenty-nine member nations ''ensure that their competition laws effectively halt and deter hard core cartels.'' The recommendation defines ''hard core cartels'' as those which, among other things, fix prices or establish output restriction quotas. The Recommendation further instructs member countries ''to cooperate with each other in enforcing their laws against such cartels.''

On October 9, 1998, eleven Western Hemisphere countries held the first ''Antitrust Summit of the Americas'' in Panama City, Panama. At the close of the summit, all eleven participants issued a joint communique in which they express their intention ''to affirm their commitment to effective enforcement of sound competition laws, particularly in combating illegal price-fixing, bid-rigging, and market allocation.'' The communique further expresses the intention of these countries to ''cooperate with one another . . . to maximize the efficacy and efficiency of the enforcement of each country's competition laws.'' One of the countries participating in this communique, Venezuela, is a member of OPEC.

The behavior of OPEC and other oil-producing nations in restraint of trade violates U.S. antitrust law and basic international norms, and it is injuring the United States and its citizens in a very real way. Consideration of such legal action could provide an inducement to OPEC and other oil-producing countries to raise production to head off such litigation.

We hope that you will seriously consider judicial action to put an end to such behavior.

UNITED STATES SENATE,
Washington, DC.

DEAR COLLEAGUE: In light of the very serious problems caused by the recent increase in oil prices, we know you will share our view that we should explore every possible alternative to stop OPEC and other oil-producing states from entering into agreements to restrict oil production in order to drive up the price of oil.

This conduct is nothing more than an old-fashioned conspiracy in restraint of trade which has long been condemned under U.S. law, and which should be condemned under international law.

After some considerable research, we suggest that serious consideration be given to two potential lawsuits against OPEC and the nations conspiring with it:

(1) A suit in Federal district court under U.S. antitrust law.

(2) A suit in the International Court of Justice at the Hague based upon ''the general principles of law recognized by civilized nations,'' which includes prohibiting oil cartels from conspiring to limit production and raise prices.

We ask you to sign the enclosed letter to President Clinton which urges him to consider these two litigation options. As you will note from the letter, the subject is quite complicated and is set forth in that letter as succinctly as it can be summarized.

If you are interested in co-sponsoring, please have staff call David Brog of Senator Specter's staff at 224–9037 or Bonnie Robin-Vergeer of Senator Biden's staff at 224–6819.

Sincerely,

ARLEN SPECTER.
JOSEPH BIDEN.

Mr. SPECTER. Any Senators who may be listening to this or any staff members, I invite them to call David Brog of my office at 224–4254 or Bonnie Robin-Vergeer of Senator BIDEN's office at 224–5042. We would like to get a good showing and see if we can't get the President to take a really tough position against these cartels which have so disadvantaged so many Americans.

The PRESIDING OFFICER. The distinguished Senator from Arkansas is recognized.

Mrs. LINCOLN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

FUELS TAX REDUCTION

Mrs. LINCOLN. Mr. President, I rise today to discuss S. 2285—a bill that is so flawed I can't believe the majority wants to end debate on it before the debate has even begun, with no committee hearings, no floor debate, no bipartisan discussion over something as important as the tax base for our highway and transportation infrastructure needs. This is literally an ''Our Way or the Highway'' bill, and I will choose the highway.

As a southerner, I represent a large number of farmers and about 1,600 independent trucking firms. Eleven hundred of those firms are one-truck operators; 250 operate 10 or fewer trucks. I've got at least seven of the largest trucking firms in the Nation based in my State, as well as the world's largest retailer, which operates about 4,000 trucks, and one of the largest food processors which operates about 1,500. I am opposed to S. 2285 and should I have the opportunity, I will vote against it.

First of all, none of the truckers or farmers that operate in my State would receive any benefits from the bill being discussed today, or any of the other bills that are based on a reduction in Federal excise taxes.

They are calling this proposal the ''federal fuels tax holiday'' I can tell the Senate that if this bill passes, we won't be celebrating in Arkansas.

A key point that must have been overlooked by the authors of this bill is that some States like Arkansas, any reductions in Federal fuel excise taxes automatically require a penny-for-penny increase in the State fuel excise tax.

If we could have had committee hearings on this bill, perhaps the entire body might know that my State, along with Oklahoma, Nevada, Tennessee, and California all have provisions that will in some way negate any decrease in the Federal tax by increasing the state tax.

Many States use the funds they receive from the Federal Government transportation formulas to issue bonded debt. They depend on the gas tax to pay for these bonds and to fund their transportation needs.

Smartly, many of the States recognized that you can't always rely on the promises you get from Washington. I am glad that the State legislators of my State had the wisdom and the foresight to anticipate ill-conceived notions by Congress such as the bill before us today that would put our highway and transit programs at risk.

Further, even in those States that would not automatically increase excise taxes, there is no guarantee that the consumers would see a price decrease at the pump. These taxes are charged at the wholesale level.

The only thing this bill offers is a ''sense-of-the-Congress'' clause that says to the big business: ''Here you go, have a huge tax decrease; by the way, we sure hope you guys will pass it on.''

Further, there is no credit in the bill for retail stocks. That means that even if this tax reduction were to pass both Houses and make it past the President with lightening speed, the gas in retail inventories would still be priced with the tax. There is no telling how long it would take for the fuel that wasn't taxed to finally make it to consumers.

One last thing about cutting the Federal excise taxes on fuels: these are the dollars that go into our highway trust fund. I know that this bill has some statutory hocus-pocus that takes the money out of general revenues, but are we really protecting the highway trust fund, and Social Security by hopping from trust fund to trust fund until we find one that the voters aren't watching?

They say this bill is paid for out of the ''on-budget'' surplus. I ask, where is that? We don't even have a budget resolution, let alone a surplus. I think we should make sure that a surplus exists before deciding to spend it. The bottom line is this bill isn't paid for and the money is simply going to come out of debt reduction, education, and out of Medicare reform dollars that are so needed in the country.

I have spoken with the truckers in my state and they have told me that they need help. And I want to help them in a way that is reasonable and will actually reach them. But the way this bill is structured no relief will make it to them. If we really want to help truckers and consumers effectively then we should have a package that helps them right now and through the end of the fiscal year.

In the very short term, we should consider a suspension of the heavy vehicle use tax that is due on every big rig. This tax break would go directly to the people in need, and it would have a very quick impact.

This tax is due on July 1, but it can be paid quarterly. Suspending the heavy vehicle use tax would equal about $550.00 in relief for every truck on the road, and we wouldn't have to wait for the effects of market pricing to see relief at the consumer level.

Also, we should consider low-or no-interest loans to help small business men and women make it through this price spike. In the intermediate months, truckers, and producers who have been pushed to the edge could find help in load assistance until oil prices come down.

Finally, we should consider end-of-the-year formula tax credits that would go directly to the consumers and could be directly tied to oil prices which, as I speak, are dropping.

We are all aware of the recent announcements that have been made by the oil exporting countries. Prices are falling and the price spike is coming down. While we all want to ensure that the high prices we have had will not drive small business people into bankruptcy, our relief package should be flexible enough to take falling prices into account.

Beyond the rash and reckless way that we have come to consider this bill, and beyond the abomination that it is, there remains the underlying issue of our nation's energy policy. This kneejerk bill is a reaction to a host of problems and just because oil prices are starting to come down we should not let this issue fall to the wayside.

There is no excuse for the lack of a comprehensive energy policy that we suffer from in this country. The roller coaster ups and downs of oil prices in 1999 and 2000 are evidence that we have been completely reactive to market forces and have not established stable, long-term energy policies.

It is obvious that no immediate, cost-effective government action could eliminate U.S. dependence on foreign oil entirely, but there are things that we should be doing to help reduce our dependence on oil as an energy source.

To help lessen the economic shocks that oil price spikes have created, we should couple short term relief provisions such as the ones I have spoken about with smart, stable, long-term, energy policies.

Through the use of petroleum supply enhancements such as energy conservation, use of renewables, and expanded U.S. production we could lessen our dependence on foreign oil. We must provide incentives to try to bring ourselves away from dependence on oil in general. We must set out a course to promote oil production at home, to promote the use of renewable sources of energy, and to promote the more efficient and cleaner uses of the fossil fuels we are still using.

Mr. President, many of us in this body have been pushing for expanded uses of renewables for quite some time and we will continue to do so. This spike in fuel prices demonstrates that we need to shift our emphasis from research to the practical use and application of renewable sources of energy.

Simply put, Mr. President, this kneejerk reaction to high oil prices represents a reckless abandonment of the priorities we brought to the Congress last year—Social Security, Medicare, paying down our national debt, and educating our children.

I want to do whatever I can to help my constituents who are dependent on diesel for their livelihoods, but if we adopt measures to eliminate, albeit temporarily, gas taxes, we will not get the help to those who need it.

When a core business segment of this nation is under duress we should address that segment directly. We must get the help to the ground where it is needed. In our present situation, we should be pursuing targeted assistance in the forms of loan assistance, grants, and reasonable tax measures that actually get to the level of the consumer who need it the most.

We can't afford to jeopardize funding for our roads, the stability of Social Security and Medicare, or the long-term goal of paying down our enormous debt. This bill would do just that, Mr. President, and I urge my colleagues to oppose the ''fuel tax holiday'' bill before the party gets out of hand, to ensure our roads will be funded and, more importantly, that we go about it in a reasonable way and get relief to the individuals who need it the most.

The PRESIDING OFFICER. The distinguished Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I thank the Senator from Arkansas, and I hope that other Senators pay close attention to her and her very persuasive remarks as to why legislation that will potentially come up in this body to repeal the 4.3-cent gasoline tax is a bad idea.

The long and short of it, as the Senator said, is that the reason for the high gasoline prices is basically OPEC. OPEC made an announcement which will have the effect of lowering gas prices. I think the 4.3-cent tax is a phantom reduction. There will not be lower prices as a consequence of the

proposal. I think the refineries will keep it and they won't pass it on. There are a whole host of reasons. The main point that is worth considering is that we labored mightily in this body and in the other body a couple years ago to pass a very significant highway program; we called it TEA 21. Was that significant? It said that for the first time all of the Federal gas taxes were going to the highway trust fund, and the highway trust fund would be used only for highways. It was a commitment: People who drive cars and trucks in our country and pay the Federal gas tax or diesel tax will know that tax is going to the highway trust fund and it should stay in the trust fund, with the trust fund dollars to be allocated among the States to build and repair our highways. That was it. It was that simple.

So if the bill that may come before this body, which the Senator was addressing, were to be enacted, it would break that trust, break that commitment. It would open up the highway trust fund to potentially any purpose. It would just be the camel's nose under the tent. It would be the first step down the slippery slope of taking trust fund money and using it for other purposes. Why do I say that? Because part of the amendment is to say, OK, let's replenish it with general revenue. We all know ''general revenue'' is a slippery slope around here. We don't know how much general revenue there is going to be; therefore, the solidarity of the dollars going into the trust fund and dollars coming out of the trust fund to pay for highway modernization and new highways has to be kept sacrosanct. I hope the Senate rejects the position to repeal the 4.3-cent gas tax. It is a bad idea.

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

Mr. BAUCUS. Mr. President, I will address the pending subject, local-into-local broadcasting. At the end of the last session of Congress, there was some talk that in this session of Congress, this year, we would take up financing to help guarantee local-into-local television coverage in rural areas. Frankly, I wasn't happy with the way we were about to leave the last session of Congress, so I stood up on the floor and tossed a little bit of obstruction around until we got a firmer commitment that by a certain date we would bring up legislation in this body directed toward financing satellites or other entities so that we could provide local-into-local coverage throughout our country. I am very happy now that this bill is before us. As a consequence of the deference of myself and others, we are now here.

Very simply, the need for this is extremely important. This chart shows markets that aren't now covered and will be covered under the basic bill to be passed. There aren't very many of them. The red dots depict areas where people can get local-into-local coverage. There are 210 TV markets in our country. You can tell that the red dots don't number 210. In fact, they number something much less than that. I might say that number 210 happens to be right up here—Glasgow, MT. Butte, I think, is 167, and there is Billings. We have a bunch of TV markets in our State, but they are nowhere near where the read dots are.

With the passage of last year's bill, 67 markets will have coverage. Only 67 of the 210 markets will eventually get coverage and have local-into-local television coverage. Thirty-five percent of the homes in my State would receive video programming through satellite. Our State flower is the bitterroot, but we have a new State flower now, the satellite dish, because we in Montana have the highest per capita utilization of satellite dishes—more than any other State in the Nation. Montanans per capita have more satellite dishes. It is because Montana is so big. We are a rural State. There are only about 900,000 people in our State, with about 147,000 square miles. You can see why satellite dishes are so important. But because we are so rural and because so many other States are so rural, we are not getting local satellite coverage. It stands to reason because the satellite companies are going to give the coverage to the greatest markets where they will make the most money, as well they should. Companies are there to get the highest rate of return. So they are going to go where they can make the greater returns, and that is going to be the cities.

It is only fair that the rest of America also be wired in. That is why I think this bill is so important. It will take a few years to accomplish it, but at least we will get there.

What are the reasons for having it? One is to find out what your local team is doing.

Here is a chart. This is the University of Montana Grizzlies. Most folks like to know how the home team did. If you don't get local-to-local satellite coverage, it is pretty hard to know. You might be able to find out for New York, Denver, or Florida. But when you are from a smaller community and a smaller town, you only care about the local team. You can't get it now with satellite coverage in my State of Montana and in most places.

Maybe it is not the local team. Maybe it is weather conditions. Is a storm coming? What is the weather report? Our State sometimes has blizzards. Sometimes it snows—not very often. Most people think Montana is awfully cold; that we have a lot of snow. Montana is really not very cold. It doesn't snow that much. But every once in a while it snows. We kind of like to know every once in a while when it is going to happen. So we need local notice. Local-to-local is critical throughout our country.

The final point I will make is demonstrated by this chart. This shows how well the Rural Utilities Service, a branch of USDA, is already serving America—the telephone cooperatives, and with the power cooperatives around the State. RUS is a loan guarantor. It guarantees loans for wastewater proposals, for electric distribution, transportation, telecommunications, telephone, and distance learning. It guarantees loans to finance operations to build these infrastructures all over the country.

The basic point is a very simple one. We have an organization in place. It is serving America well. Why not allow the Rural Utilities Service to, essentially, be the agency that provides the additional loan guarantees for satellites and to give assistance to rural areas?

The underlying bill before us sets up a board to do all of this. I submit that another board and another level of bureaucracy does not make sense. We already have an organization that is doing it. Also, this RUS organization has a very good record. In fact, in the last 50 years, the Rural Utilities Service has not had one loan loss in its telecommunications program—not one. That is indicated by the green dots scattered throughout the country.

When we finally pass this legislation, remember that we already have an agency doing a good job.

I also urge adoption of the pending amendment offered by Senator JOHNSON, which adds the National Rural Utilities Cooperative Finance Corporation as another lender in addition to FDIC-insured banks. I think it is helpful to have that availability. We are more likely to get the financing.

I must also say that I hope we include in the underlying legislation a provision which encourages the loan guarantors at the lending institutions to finance new satellite operations not only for local-to-local coverage but also to help in the availability of broader bandwidth and higher-speed Internet connections because we have the opportunity now while we are providing satellite service for local use to also say: OK, maybe we should also give some consideration to wireless, broad bandwidth, and higher-speed access to the Internet because clearly that is the way of the future. Many of the urban parts of our country have broad bandwidths. It is 10 times more expensive, but they have it.

In addition, many companies are competing vigorously to provide this service all across the country. They are doing it the good old American way—based on a profit motive. That is great. That is what built America. But a consequence is that rural America often doesn't get near the same coverage as urban America for the same reason, that satellite companies are not providing local-to-local to America; namely, because it doesn't pay nearly as well in rural America as it does in urban America.

I am saying that whoever makes the decision, I hope it is not the board. But

if it is the board, give them incentives to provide financing and guarantee financing for satellite companies. It could be perhaps a cable company. It might even be a telephone company that would provide local-to-local cable service. But also they would be in a position to more quickly provide broad bandwidth to the same area.

That is the sum and substance of what I hope we do. I think it makes a lot of sense.

For those Senators who have some questions about some of these points, I am more than willing to sit down and try to work out some of the details. Some of the details can be worked out in conference as well. But let us not let perfection be the enemy of good.

I think these are pretty good ideas. They are not perfect, but they are good. I urge my colleagues to work together to try to incorporate these provisions.

I thank the Chair.

The PRESIDING OFFICER. The distinguished Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I would like to speak in morning business for a time not to exceed 10 minutes.

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

Mrs. FEINSTEIN. Thank you very much, Mr. President.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. I thank the Chair.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 2328 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. FEINSTEIN. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. WYDEN. 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. WYDEN. I ask consent to speak for up to 15 minutes as in morning business.

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

MEDICARE REFORM

Mr. WYDEN. Mr. President, over the last 3 months I have come to the floor of the Senate on more than 20 occasions to talk about the need to assist the Nation's senior citizens and families under Medicare with help with the extraordinary costs so many of them are experiencing for prescription medicine. I am very pleased to report some very exciting, positive developments that have taken place in the last few hours on this issue as a result of the bipartisan effort in the Budget Committee.

I particularly want to commend my colleagues Senators SNOWE and SMITH. Senators SNOWE and SMITH have teamed up with me on a bipartisan basis for more than 15 months to address this enormous need of the Nation's older people.

Today in the Budget Committee we took a concrete, tangible step to set in place the kind of program that really will provide meaningful relief for the Nation's older people. We did it in a way that will be consistent with long-term Medicare reform, a view that is a view shared by Members on both sides of the aisle. It allows for universal coverage and a program that is voluntary. That is to ensure that older people can make the choices that are good for them.

Specifically, what the Budget Committee did is provide legislation that would allocate $20 billion during the next 3 years to put in place a prescription drug program, and then make it possible to add another $20 billion in the next fiscal year, which would be fiscal year 2004–2005, as part of an effort to ensure solvency, long-term Medicare reform, and to do it in a way that would not cause an on-budget deficit in those later years.

I have believed for a long time that at a time when more than 20 percent of our Nation's older people are spending over $1,000 a year out of pocket on their prescription medicine, when we have millions of seniors with an average of 18 prescriptions a year, that it is important we put in place, on a bipartisan basis, meaningful relief for the Nation's older people.

Today, on a bipartisan basis, the Budget Committee said the Finance Committee should report a plan on or before September 1 of this year to help older people with their prescription drug medicine to ensure that $20 billion would be available for fiscal years 2001, 2002, and 2003, and, accompanied by real reform of the Medicare Program, there could be $20 billion for fiscal years 2004 and 2005.

This required, frankly, compromise on both sides. For example, one of the stipulations in what was done by the Budget Committee today was a stipulation that there could not be transfers of new subsidies from the general fund to extend solvency. Frankly, some of my colleagues on the Democratic side of the aisle had supported those kinds of transfers in the past.

I think after many months of debate, and certainly a lot of prognosticators saying it was not possible in this session of Congress to make real headway on the prescription drug issue, and, in fact, to get the job done, what the Senate Budget Committee showed this morning in a very significant breakthrough is that we are now on our way to address the needs of older people. In fact, this language would be binding. The language adopted by the Budget Committee, setting out the parameters for the adoption of a prescription drug program for the Nation's elderly under Medicare, would be binding.

In addition to my two colleagues Senators SNOWE and SMITH, I would like to single out a number of others on a bipartisan basis who helped us. Chairman DOMENICI, for example, was one who, in many conversations with me on this issue, talked about the need to make this program consistent with long-term Medicare reform and to make Medicare more solvent in the future. That is an issue that has been highlighted by Senators DASCHLE, LAUTENBERG, and CONRAD as well. But the fact that Senator DOMENICI emphasized that in the last couple of days helped us find common ground this morning.

This is a vast improvement on what the House has thus far been able to accomplish on this issue of prescription drugs. Specifically, the Senate made it clear we could launch a prescription drug program that would offer $40 billion of assistance to the Nation's older people, a program that would assist all senior citizens. So the Senate was able, this morning, in the Budget Committee, on a bipartisan basis, to add a significant amount of additional relief. That was important.

The House did not address the solvency issue and that is what, in fact, the Senate did. In that sense it is a dramatic improvement. What we did, in terms of the dollars on a bipartisan basis, is today we raised the amount the Senate would make available for the program to $40 billion. Originally that amount was $20 billion.

The fundamental point remains. We addressed this issue by adding more money than was originally envisaged in the mark that came out from the Senate. We were able to do it in a way that addressed the Medicare solvency question. The House did not really touch the Medicare solvency question, and we think, on a bipartisan basis in the Senate this morning, that was important.

Finally, we know the revolution in American health care has essentially bypassed the Medicare Program. A lot of these medicines today help older people to stay well. They help to lower blood pressure. They help to lower cholesterol. They are medicines that promote wellness. They do not just take care of folks when they are sick. As a result of the work done today, we made a major step forward in modernizing this program and bringing it in line with the rest of the American health care system.

I reported on the floor of the Senate recently a case of an older person in Hillsboro, OR, who had to be hospitalized for 6 weeks because Part A of Medicare would pay his prescription drug bill and he could not afford his medicine on an outpatient basis. Today, as a result of what the Senate Budget Committee did, that person will be in a position to get his medicine on an outpatient basis.

They will be able to get help because the Senate improved on what the House has been talking about by putting more of a focus on solvency, and

we were able to take the amount of the program up to $40 billion beyond what the original discussion had been in the Senate, just $20 billion.

Finally, we need to understand there is a long way to go from here. We are going to have to defend what was done by the Senate Budget Committee this morning on the floor of the Senate. Then we will have a conference with the House. I hope we will come out of that discussion with the House ensuring there is $40 billion for the prescription drug program, that it is possible to have universal coverage, that it is voluntary, that it is consistent with Medicare reform, and that it gives older people bargaining power in the private sector to get more affordable medicine.

There is a long way to go in the process. This morning's breakthrough was just one step in the process. It was a chance to go forward in a way that is fiscally responsible—$20 billion for the first 3 years to as the first downpayment, as Senator SNOWE has characterized it, on prescription drug relief, but then also to say there will be another $20 billion available in 2004 and 2005 when it is accompanied by reform.

We also work to ensure solvency, and for the first time, we put real time constraints on getting a prescription drug benefit done .

As was pointed out yesterday in the Senate Finance Committee by Senator BREAUX, there have been 14 hearings on the issue of Medicare reform and prescription drug coverage for older people. Senator BREAUX, along with Senator FRIST, has a bipartisan bill supported by a number of Members of the Senate.

What we said this morning in the Budget Committee is that we want the Finance Committee, on or before September 1 of this year, to bring us legislation in line with the binding language offered in the Senate Budget Committee under the Snowe-Wyden-Smith amendment.

Having come to the floor of the Senate on more than 20 occasions, as I related those stories about older people who had been put in hospitals because they could not afford their medicine on an outpatient basis, older people who were taking two pills a day when they should have been taking three, or breaking their Lipitor capsules—which deals with cholesterol and heart problems—in half, I often thought as I left the floor that we might not be able to make the kind of progress we made today in the Budget Committee.

Today, the Budget Committee came together on a bipartisan basis to ensure there would be sufficient funds to jump-start Medicare reform, provide meaningful relief for the Nation's older people and their families, while addressing the solvency question and the need for an approach to be consistent with long-term Medicare reform.

We have improved on what is being discussed in the House because they do not have the same focus on solvency. I am very much looking forward—as we bring that legislation to the floor of the Senate and it goes to conference and the work in the Finance Committee—to continue the progress we saw this morning.

Suffice it to say, there were a number of moments today when it was likely that it was all going to break down. Had the Budget Committee reported a significantly smaller sum than was finally agreed on, had we not made the kind of changes in the Snowe-Wyden-Smith amendment, we might not have been able to reach a bipartisan agreement on prescription drugs this year in the Congress. As a result of what happened today in the Budget Committee and the important work that was done on a bipartisan basis, we have laid the foundation for making sure that before this Congress adjourns and goes home for the year, we have acted to help the Nation's older people.

For all of those seniors and for all the families who are walking an economic tightrope, balancing their food costs against their fuel bills and their fuel bills against their medical bills, my admonition this afternoon is that we have a long way to go, but today we really made progress.

Today, as a result of bipartisan work, we have an opportunity to ensure that by fall, on or before September 1, as the amendment adopted in the Budget Committee requires, we have a proposal that is bipartisan, that is one which provides meaningful relief for older people, that is voluntary, offers universal coverage, and is consistent with long-term Medicare reform. We can have that kind of proposal on the floor of the Senate this fall.

For the millions of seniors and families who are watching the Congress and looking to see if we can deliver on this issue, progress was made today. I particularly commend Senator SNOWE and Senator SMITH. Senator SMITH made a very constructive suggestion towards the end of the markup when we had a debate about when the Budget Committee was seeking a product from the Finance Committee. Senator SMITH offered a very constructive suggestion. If we can continue to build on that bipartisan progress, we can get this job done.

I believe—and I will wrap up with this—this country can no longer afford to deny coverage for senior citizens' prescription needs under Medicare. I use those words deliberately. People ask if we can afford to offer the coverage. I am of the view that we cannot afford not to offer this coverage because the revolution in American health care is about these new medicines that help people stay well.

I have pointed out repeatedly that one can spend $1,000 or $1,500 on anticoagulant medicines that help prevent strokes and can stop a stroke that costs more than $100,000.

Today, we made very significant progress in ensuring that no longer does the revolution in American health care bypass the Medicare program. I look forward to defending what was done in the Budget Committee on prescription drugs on the floor of the Senate when we get to the budget and working with the Finance Committee. Senators MOYNIHAN and ROTH have been very gracious in assuring there will be an opportunity for colleagues in both parties to contribute and offer their ideas and suggestions.

If we can continue to build on the progress that was made today in the Budget Committee, we will get this done, and we will get it done before the end of this session. In my view, this will revolutionize American health care and provide meaningful relief to older people and their families.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNETT). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

Mr. STEVENS. Mr. President, many of us worked very hard last year to reauthorize and update the Satellite Home Viewer Act.

Our principle accomplishment was to authorize satellite carriers to provide local television stations to their subscribers. This change has already spurred enormous growth in the satellite industry and is providing growing competition to the cable industry.

Unfortunately, the satellite providers—Echostar and DirecTV—made it very clear that their business plans did not contemplate serving rural areas. They were very busy, and they were very upfront in telling us that they were focusing their energies on the top 40 television markets.

So it was clear to Senators like myself who represent rural States that local-into-local was not going to be a reality unless we took additional action to encourage coverage for the 50 percent of the population that could watch the service being offered in television ads, but couldn't pick up the phone and order it.

We still see a lot of ''not available in Alaska and Hawaii'' fine print on advertisements.

They plagued us during telephone days, and now they are plaguing us in this period of rapid extension of new technology.

That is where the idea was born to provide loan guarantees to help make this service more available to more Americans.

All of us owe Senator CONRAD BURNS a debt of gratitude for pushing this issue so hard and for drafting the measure that was included in last year's

satellite bill. That provision was dropped.

While it was unfortunate that this provision was removed from the final bill, I am pleased that it is here today, albeit in another form.

It is my hope the Senate will move quickly to adopt this measure and will resist accepting amendments that would threaten its ultimate enactment.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I ask unanimous consent to speak as in morning business.

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

SENATOR TED STEVENS—ALASKAN OF THE CENTURY

Mr. LEAHY. Mr. President, I wish to say a couple of words about one of my oldest and best friends in the Senate, the senior Senator from Alaska, Mr. STEVENS.

Last week, Senator STEVENS was named ''Alaskan of the Century.'' Most of us feel pretty fortunate if we get named for the day, or possibly for the week, and sometimes even the month in our States. He was named ''Alaskan of the Century.''

Well, my good friend, TED STEVENS, deserves that. He has a way about him, as we all know. He keeps me humble. I might talk about the hardships of a cold winter day in Vermont. But then I see his eyebrows go up when he explains to me that 40 degrees below zero is just beginning to get nippy—it gets to 75 below in Fairbanks. At that point, I know I am beat.

TED STEVENS is a tireless legislator, a respected leader. He helped create the State of Alaska. How many of us could actually say something like that? He actually helped create a State with his tireless work and brought it into the Union. He did this having already served his country in so many ways. He was in the Air Force in World War II, served as a U.S. attorney in Fairbanks, and was also an Alaskan State representative. And this was on top of so many other things he has done. Today, of course, he serves with great distinction as one of the three most senior Members of the Senate and chairman of the Senate Appropriations Committee.

Senator STEVENS has consistently been a leader for our Nation's defense issues and has chaired the Senate Rules Committee, Governmental Affairs Committee, and Ethics Committee among others.

Senator STEVENS and I have served together for a long time. As members of the Appropriations Committee, both of us have worked to find economic opportunities for the rural communities that so many states, including our own, share. TED and I have also worked together through some of this Nation's most challenging times. During the divisive days of the impeachment trial, Senator STEVENS and I were chosen to fly to Jordan together as representatives of one, united Senate mourning the death of King Hussein.

Senator STEVENS is also a strong proponent of Title 9 and women's equality in sports. In fact, just this year he sponsored the Women in Sports Awards luncheon where Monica Seles was honored for her excellence on tennis courts throughout the world. I am sure that TED, an avid tennis player, tried to set up a game with her himself.

While he is unquestionably a great legislator, Senator STEVENS is also a proud father of six children and has a beautiful wife, Catherine. Senator STEVENS is an accomplished man with whom I am proud to serve in this United States Congress. Alaska, land of the aurora borealis and the Midnight Sun, has every reason to be proud of its senior Senator and this award shows Alaskans' gratitude and respect for his tireless work.

TED, congratulations on your well-deserved recognition as Alaskan of the Century.

TED and his wife, Catherine, have long been friends of myself and my wife, Marcelle. I consider him very much a member of the old school—when he gives his word, that is it; go to the bank with it.

I have seen several pieces of complex and important legislation go through this body because TED STEVENS gave his word they would go through—a word that he never broke with either Republican or Democrat. That is why TED STEVENS has gained so much respect.

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

Mr. LEAHY. Mr. President, I was a conferee last year on the satellite television bill. I worked very hard, along with a number of my colleagues, to put in a provision that would have ensured the benefits of this bill would be shared by rural America through a loan guarantee program.

I appreciate the work of the Banking Committee under the leadership of Senator GRAMM and Senator SARBANES to report out a bill which provides a strong framework in which to move forward with this program.

I appreciate the majority leader, Senator LOTT, and the Democratic leader, Senator DASCHLE, who worked out an agreement with the committee leadership that put the bill before the Senate today.

Senator MAX BAUCUS of Montana introduced legislation with me last year. He has now joined with me on some very constructive amendments which I hope can be accepted.

I am here today to stand with rural America. I am proud to be a son of rural America. I know that oftentimes the needs of this special part of our Nation must be heard on the Senate floor.

I am not trying to change the main thrust or the intent of this committee-reported bill. My amendments don't alter the structure of the bill. My amendments simply say that I want the board, which will have the job of approving these loan guarantees for local-into-local television, to look at one thing. If we are going to have loan guarantees for local-into-local television, we should give additional consideration to the projects that can provide high-speed Internet access and emergency Weather Service reports to rural America.

If rural America is going to have high-speed Internet access, it is going to have to rely on satellite service; cable companies are not going to put wire out for it. For most of those parts of the country, they are not going to have the kind of fiber optics that might do it. But they can do it with satellite service.

I hope we will not allow a digital divide between urban America and rural America. Give us the special access through the satellite system.

For example, say the board that is going to do the loan guarantees has two equally balanced satellite systems that might give the same level of service, and at about the same cost, but one would offer high-speed Internet access to rural families; I say give that one the loan guarantee.

In America, there is a growing disparity between the digital haves and have-nots as portions of our society get left behind at the same lightning pace at which Internet develops. Our amendment closes this digital divide.

Having broadband, especially in rural areas, can provide opportunities to the handicapped, to the elderly, to education, and everyone, along with business opportunities and entertainment. Whether you are sitting on the dirt road at my home in Middlesex, VT, whether you are out in rural Utah, or whether you are in rural California, it means you can have the same kind of Internet business, the same kind of access to information, and the same kind of access to educational opportunities.

My amendment would ensure that as long as the loan guarantee is to be made, the high-speed Internet access ought to be financed under the loan guarantee program, if there is excess capacity.

All we say is, before the board gives a satellite company a loan guarantee to provide rural satellite service, ask, first and foremost, Will you provide high-speed Internet access for the people in rural America? If you do, you have a better chance of being supported.

I want to provide a little history on this matter. A provision which we offered to conferees last year would have provided up to $1.25 billion in loan

guarantees to help finance the delivery of local broadcast stations to rural America. I pushed for that amendment because certain satellite companies were concerned that they could not cost-efficiently provide ''local-into-local'' satellite service to markets more rural than about the top 60 to 70 markets. That meant that bigger cities would get the local broadcast television service but that rural areas, by and large, would not.

Other Senators, not on the conference were also vitally interested in providing this service to rural America. I know that Senator BURNS and his key staffer on this issue Mike Rawson worked long and hard to get this language included in conference.

In addition, Senator BAUCUS introduced a bill which I cosponsored to address these rural concerns after efforts to include it in the conference report failed.

I do not want to be misunderstood, I want to point out that the leaders of the satellite industry—such as Charlie Ergen of EchoStar who is known for his creative and innovative ideas—want to provide this local service.

I want to congratulate Charlie Ergen for his recent partnership with iSKY which will offer consumers two-way wireless broadband access via satellite along with satellite television service. This broadband access will be 30 times faster than current dial-up speeds of 56k according to news accounts. Charlie has often been a leader in this arena and he has done it again.

I also want to point out that in Montana or my home state of Vermont, or in Alaska, or a Great Plains state, or elsewhere, receiving local broadcast television over satellite is more than entertainment.

Local television provides local weather, local news about emergencies, and local public affairs programming. It is a way for residents to better participate in government and to more effectively influence local government, school board or zoning decisions.

This bill that we are debating is indeed very important.

I need to emphasize a very important point. Section 336 of the Communications Act of 1934 sets forth requirements for the rollout to digital television. This bill in no way is intended to alter or change those requirements.

Thus, it is imperative for the Board to only approve loans made to finance a local television signal delivery system that will be forward compatible and in compliance with the digital television rollout requirements in the Communications Act.

It is thus common sense that applicants for loan guarantees under this legislation must be able to show that the proposed signal delivery system will be forward compatible. Applicants should be required to show how their proposed delivery system can be readily adapted to deliver local television signals in a format compatible with the digital rollout requirements. Without this, I do not see how the loans could be other than risky.

This conversion to digital television also cannot be ignored. I have met with Jim Goodmon, the CEO of Capitol Broadcasting, on this matter and appreciate his visionary role and his willingness to take the lead. Digital TV is more than just a crystal clear moving picture. Digital TV can use multiple channels and datacasting on their single digital channel to better serve the public. I have been advised that the same digital bandwidth used to broadcast HDTV can also transmit as many as three video channels and a data signal on the single digital channel.

Thus, during the recent floods that devastated North Carolina, WRAL–HDTV, a digital station in Raleigh, was able to simultaneously broadcast on one digital channel: coverage of a basketball game; continuous local news on flood conditions; the continuous sweep of the local Doppler radar showing where the rainfall was the most severe and the direction of the storm; and, a data broadcast alongside the video services that enabled home computer access to specific flood, traffic, rainfall and emergency information. Jim Goodmon and his staff down in Raleigh did a great job during this crisis and I commend them.

Thus, I do not want loans under this bill to interfere with the rollout under the Communications Act. Rural America deserves digital service along with urban America.

I want to raise an additional matter. I am concerned that additional steps will be needed to assure full competition in rural areas and convenience to consumers. In a nutshell, multiple providers of satellite service may be needed in many areas to provide service to rural customers. However, if the set top boxes and satellite dishes are incompatible with these systems then competition will be reduced and consumers will receive fewer services or have to purchase additional satellite receivers at an additional cost of hundreds of dollars.

This same integration or interoperability problem exists regarding program and schedule information. Access to program and schedule information would enable third party satellite providers to create integrated program guides. This would enhance consumer choices and provide more competition.

Resolving these interoperability problems so that multiple satellite TV signals, offered by competitors, can be accessed by consumers in a convenient and inexpensive way is in the public interest. The FCC should use all its authority to resolve these matters.

In addition to the points I have just made, and the amendments I have offered, I want to point out improvements in the bill which I hope can be addressed at conference. I believe that the three-person Board should have more of an oversight and loan approval role and less of a day-by-day management role. The management of the program should be with the Administrator of the Rural Utilities Service. For example, references to the Board on page 28 should be struck and the Administrator and the Board should work out the regulations together.

Also, the Board should delegate responsibility for loan guarantees of up to $50 million to the Administrator.

It is also important, to assure that this bill is not biased toward the cable industry, that spectrum rights be allowed to be purchased or leased with the guaranteed loans. If cable borrowers will be able to purchase cable and install that cable using the guaranteed loans then satellite borrows should be able to use the loan proceeds for spectrum rights, which is their medium to deliver signals.

I also support the amendment offered by Senators THOMAS and JOHNSON that would allow the Federal Financing Bank and the National Rural Utilities Cooperative Finance Corporation to participate in these loan guarantee programs. They could offer borrowers a lower rate than commercial banks and should not be excluded from this process.

In section 4(f) the full $1.25 billion in aggregate for all loans should not be artificially limited by including other debt in the $1.25 billion. In section 5(h) the Administrator, in consultation with the Board, should establish and approve the credit risk premiums and amounts.

To ensure that the Administrator can best protect the interests of the United States the text on lines 3 through 10 of page 38 should be replaced with the following: ''after exercising of rights and remedies by the Administrator any shortfall in the guarantee amount''. This would allow the Administrator working with the Board to restructure a loan if that were the best way to protect the government's interest. I am very nervous about section 5.

The Administrator should have more responsibility to manage the program. Daily management by a 3-member board that does not meet daily will not work very well. Also, section 5(l) appears to give state courts jurisdiction over the United States.

I am also worried about that unless more flexibility is provided under section 4(d)(2) and (3) that excellent loans for excellent projects will be needlessly denied because of the timing of when paperwork is done, or when the FCC approves certain regulations, or when spectrum rights are obtained. Also, the unnecessarily constraining collateral, security, insurance and lien requirements will make it very difficult for the program to work well. These duplicative constraints do not provide additional protection for the United States.

I will urge the conferees to provide a strong oversight role for the Board, greater ability of the Administrator to manage the day-to-day operations, more flexibility for the Administrator, a more level playing field with respect to cable TV, and other improvements.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I commend my good friend and colleague from Vermont for his leadership on this issue, as well as Senator GRAMM from Texas, and my colleague from Montana, Senator BURNS, and others who are addressing this issue. Frankly, there is a great need in rural America. I compliment him and thank Senator LEAHY for his work.

I am a cosponsor with Senator LEAHY in his efforts not only to help bring faster local-to-local service via satellite to rural America but also to help provide stimulus for more broad bandwidth coverage to rural America as well.

Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside.

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

AMENDMENT NO. 2900

Mr. BAUCUS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana (Mr. BAUCUS), for himself, Mr. LEAHY, and Mr. ROBB, proposes an amendment numbered 2900.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 25, line 10, insert after ''local television stations'' the following: '', and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 30, strike line 9 and insert the following: ''means by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 33, between lines 23 and 24, insert the following:

(B) ADDITIONAL CONSIDERATIONS.—To the maximum extent practicable, the Board should give additional consideration to projects which also provide related signals (including high-speed Internet access and National Weather Service broadcasts).

On page 33, line 24, strike ''(B)'' and insert ''(C)''.

Mr. BAUCUS. Mr. President, I ask unanimous consent that amendment be temporarily laid aside and that the previous amendment then pending be the pending business.

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

Mr. LEAHY. 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. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to speak in support of S. 2097, the Launching of Our Communities' Access to Local Television Act of 2000. I commend the senior Senator from Texas, Chairman GRAMM, for the great work he has done to bring the bill to this point. The bipartisan effort he has encouraged and the painstaking process by which he has produced this bill is to be commended. He has done a tremendous job of watching it from the banking perspective to make sure we could have the loan guarantees and that there would be neither favoritism nor the potential of putting banks or other institutions in financial trouble. He spent a great deal of time and effort on it. I appreciate the willingness of all the members of the Banking Committee to work together to get this bill to this point.

As many of you will recall, last year during the appropriations process, this bill would have been a part of that, but there was a lot of concern about how loan guarantees should work, not just loan guarantees for satellite television but loan guarantees, and this is a landmark effort to develop a pattern for banking loan guarantees.

Last November, Congress passed the Satellite Home Viewer Improvement Act to bring the law governing the direct broadcast satellite industry up to date and reflect the current state of technology. As part of that bill, Congress authorized, for the first time, satellite companies to retransmit local stations back into their local markets. However, due to satellite capacity, the two national direct broadcast satellite companies—DirecTV and Echostar—will only be able to serve the top 50 of 210 television markets. That is about 75 percent of the households in the Nation, but that leaves 160 markets, which is 25 percent of the Nation—a very important part, as Wyoming is included in that—without satellite-delivered local television stations. The two media markets in Wyoming are ranked 197 and 199. Remember, we are serving the top 50 out of 210. So 197 and 199 are way down the list, meaning that without some sort of incentive, local television will probably not be available in Wyoming.

The bill before us will provide that incentive. It establishes a Federal loan guarantee program to promote the delivery of local television signals at places such as Wamsutter, WY. The bill provides the criteria to protect the taxpayer to the maximum extent. The Congressional Budget Office estimates this bill could cost American taxpayers about $100 million less than previous versions. There is a cost involved, a potential cost.

The Banking Committee had to balance its need to protect the taxpayer and its need to provide a reasonable incentive to make investing in rural television service a worthwhile project for private risk capital. During the committee's deliberations on the bill, we looked at all the other existing government loan guarantees and examined what either made the program successful or, in some cases, caused it to fail. We have taken great care to ensure the loan program is fair and has the greatest chance of achieving the goal of providing local television service to rural America.

People rely on TV not just for entertainment but for news and weather and special warnings of impending disasters. Children rely on it for educational programming, and soon students will need improved access to the information superhighway. The more rural a person is, the more that person needs to have access to TV for critical information as well as for entertainment. Almost 40 percent of Wyoming television households are satellite subscribers, the third highest penetration rate in the Nation. People are not choosing satellite over cable or some other system but are satellite subscribers because it is the only way to receive any sort of television programming.

Wyoming has television stations in only three cities: Casper, WY, about 48,000 people; Cheyenne, 50,008; and Jackson, which fluctuates during the season but I think is listed at about 6,500 people. The rest of the State is served by stations from out of State or by relay transmitters that bring Wyoming stations to outlying towns.

Wyoming has vast open spaces. The borders on Wyoming are about 500 miles on a side, with that big square out there. It gives us a little difficulty with lapel pins because we are not recognizable.

We have low populations and lots of distances. We have high altitudes and low multitudes. We have tall mountains that make the best efforts by over-the-air broadcasters and cable companies even more difficult. For households that are in remote areas of the State beyond the reach of cable and relay, satellite is the only reliable and cost-effective choice.

But until now, satellite has had one distinct drawback. There was no way to get the news or other local programming through reliable access to a local Wyoming television station. It is doubtful that without some kind of Federal encouragement local television stations would be available to rural households. This bill provides the proper incentive. It gives equal opportunity throughout the United States. It is important to rural Americans, and I do urge my colleagues to support it.

Mr. President, I yield the floor 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. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, I wanted to come back this afternoon—I

talked some this morning—to talk about this bill. It is a very important bill to us. It is one that provides an opportunity for us to have local television in rural areas. There is great support for this idea. We are trying to find a way to put it into the proper perspective in terms of the lending of money to guarantee loans that will cause this to happen—I agree with the chairman—where we have 80 percent of a loan guaranteed by the Federal Government, but that the remaining 20 percent be done in the private sector without further guarantees by the Federal Government, by the taxpayers, so there is that sharing of risk and that incentive to continue to be very careful with these kinds of expenditures. There is no question that this is a somewhat risky operation, something that is new and technically different.

The conversation we are having currently, of course, is to provide an opportunity for CFC, the Cooperative Finance Corporation, to be a participant. CFC was formed in 1969 by the Rural Electric Cooperatives and provides private capital. I have worked with it a great deal, having been manager of a rural electric association in Wyoming for a number of years.

CFC was not created by the Federal Government and does not receive Federal funds. This is a private corporation. CFC has 31 years of experience in lending to rural electric systems, and since 1987 has provided more than $3 billion to rural telecommunications projects.

Our Wyoming rural electrics, starting 15 years ago, were involved in bringing satellite TV to rural consumers and have been doing that from a programming standpoint. Unfortunately, we could not get our local stations, and that is what this is all about. This is something the rural electrics have been involved in for some time.

CFC is AA rated. It has $16 billion in loan assets. Over 31 years, CFC has had only $77 million in losses and has loss reserves of $235 million.

This is a strong organization and one that is capable of doing this work. Furthermore, it is owned and operated by citizens, by rural people, by boards of directors of the rural electrics, by people who are elected to serve.

What we want is to give an equal opportunity for this unit to give loans and to participate as well as others.

CFC has backup lines of credit with 50 banks. These lines of credit amount to about $5 billion. This is a large group. We have heard some information about the allegation that a loan loss by CFC will result in rate increases to 25 million consumers. I think that is very farfetched. I do not believe it is accurate.

If CFC incurs a loss, CFC, as a private corporation, will incur the loss, with no liability to the Federal Government.

If CFC incurs a loss and its interest rates increase, rural utilities are free to borrow from other lenders, including banks and other finance companies.

Co-ops are not responsible for repaying CFC losses or obligations. What we need to do, of course, is to ensure they are treated like others in the private sector. But this idea that they somehow have a special advantage in that any losses can be passed on to rural electric consumers in the electric business is not true. We have heard a great deal about that.

The bottom line is, in the worst case scenario, CFC's rates could increase and co-ops would then borrow from other entities.

CFC is a private cooperative. It is paternalistic to set up this private organization to have people governing under the rules of private sector and private enterprise and to suggest the Senate ought to design for them their rules. I reject that idea.

I am happy to say we are seeking to find some language that will satisfy the need to move forward with this bill and also to provide an equal opportunity for CFC to participate without unwarranted supervision. I am hopeful we can find that arrangement.

We ought to make that discipline work. I think we can, and I certainly look forward to working with others this afternoon so we can pass this bill and move toward rural communications and local-to-local communications.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The Johnson amendment No. 2898.

Mr. BREAUX. Mr. President, because an amendment is pending, rather than ask it be set aside to offer another amendment, I will make a few comments about something I intend to do. I am glad the distinguished chairman of the Banking Committee is here, so he has a chance to listen to some of the comments and maybe have a dialog on what I am attempting to do.

First, I congratulate the chairman of the Banking Committee and the Senator from South Dakota and all those on the Banking Committee who have worked so hard to bring this legislation to the floor. It truly addresses a very important need for rural America, and that is the guarantee that people in rural America are not going to be treated as second-class citizens when it comes to their access to the information age.

This legislation addresses a problem of allowing companies that provide satellite television and broadcast signals getting into rural parts of America and providing them the same type of quality information services that someone in the city of Washington, DC, or any of the large metropolitan areas of our country are already receiving because that is where the people happen to live.

The people in rural Texas or in rural South Dakota or the people in rural Louisiana are no less important than people in the large cities of America. Without this legislation, it is very clear that people in these areas will not have access to this information because, in many cases, it is not economically feasible to spend large sums of money to provide information to sparsely populated areas of our country. That is unfortunate, but that is recognizing the way things are.

The purpose of the legislation, as I understand it, is to lower the overall cost of bringing satellite and television broadcast to rural America, something that has almost unanimous agreement and is in the national interest. Without this legislation, people in rural areas would simply not have the same advantages as we do in urban areas. Clearly, this is very important.

One of my concerns, I say to the distinguished managers of the bill, is that when you look at what it costs to bring broadcast signals to rural America, it is not only a question of building satellites for rural areas and moving into these areas.

That represents about 45 percent of the cost of the actual satellite. But getting the satellite, obviously, launched into space represents about 37 percent of the total cost of bringing broadcast signals, through satellites, to any part of this country.

I think you have to agree that a significant cost associated with all of what we are trying to do today is actually launching the satellite into space in order to bring the broadcast signals to all parts of the United States. Forty-five percent is the actual satellite cost; insurance is 12 percent; the ground costs are another 6 percent. But a very significant portion of the cost of bringing a satellite into working condition is the cost of launching it. More than one-third, as I have said, of the cost of the satellite is expended when the actual satellite is launched into space.

Clearly, it would further our goal of lowering the cost of bringing these services to rural America if we could also lower the cost of transportation, which is a very significant cost throughout our country.

Launch costs, obviously, are a very significant component of the overall satellite costs, but I think they can be reduced. That is why I take the floor this afternoon to make a suggestion.

The authors of the legislation, again, who are to be commended for their vision, have clearly indicated that launch costs were on their mind when they crafted the bill.

I was looking at the legislation, and clearly the legislation, on page 30 of the actual bill that is pending before the Senate, talks about the type of loans this bill envisions. It says:

. . . a loan may not be guaranteed under this Act unless—

It spells out what the ''unless'' is. But what it actually says is that, in other words, it will be allowed if it does the following. In other words, a loan

can be guaranteed under the legislation pending before the Senate if:

the loan is made to finance the acquisition, improvement, enhancement, construction, deployment, launch, or rehabilitation of the means by which local television broadcast signals will be delivered to an unserved area or underserved area . . .

Therefore, the bill, as it is currently pending before the Senate, talks about trying to make loans available to cover a number of things, one of which specifically mentioned in the bill is the launch of satellites designed to bring broadcast signals to rural parts of America.

As I tried to point out initially, 37 percent of the whole cost of this project is in the launching of the satellite. Obviously, without the launching of the satellite into space, you, in fact, are not going to ever complete the rest of the project. I think it is very relevant, when the bill talks about a loan guarantee program, that the launch is listed as one of the means by which broadcast signals are ultimately brought to all parts of America.

I think, for that portion of the industry that launches the satellites into space, the loan guarantee is very important. An interesting thing that I would point out is, when you are in the launch satellite business, when you are in the business of building a spaceship to, in fact, launch a vehicle, you have been competing against other countries where their governments do it. You are competing against industries that are totally financed by their respective governments because it has been in their national interest to do so.

In the past, that is also what we have done in this country through the National Aeronautics and Space Administration, where NASA has used the shuttle to launch the satellites into space, and the taxpayer has been paying for the cost of those vehicles. But, clearly, NASA is getting out of the business. We are trying to say to the private sector: We want you to move into this business. We want you to build the launch vehicles. We want to create a new industry in the private sector, get the Government out of the business of launching broadcast satellites, and let the private sector do it.

But one of the disadvantages our private sector has is that they are competing against other countries that are involved in doing this, and they cannot compete on a level playing field. What we are suggesting is that we help the U.S. industries become involved in this in a competitive fashion, which I think is very important.

U.S. companies that are having to compete against other countries are not able to compete on a level playing field. Therefore, when the country of China or the country of France—highly subsidized by their Governments—is trying to sell their launch vehicles to the United States, obviously, they can do it at a price that makes our companies not able to compete.

I think the authors of the bill are right on target. Some might say: The Government should not be in the business of loan guarantees. It is not a function of our Government. The exact opposite is true.

Historically, the U.S. Government has sought to assist the private sector by saying, we are going to help—we are not going to monopolize it; we are not going to do it, but we are going to help the private sector do it. One way we can help certain activities that are important to our country is by loan guarantee programs.

I point out, for the commercial shipbuilding industry—very important to my State and to the State of the Senator from Texas, as well as all the States along the coast that have the shipbuilding industry—we have had a title 11 shipbuilding guarantee program, in which companies have been able to go into the private market, borrow money from the private sector, from private banks, from private insurance companies, and having a certain portion of that loan guaranteed by the Federal Government. It allows them to get a better interest rate and allows them to get financing for something that may not be able to be financed otherwise.

Where we have tried it before, in the area of shipbuilding, it has worked very well. It has worked at a profit to the U.S. Government because the loans have been paid back. The Government has made money. The work was done. The ships were built. The Loan Guarantee Program was an integral portion of it.

Currently, when you look at whether financial assistance is available in this area in the private sector, without any help from the Government, it is interesting to see what the comments are from those in the financial markets.

We have had hearings on this legislation before the Senate Commerce Committee. One of the companies that does the bulk of financing these launch vehicles is Donaldson, Lufkin & Jenrette. When they testified before the Senate Commerce Committee, as the largest group of investment bankers in the country, they talked about the problem of being hampered by the inability to find the necessary private financing for these types of ventures, particularly when they are, in fact, competing against other countries that are government-financed 100 percent.

They pointed out in their testimony that in some cases the cost of the launch vehicles, and the insurance that goes with it, almost equals the entire cost of the satellite itself. So if we want to help bring broadcast signals to rural areas, we cannot just look at the satellite itself that needs to be constructed, you also need to look at the vehicles that would be built in order to launch those satellites into the sky.

It was really interesting, colleagues, that last week we had the head of the National Aeronautics and Space Administration, NASA, before our committee. Dan Goldin was testifying. I asked him a question about this concept. He said the provision was very innovative. He said this provision:

. . . would help small and big rocket companies to overcome critical barriers so that we have technology that will allow us to improve the reliability ten times and cut their cost by a factor of ten. This will enable us to have private launch services not involving the Government. This bill makes sense to me.

This is the person who is the head of NASA saying that this idea of having a loan guarantee for the launch vehicles is something that makes sense to him, that it would allow us to increase the reliability by 10 times, and that it would allow us to decrease the cost by a factor of 10, which is very significant.

Obviously, we should be looking for more reliable launch vehicles. We should be looking at vehicles that cost a lot less. The Government should not be in the business of building the launch vehicles, but we can assist companies—small companies and large companies—by making it easier for them to get adequate private sector financing for these very important ventures. I have not offered an amendment, I say to the distinguished Banking Committee chairman, because there is an amendment pending at the current time, I did want to outline the concept of an amendment I am prepared to offer, and will offer, as to the feasibility of saying that if you are going to have a loan guarantee program for the actual satellite, there is a desperate need for a loan guarantee program for the vehicles that will be required in order to launch the satellites.

We have in the past used foreign launch vehicles from France, China, and the Ukraine, using Ukraine launch vehicles because there is not an adequate supply of launch vehicles in this country. Those rockets and launch vehicles have been inadequate. They have been imperfect. They have had failures and at a great expense to the satellite industry in this country. How much better would it be if we were to have a viable, growing private industry in this country that were assisted by a loan guarantee program to enable them to get adequate financing in the private sector in order to launch the satellites for the purpose of bringing broadcast signals to rural areas as well as to urban areas in the country.

Due to the fact that an amendment is pending, I will not be able to offer my amendment at this time. I yield the floor until such time as it is appropriate for me to offer an amendment. 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. GRAMM. 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. GRAMM. Mr. President, I thank our colleague from Louisiana for raising the obvious point that one of the

technologies that would be potentially subsidized under this bill is satellite technology. If you are going to have a satellite, you have to put it into orbit. We have been for some time in the process of trying to commercialize space. There are companies now that are beginning to respond to that potential with real investment and real potential.

The question the Senator from Louisiana asked was, Would not this be a good time to address this additional problem? Personally, I believe this is something that will have to be addressed and looked at. The big difference is, on the loan guarantee proposal before us, we have had a series of hearings. We have gone to great lengths to try to minimize the potential exposure to the taxpayer. We have tried to call in technical expertise to be sure we understand what we are doing.

In terms of expanding this program now on the floor of the Senate to launch vehicles, I don't see how we could possibly get that job done. I think this is, in terms of this bill, a bridge too far. I think it is something that will be looked at. I know, from having talked to them personally, there are at least two private companies that are interested in commercial launching to try to do in America what we are contracting out to France and to China.

We have two problems in considering this today. One is that under unanimous consent, only relevant amendments are in order. This amendment would be deemed to not be relevant, in my opinion.

Secondly, I could do my due diligence as chairman of the Banking Committee to agree to an add-on loan guarantee on the floor of the Senate when we have not held a hearing, when we have not looked at it, when we know relatively little about the technology, the public/private competition, the economic feasibility of the project. We don't have any scoring from CBO as to what it would cost. It may very well be at some point, someday, we will be in a position of looking at the proposal that has been made by the distinguished Senator from Louisiana. I don't believe we are at that point today.

Obviously, the Senator has a right to offer his amendment. I do not believe we should adopt his amendment today. I think we are already carrying a pretty heavy load on this bill. In order for this to go forward as it is now written, the Appropriations Committee is going to have to appropriate a quarter of a billion dollars. I believe we would have a train that would be overloaded if we added this loan guarantee to it today.

I am not hostile to what the distinguished Senator from Louisiana is trying to do. I simply do not know enough about it to make that decision today on the floor.

Before I could get to the point of making a decision on it in the Banking Committee, we would have to meet with a lot of different people, a lot of different competing technologies. We would have to meet with NASA. We would have to analyze this in detail. We would have to do our due diligence. We would have to hold public hearings. We would have to go through a markup in the Banking Committee to try to refine it, as we have the bill that is now before us. We are just a long way from that.

I am sorry I am not in a position of being able to support the Senator from Louisiana. As of today, I am not.

Mr. President, I withdraw amendment No. 2897. That will pull down my amendment and pull down the Johnson amendment with it.

The PRESIDING OFFICER. The amendment is withdrawn.

The question is on agreeing to the Bunning amendment, No. 2896.

Mr. BUNNING. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. GRAMM. 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. GRAMM. 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. BUNNING. Mr. President, I ask for the yeas and nays on the Bunning amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GRAMM. Mr. President, I ask unanimous consent that the vote on the amendment be stacked after the first vote we have today.

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

The Senator from Louisiana.

Mr. BREAUX. Mr. President, I will address my remarks to some of the points the Banking Committee chairman made, if he will give me his attention, regarding some of the concerns he raised in his comments about the amendment I outlined but have not yet offered.

On the point the chairman raised, that we do not have a scoring on the amendment, the scoring is very simple. It is $250 million. That is what is authorized. We don't authorize a nickel more or a nickel less. It is not difficult to figure out the scoring and the cost of an amendment that authorizes $250 million. It is $250 million, if that amount is in fact appropriated.

He also said we needed to have hearings on this amendment. The Congress has had hearings on the amendment. We had hearings in the Senate Commerce Committee. We had people from industry testify. We had large and small companies testify. We had the head of the National Aeronautics and Space Administration testify. We had a sufficient number of people testifying about the pros and cons.

He raised the point that we should hear from NASA as to their opinion. I provided the opinion of NASA when I quoted from the statement of the distinguished Administrator of NASA, Dan Goldin, in which he said this amendment could conceivably increase launch vehicle reliability by 10 times and decrease the cost by a factor of 10.

So there could not be a clearer statement. He concluded by saying: ''This bill makes sense to me.'' You can't get a clearer statement from NASA as to what they think about the amendment. There could not be a clearer statement about the cost of the amendment other than the fact that we authorize $250 million, not a nickel more, not a dime less but $250 million.

So it is very clear. One, we know what the costs are; two, we have in fact had hearings in the Senate on this question; three, we have heard from industry, both large companies and small companies; and finally, we have heard from NASA, which said that it makes a great deal of sense to them, including the fact of reducing the cost of launching vehicles by a factor of 10. I don't know who else we can possibly ask to come before the Congress and address this question.

The final point—and I will not prejudge the ruling of the Chair—is on the question of the relevancy. It is clear that the bill before the Senate right now covers the cost of launching satellites to bring broadcast signals to rural America. It is in the bill. The bill clearly says that the loan guarantees are for the acquisition, improvement, enhancement, construction, deployment, and launch of satellites—the means by which local television broadcast signals will be delivered. Well, launching a satellite is absolutely essential and totally relevant to putting satellite broadcast signals into rural America. It could not possibly even be more relevant to the bill before the Senate. The bill itself talks about launching satellites.

My amendment provides a loan guarantee to launch satellites. If that is not relevant, I am not sure what would ever be relevant. We are not talking about germaneness. We are talking about relevant to the bill before the Senate, and this is a loan guarantee for launching satellites to bring broadcast signals to rural areas. My amendment creates a loan guarantee program to launch satellites to bring broadcast signals to rural America. It does it through a different department, but obviously it has to be relevant. You don't have to have exactly the same language in an amendment as the bill for it to be relevant. It has to be relevant to what the bill does that is pending before the Senate. I think the question of relevancy is very clear.

The fact that we have had hearings in this Congress on this specific amendment, and the fact that we have had

NASA testify in favor of this amendment and say it would reduce the cost by 10 times, reduce the liability by a factor of 10, and the fact that we have had industry, both small and large companies, appear before Congress and testify as to their opinions on this means that we have had hearings, we have the support, and it is certainly relevant, and I think it is the right public policy.

While I can't offer the amendment at this time because another one is pending, we will do it at the appropriate time.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

Mr. JOHNSON. 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. BREAUX. 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. BREAUX. Mr. President, what is the current business before the Senate?

The PRESIDING OFFICER. The amendment of the Senator from Kentucky, No. 2896.

Mr. BREAUX. The yeas and nays have not been ordered?

The PRESIDING OFFICER. They have been ordered.

Mr. BREAUX. Is it in order to ask unanimous consent to temporarily set aside that amendment in order to offer an amendment?

Mr. GRAMM. Reserving the right to object, people yell at me so much, I don't hear so good. Will the Senator repeat that?

Mr. BREAUX. I am asking to set aside the pending amendment to offer my amendment. Is that appropriate?

Mr. GRAMM. That is fine.

The PRESIDING OFFICER. It is in order to make that request.

Mr. BREAUX. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside in order to offer my amendment.

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

AMENDMENT NO. 2901

Mr. BREAUX. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana (Mr. BREAUX) proposes an amendment numbered 2901.

Mr. BREAUX. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

Section 4(d)(2)(a) of S. 2097 is amended by striking the word ''launch,''.

S. 2097 is amended by inserting the following Section 5A:

''SEC. 5A. APPROVAL AND ADMINISTRATION OF LOAN GUARANTEES RELATING TO LAUNCH VEHICLES.

''(a) AUTHORITY TO APPROVE LOAN GUARANTEES RELATING TO LAUNCH VEHICLES.—To further the purposes of this Act including to reduce costs necessary to facilitate access to local television broadcast signals in unserved and underserved areas, without unnecessarily creating a new administrative apparatus, the Secretary of Transportation is authorized, subject to the provisions of this Section, to approve loan guarantees relating to space launch vehicles. For this purpose, the credit assistance program established in Section 1503 of Chapter 1 of Subtitle E of the Transportation Equity Act for the 21st Century, Pub. L. No. 105–178, is expanded to include projects for the design, development, and construction of space transportation systems and infrastructure, including launch and reentry vehicles subject to the licensing requirements of Section 70104 of Title 49, United States Code.

''(b) FUNDING.—To fund the cost to the Government of loan guarantees provided under this Section for space transportation systems and infrastructure projects, there is authorized to be appropriated $250 million for Fiscal Year 2001, and such other sums as may be necessary for each of Fiscal Years 2002 through 2005. From funds made available under this subsection, the Secretary of Transportation, for the administration of the program, may use not more than $2 million for each of Fiscal Years 2001 through 2005. For each of Fiscal Years 2001 through 2005, principal amount of Federal credit instruments made available for space transportation systems and infrastructure projects shall be limited to the same amounts set forth in Section 1503 of Chapter 1 of Subtitle E of the Transportation Equity Act for the 21st Century, Pub. L. No. 105–178.

''(c) REGULATORY AUTHORITY.—To carry out the provisions of this Section, the Secretary shall, within 120 days after enactment of this Act, adopt such regulations as he reasonably deems necessary. Such regulations shall not be inconsistent with the provisions of Section 5 of S. 2097, the ''Launching Our Communities' Access to Local Television Act of 2000.''

Mr. BREAUX. Mr. President, I made remarks earlier about the intent to offer this amendment. I will not repeat the arguments in favor of it. I will only summarize by saying the Senate Commerce Committee had a complete and full hearing. The distinguished chairman of the subcommittee is on the floor today. We had the privilege of hearing NASA Administrator Dan Goldin testify on this amendment, saying it would save as much as 10 times the cost of a launch vehicle and improve the reliability of those by a factor of 10. We are hearing from big launch companies and also small launch companies that are interested in this industry, and trying to improve it.

We had testimony from people in the finance business who speak to the difficulty of getting adequate financing in the private sector because of the questionable nature of the launch vehicle industry and testifying to the fact that a loan guarantee program would be very helpful.

The final point is that when you talk about bringing satellite broadcast signals to rural America, you cannot just talk about the ''big ball'' that, in fact, is the satellite. You also have to talk about how you get the satellite into orbit around the country. Thirty-seven percent of the cost of bringing that broadcast signal to rural America involves the cost of the launch vehicle.

Currently, the United States relies on China, France, Ukraine, and other countries that are not market-based countries but, rather, are countries in which their industry is financed 100 percent by the government. Our companies cannot compete unless we have a level playing field.

Therefore, the concept of providing a loan guarantee program of a definitive amount of money we know will cost $250 million. That is the money authorized. It would have to go through the Appropriations Committee to get the appropriations, but it could not be any more than $250 million to create a loan guarantee where they could go to the private sector and get a loan from the banks. Having a percentage of it guaranteed by the Federal Government is good, sound economic policy. It is good broadcast industry policy. It is a policy this country should embrace. In areas where we have done it before, as in shipbuilding, it has worked very successfully.

I suggest this amendment is very relevant because the bill itself is clear that the Loan Guarantee Program ''is for the acquisition, improvement, enhancement, construction, deployment and launch''—emphasizing launch—''rehabilitation or the means from which local TV broadcast signals will be delivered to an unserved area or underserved area.''

It is clearly relevant, and both amendments are an effort to try to help through loan programs the delivering of broadcast signals to rural America.

This is not a germaneness question. It is a relevancy question. If this is not relevant, I don't know what would be relevant on an amendment on the floor of the Senate.

Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, as I said before, I have some sympathy for the Senator from Louisiana. I think this is obviously a very real issue to be considered. But the bottom line is we are on the floor with a bill that has been a year in the making having to do with our goal of trying to see that everybody who lives in rural Texas or rural America has access to their local news and local weather and to the local television station.

You could write volumes about what we don't know about this subject, even though we have worked on it for a year, even though we have had extensive hearings, even though we have had innumerable private meetings, and even though we have gone through a markup in committee where we have

debated it at some length and reached some consensus on it—not total consensus.

The problem with the Breaux amendment is that this is an area, while it is obviously of importance in terms of one potential technology that might be used in the bill—and that is a satellite—we in our bill are not setting out technology as such. We are letting the marketplace decide that. The point is we have had no hearings. We have heard from no one. We have not discussed, analyzed, or studied this in any detail. We are not ready to make a decision on this today.

Under the unanimous consent agreement entered into on November 18, no amendment is in order which is not deemed to be relevant—not relevant to mankind, not relevant to any problem facing us in the future, or any opportunity but relevant specifically to the bill that is pending before the Senate.

I make a point of order that the amendment offered by Senator BREAUX is not relevant.

The PRESIDING OFFICER. In the opinion of the Chair, the amendment is not relevant and the point of order is sustained.

The Senator from Louisiana.

Mr. BREAUX. Mr. President, I take it that the Chair is not in the position to give a reason behind the ruling.

The PRESIDING OFFICER. The program in the amendment is not what was envisioned by the unanimous consent agreement.

Mr. BREAUX. I inquire of the Chair: Is that not an argument for the question of germaneness as opposed to the question of relevancy?

The PRESIDING OFFICER. Germaneness is a different test which is not at issue here.

Mr. BREAUX. Further parliamentary inquiry: Is not the statement of the Chair relevant to a question on germaneness as opposed to a question of relevancy?

The PRESIDING OFFICER. The statement of the Chair was with regard to the relevancy standard.

Mr. BREAUX. I will not pursue it. Obviously, I accept the ruling of the Chair.

Mr. GRAMM. 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. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FITZGERALD). Without objection, it is so ordered.

Mr. GREGG. I ask unanimous consent to speak as in morning business for 10 minutes.

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

TERRORISM

Mr. GREGG. Mr. President, back in February of 1993, as we all remember so vividly, the World Trade Center in New York City was bombed. Over 1,000 people were wounded and 6 people were killed. Two years later, the Federal building in Oklahoma was bombed; 168 people died, including many children.

These two very tragic events highlight the potential threat this country is subjected to and, in fact, has been subjected to in the area of terrorism. The threat of terrorism was further reinforced with the events in Africa where two of our embassies were bombed 3 years ago.

The Commerce, State, Justice, Appropriations Subcommittee, which I chair, directed the Attorney General to develop a plan to address terrorism which would be a Governmentwide plan, an interagency counterterrorism plan. The Attorney General, in a very conscientious effort, put together a 5-year interagency counterterrorism and technology crime plan. It was an excellent proposal. This proposal was put together by the Attorney General 3 years ago. It basically became known as the bible—for lack of a better or more descriptive word—as to how we should proceed in the area of developing a Governmentwide strategy in order to address terrorism, something we hadn't done up until that point.

It wasn't just to focus on Federal Government agencies but, rather, it went beyond that and talked about how we needed to integrate the private sector and State and local governments in our efforts to address terrorism. It had a large number of functions within it, a large number of areas that had to be addressed, as was obvious to those of us who took even a cursory look at the issue of terrorism.

Unfortunately, we, as a culture, were not ready to address terrorist acts because we are an open culture. The essence of our culture is freedom, the ability of people to move freely among our society. It is very difficult for us to deal with people who are willing to kill indiscriminately simply to make their points of view known. It requires a lot of thought and effort for us as a nation to address a problem such as terrorism. That is why we asked for this 5-year plan to be developed.

As part of this 5-year plan, one of the key things we believed we needed to address was the fact that there really wasn't anyplace where all of the issues of terrorism were being brought together. There were something like 43 different agencies addressing some element of the terrorist threat. This was not counting the issues of State and local government involvement and the issue of the private sector. For instance, how would the private sector address a terrorist threat to our power grid and our telecommunications systems.

One of the first things deemed necessary to do was to develop a centralized place where people could go, whether they happened to be in the Federal Government, State and local government, or whether they happened to be in the private sector, a centralized place where people could go and find out how to approach the issue of preparing our Nation to be able to handle the terrorist threat. An office was designated to be created called the National Domestic Preparedness Office, or the NDPO.

The NDPO was essentially to be a one-stop shopping center on the issue of how we address the threat of terrorism as a nation, a very important activity. It was to include participation by DOD, the Department of Defense, by FEMA, by HHS, Health and Human Services, by the Department of Energy, by the Environmental Protection Agency, by the Attorney General, and by the FBI. State and local authorities were to be included for participation in this office. It was to be a central agency which had all the players needed to be at the table—up and functioning and continually available as a resource to address the threat of terrorism.

Unfortunately, this administration has treated the issue of terrorism as a stepchild. When there is a terrorist event, they react. In some instances, they react arbitrarily and ineffectively, as they did in reaction to the African situation where they essentially ended up targeting a facility in Sudan. It is still very much an issue, as to whether the facility was actually producing any chemical weapons. Also, they attacked a facility in Afghanistan. Rather than assisting our ability of tracking down the terrorist Bin Laden, it made it obvious to him that he could never again have a joint meeting of his terrorist forces. Thus, he scattered them to the wind and we have had much more trouble tracking them down.

The response of this administration has been a PR response, to be quite honest, on the issue of terrorism at many levels. When it comes to actually substantively addressing the issue of terrorism, this administration's response from the top has been woeful.

I will acknowledge, in fact I will cite and congratulate, that at the agency level there is an ongoing, aggressive, and very positive effort to address terrorism. But, for some reason, there is an unwillingness in the White House to genuinely focus on this issue in a way that produces results.

One of the most glaring examples of that unwillingness to focus is the fact that the NDPO—the office which was supposed to be the one-stop shopping center for people who wanted to get ready to address a terrorist event—hasn't really been allowed to wither on the vine because they never even planted the seeds to get the vine growing. The office has not been funded. In fact, the travel funds which were supposed to be applied to it have been cut off. The office has been unable to get reprogramming through OMB, even though the Attorney General has requested on a number of occasions to get reprogramming through OMB to allow the office to function effectively.

The FBI Director has not been able to get reprogramming through OMB that has allowed the office to function effectively. The State and local advisory groups which were supposed to be set up to bring the first responders—the local police, local fire, local health officials who have the knowledge and the expertise to do the job right and do it in a coordinated way with the Federal Government—in to advise the NDPO has not been energized in any effective way. We do not get the standardization on equipment we need. We are not getting the leadership from the top that we need in the area of making the States and local people as knowledgeable as we can.

I will say this: At least in the other areas where we are trying to educate first responders, such as our initiatives across this country in education, we are making progress. But the central management agency has been ignored.

We understand the reprogramming that the NDPO needs in order to fund its activities effectively for this year will not be adequately fulfilled. So this agency has been allowed to simply sit there and has not been energized. In fact, as I understand it, the person named director of the NDPO has recently, within the last week, asked to be transferred out of the job. I do not know why he asked for that, but I certainly can guess. I suspect it is because of the frustration of doing a job where he was not getting the support he needed from the White House and from this administration to do it effectively.

Terrorism is not a political event. It should not be used for the purpose of initiating press conferences or trying to drive poll numbers. This is an extraordinarily serious issue. We as a nation need to have a Government that doesn't approach this issue in a manner which involves something less than a total commitment. Yet that is the way it is being approached by this administration and its failure to fund, organize, and energize the National Domestic Preparedness Office.

This same problem was highlighted in a news story in the Wall Street Journal relative to another issue of terrorism. It was again requested by the subcommittee I Chair in this Congress that there be exercises—much like our military undertakes—to determine our readiness to deal with a terrorist event. During the cold war days, if you were in the Strategic Air Command, every 6 months you knew, if you were on a Strategic Air Command air base, at some point during that 6 months you were going to have a full-scale alert, and you were going to have to act as if you were in a confrontation with the Soviet Union.

That was the way we kept our forces current and that is how we found out the problems in our systems. It is the way it is still done in the military. You have what amounts to war games in order to determine whether or not you are ready to participate in a real, live event. Well, terrorism is war. It is war on our Nation, and we know there are people out there who intend to exercise their ability to wage war on America. They have already done it. We need to go through the exercises of determining whether or not the agencies that are going to be responsible to protect the American people are ready to respond in the case of a terrorist event.

So we asked the administration, to pursue exercises to determine whether or not we are ready—mock exercises. These were to take place in three different communities across our country. Now, in a recent report in the Wall Street Journal, it was stated that some of the top agencies that are involved in this exercise are basically taking a laissez-fair attitude toward the exercise and are basically saying that they may participate but participate at a very low level of operations, or they are going to participate with very low level personnel—not that they won't be good personnel, but they won't be the personnel who have the final responsibility in the event of a real terrorist event or attack on our country. That would be unfortunate.

The Attorney General, I understand, not directly but indirectly, believes she is getting commitments from the various agencies to fulfill their role of having senior personnel at DOD, DOE, HHS, EPA, FEMA, and State, and obviously the Attorney General and the FBI—senior personnel—involved in these exercises, so that we know when we have a problem, the people who can resolve them are physically there on site and can observe the problem and can participate in resolving and developing a response to the problem.

Now, the Attorney General tells me, indirectly through my staff, that the news story may not have been completely accurate. But the news story quoted some sources and said certain agencies within the administration were not going to be seriously committed to this exercise. That, again, in my opinion, shows the laissez-fair attitude this administration has taken toward preparing this Nation to address a terrorist event.

As I said earlier, terrorism is not a partisan issue, not a political issue; it is a serious threat to our country. It has to be addressed aggressively and professionally by the agencies that are responsible. The Congress can only do so much. We have funded aggressively antiterrorism efforts. We have set up structures, working with the agencies to try to make sure that we have a coordinated response. We have requested that the agencies involved participate in trying to make sure that they are as ready as possible for a horrific event. But all we can do is fund and request. If we don't get cooperation and enthusiasm and commitment from this administration, then we will not have success.

So I have come to the floor today to highlight what I am very concerned about and what I think we should all be concerned about, which is whether or not there is a sincerity of effort occurring within this administration to get us ready to address a potential terrorism threat to the United States.

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. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

Mr. GRAMM. Mr. President, the chairman of the Judiciary Committee is concerned that some language we took from the Burns amendment, which was in the bill last year, might potentially create some problems.

On Senator HATCH's behalf, I offer an amendment to strike several lines from the bill that have to do with an attempt on our part to guarantee that we weren't changing communication law. But, as often happens, no good deed ever goes unpunished. So we want to strike this.

AMENDMENT NO. 2902

(Purpose: To strike the provisions relating to retransmission of local television broadcast stations)

Mr. GRAMM. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment will be laid aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas (Mr. GRAMM), for Mr. HATCH, proposes an amendment numbered 2902.

Mr. GRAMM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 49, strike lines 1 through 13 and insert the following:

SEC. 8. DEFINITIONS.

On page 50, line 23, strike ''**10.**'' and insert ''**9.**''.

Mr. GRAMM. Mr. President, this amendment is a very simple amendment. It simply strikes a line in the bill where we were trying to be sure we weren't changing communication law. On further reflection, we simply concluded that silence is often the best answer on these kinds of issues. This amendment would strike that sentence.

I have not had an opportunity to have anyone on the Democrat side of the aisle look at the amendment. I will just leave this amendment pending.

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. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, it is my understanding the leadership plans a cloture vote on the gas tax at some time later today. Is that the understanding of the Chair?

The PRESIDING OFFICER. The cloture vote has been set to follow the final passage of the pending legislation but no later than 6 p.m.

THE GASOLINE PRICE SPIKE

Mr. MURKOWSKI. Mr. President, I would like to take this opportunity to advise my colleagues why I think it is appropriate that we address some relief for the American consumer with regard to the gasoline price spike that has occurred in this country. I am a cosponsor, with the majority leader, Senator LOTT, and a number of others, of this important legislation that will give us an opportunity to take positive action in a meaningful way to put a brake on the ever-rising gasoline prices that American families face each day.

The American people should have a choice, whether they feel the priority is such that they should have relief from the gasoline tax. I emphasize a choice. I emphasize the American people, through their elected representatives on this floor, have to make a determination that this is a priority because there is no free lunch around here. What we are talking about is a combined bill which would waive the Federal gasoline tax of 18.4 cents. That is a considerable tax. It is even larger when you add the State taxes to it.

When I said there is no free ride around here, what I meant was we have agreed if we suspend the Federal gas tax for the balance of this year, we will also make whole the highway trust fund. That alternative will require that we find considerable funds. But if we guarantee we are going to find them, that means they are going to come through the budget process, from surplus and other areas.

Is this a sufficient priority? There are those who feel very strongly this jeopardizes the highway trust fund. In this bill itself, it says we will hold the highway trust fund harmless. That is a mandate, in effect a promise, to hold it harmless. It does not say where the money is going to come from to offset it.

We are suspending it only for the balance of this year. I have been advised by the budgeteers that this will not jeopardize any of the contracts that are presently let for this construction year or next year that propose to use highway trust fund moneys because those have already, in effect, been designated, earmarked, and so forth. I am not on the Budget Committee, but that is the advice I have been given.

I think Members should understand a little background here. It was in 1993 that the Clinton administration proposed a significant tax on Btus. There was going to be a big tax increase on all Btus—British thermal units. It was going to be based on what you use. We debated this issue at length and we voted down the increased Btu tax that the Clinton administration proposed. However, there was a 4.3-cent-a-gallon gas tax that was also proposed at that time. It was hotly debated. That 4.3-cent-a-gallon gas tax was not designated for the highway trust fund. It was designated for the general fund. That is just where it went.

Of interest to the Chair, perhaps, is how this happened. All the Republicans voted against the tax; six Democrats joined us, and we had a tie vote. Vice President Al Gore sat in the Chair as the Presiding Officer of this body, where the Senator from Utah sits, and he broke the tie. The Vice President has to wear the mantle. That is where the 4.3-cent-a-gallon tax came from. He has to wear the mantle. It did designate the tax would go into the general fund. Later, when the Republicans took control of this body, we changed the designation from the general fund and we designated that 4.3 cents into the highway trust fund.

It should again be noted what this legislation specifically provides because there is a lot of confusion over it. It says in order for the 18.4 cents to be suspended, and this is regular gasoline, the price has to average $2 a gallon. Only then will it be suspended, and only for the balance of this year. And the highway trust fund will be made whole.

I know there are Members who feel uncomfortable about the highway trust fund. But all I can do is make very clear what this bill provides. It provides for full reimbursement of the highway trust fund. But it is not a free ride. The money is going to have to come from someplace else.

The point I want to make, and the appeal to my colleagues and our staffs who are listening, is about the real savings. America's consumers cannot pass on this price increase. If you buy an airline ticket, as my friend from Utah and I do occasionally, to go back to Utah or Alaska, you are paying a surcharge for fuel. You don't know what the tax is on the ticket because the airlines have so many confusing fares you can't figure it out, but a $40 surcharge is in there.

The trucker who comes to Washington, DC, who has a contract for delivery, maybe he cannot pass it on; and the farmer, it is very unlikely he is going to pass it on; nor the fishermen in my State who fuel up their vessels, it is pretty hard for them to pass it on—but the person who surely cannot pass it on is the American consumer, the moms driving their kids to the soccer game. The family bought a utility sports vehicle for convenience. Maybe the SUV does not get too many miles to the gallon. It might have a 40-gallon gas tank. When mom goes to the gas station and fills that up at nearly $2 a gallon, it shoots a pretty good hole in a $100 bill.

The question before us is: Do we want to do something short term, or do nothing, which is what the administration proposes. My colleagues heard the President yesterday. He said we have to develop more dependence on alternative fuels, we have to develop more resources domestically. He does not tell you he is going to open up low-sulfur, high-Btu coal in Utah. No, he says he has made that wilderness, for all practical purposes.

He does not say he is going to encourage exploration on public lands in the Rocky Mountains so that oil and gas exploration can occur in those States in the overthrust area where there is a tremendous potential for oil and gas in Montana, Wyoming, Colorado, North Dakota, Kansas, or Oklahoma, where the small strippers have almost gone out of production because they simply cannot produce at the low prices. They only produce a few barrels a day. My colleague, Senator KAY BAILEY HUTCHISON, addressed that earlier today.

In our long-term package of proposals, there is relief for the stripper wells. There is relief to encourage exploration in the overthrust Rocky Mountain area. There is relief to provide OCS areas for lease—we heard the Vice President say: If I am elected President, I am going to cancel all the OCS lease programs. He does not say where he is going to get the oil to replace that produced under the leases.

Think about what this administration's policy is on energy. One does not have to think very long because there is none. Clearly, our Secretary was sent over to OPEC almost on his knees to beg for production increases. OPEC said they were going to have a meeting on the 27th. He was over there 3 weeks prior to that. The Secretary said: We have an emergency in the United States. They said: We are going to meet on the 27th. They met on the 27th. They did not do anything until the 28th.

I have a chart which shows what they really did. They did this yesterday. Not many people are aware of the realities associated with what has happened to oil and the demand for oil in this country.

To the left of the chart in the red is the total global demand for oil in the world today. It is about 76.3 million barrels per day. To the right of the chart is the production and where it comes from: 45 percent from non-OPEC, 23 percent from OPEC, 5.6 percent other OPEC.

My point is, actual production is 75.3 million per day, but the demand is 76.3 million per day. There is a 1 million-barrel-a-day difference. There is a greater demand than supply. When there is this kind of situation, we have price spirals.

I want to point out and make sure everybody understands what happened

yesterday with OPEC. I am really amazed, with the exception of the Wall Street Journal and a few other folks, the media has not really delved into this. When OPEC met last year, they decided they were going to produce 23 million barrels a day. They promptly began to cheat. They overproduced. They produced 24.2 million barrels a day. The difference between what they said they were producing, 23 million barrels a day, and what they were actually producing, 24.2 million barrels a day, is 1.2 million barrels a day. The difference between the 1.2 million barrels and 1.7 million is 500,000 barrels a day. That is what they are actually producing.

Here it is. They were cheating 1.2 million barrels a day. As I said before, they started out with 23 million but were actually producing 24.2. The difference between 1.2 and 1.7 is 500,000 barrels a day, and that is exactly what we got. That is the actual new production. It is not 1.7 million barrels a day, it is 500,000 barrels a day.

Let me take it one step further because this really excites me, and that is, what our share of OPEC oil has been. Our share has been about 16 percent. If we got another 500,000 barrels increase—remember, this does not go just to the United States, this goes to all the customers of OPEC all over the world. The U.S. share is about 16 percent. So that amounts to about 79,000 barrels a day.

With the help of some of my staff and the AAA, we determined the immediate metropolitan area of Washington, DC, uses 121,000 barrels a day. This means that with the 500,000 new barrels, we are not even standing still.

I do not want to put too much of an arithmetic load on my colleagues, but there is one more figure they ought to know about, and that is the little secret of the administration and the Department of Energy they did not want you to hear. They did not want you to find out what was written between the lines of the OPEC agreement. Here it is. Buried in the agreement is what they call a ''price band'' provision to keep the prices between $22 and $28 a barrel. We have seen prices for oil go up to $34. A year ago, that price per barrel was at $10 and $11.

This is a unique arrangement, but our friends in OPEC are unique in their craftsmanship of what is in their best interests. The arrangement calls for producers to increase output 500,000 barrels—remember where you heard it. That is the 500,000 that is the actual increase. They said:

> The arrangement calls for producers to increase output 500,000 barrels per day on a pro rata basis if oil prices remain above $28 for 20 consecutive days.

My friend, I am a businessman. I understand the fine print of an agreement, but I do not think the folks down at the White House do or, if they do, they do not want you to know about it. This agreement further states that OPEC will also cut from production—there it is, cut from production, cut from their 1.7 million-barrel promise, or really the 500,000 barrels a day. They will cut from production by that same amount if prices fall below $22 for more than 20 days. They have set a ceiling, and they have set, obviously, a cellar.

OPEC or the Clinton administration has made no acknowledgment of this in their announcements. Isn't that rather curious? We talk about significant relief. If we have this kind of a deal, I do not know from where the significant relief is going to come. Under this agreement, one can easily see that the price of oil is going to hover around $28, maybe as high as $34 per barrel for extended periods or until OPEC meets again.

I urge those in the media and my colleagues, and particularly their staffs who are a little bit curious, to read today's Oil Daily, page 2. It is all spelled out under the headline ''OPEC Bases New Production Strategy on Price Band Experiment.''

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

[From the Oil Daily, Mar. 30, 2000]

OPEC BASES NEW PRODUCTION STRATEGY ON PRICE BAND EXPERIMENT

(By Toby Odone and Barbara Shook)

Buried in the furor over Iran's refusal to go along with other Opec members in raising oil production is a highly innovative price band mechanism, designed to keep prices within a range of $22 to $28 per barrel for the Opec basket.

The arrangement calls for producers to increase output by 500,000 barrels per day on a pro-rata basis if oil prices remain above $28 for 20 consecutive days. They also will cut production by the same amount if prices fall below $22 for 20 consecutive days.

Opec delegates were hailing the new accord as a breakthrough that for the first time guarantees minimum national revenues, making budget-setting and fiscal planning less hazardous. In addition, it potentially provides the market with the stability that producers and consumers, primarily from the U.S., have been calling for loudly in the past few months.

Nevertheless, should the nine countries that have adopted the new policy adhere to its terms, the upper limit of the new arrangement could see the price for West Texas Intermediate (WTI) rise above $30. On several occasions, the U.S. has said this level is too high, just as last year's $10 was too low.

Even Iran, which is not party to the new quota accord, says it would go along at least with the concept of the price band mechanism. Its production level would be the same volume as the base for the now rolled-back March 1999 agreement. Adjustments, however, would be made as Iran reads the market, not according to the Opec formula.

Opec made no mention of the new price-band mechanism in the official communique issued early Wednesday after a marathon six-hour negotiating session.

Word of its proposal was beginning to leak out, however, even before the session ended, as delegation sources told EIG's Energy Intelligence Briefing (EIB) that some ''innovative and flexible'' new terms were under discussion. Several ministers also referred obliquely to a price range rather than a specific target such as the $21 that has been on the Opec books since 1990. Saudi Oil Minister Ali Naimi talked openly of a $20 to $25 price range.

The official communique also made no mention of the future roles of non-Opec exporters Mexico, Norway, Oman, Angola, and Russia. Opec simply thanked them for their assistance in earlier efforts to stabilize markets.

On Wednesday, delegates told EIB that the non-Opec countries appear to be released from their commitments to shut in output.

Outside of the Opec Secretariat, Iran continued to express its irritation with U.S. intervention in the organization's proceedings.

''Intervention was beyond expectation,'' an Iranian delegate stated. None of the US's action was needed because Opec and its allied nonmember exporters were aware of the market and prepared to respond to increasing demand, he said.

''We were here to accommodate the market. We came here to increase production,'' he said, adding that he believes the US has damaged its image by its interference with and imposition of its position on a group of sovereign nations.

He also suggested that US actions both now and last year put Opec in a bad light. ''We were discredited,'' he said. ''When we cut the production we were blamed. When we increased the production we were blamed.''

The Iranian delegate refused to criticize ministers of other countries directly, but he did indicate strong displeasure with what he said was a prearranged agreement formulated by the US. ''We are not here to rubberstamp agreements,'' he said.

At the same time, he stressed, Iran is not trying to undermine Opec as an organization. Iran would have supported an increase of 1.7 million b/d if it had been accomplished in two stages, starting with 1.2 million b/d. At the same time, Iran will not give up any market share by withholding its barrels. ''We would at least do the minimum that would have been allocated,'' he said. Output will be adjusted up or down as the market dictates.

One market that will not influence any Iranian action is the US. ''The US should not have expected any more than what we did because Iran does not have an interest in the US market,'' he declared. ''Had it been a different situation, Iran might have acted differently.''

Some observers questioned the whole scenario here, wondering if Saudi Arabia and Iran weren't playing a high-stakes international version of ''good cop, bad cop.''

They cited the high price range of the Opec basket relative to WTI as one example of the bad-cop side, with the output increase as the good cop angle. In the process, Saudi Arabia, Kuwait, and the United Arab Emirates could appear to be cooperating. Iran, which had nothing to lose but the sale of a few bushels of pistachios, could represent Opec's continuing independence from outside pressure.

Most Opec ministers and their delegations left Vienna on Wednesday fully expecting prices to stay firm, despite some analysts' suggestions that discord in the organization might herald a sharp sell-off. However, Opec insiders pointed out that the new price mechanism may forestall countries' normal inclination to cheat.

NEW OPEC QUOTAS

[Thousands of b/d]

	Apr. 1	% chg.
Algeria	788	7.8
Indonesia	1,280	7.8

NEW OPEC QUOTAS—Continued

[Thousands of b/d]

	Apr. 1	% chg.
Kuwait	1,980	7.8
Libya	1,323	7.8
Nigeria	2,033	7.8
Qatar	640	7.9
Saudi Arabia	8,023	7.9
UAE	2,845	7.9
Venezuela	2,845	4.6
Total	21,069	
Assumed others:		
Iran	3,623	
Iraq	2,400	

Mr. MURKOWSKI. Mr. President, now they are experimenting on us with this price band. That is a pretty dangerous precedent to set, but, nevertheless, we have become so beholden to OPEC, we are 56-percent dependent on OPEC.

The occupant of the chair remembers the Arab oil embargo in 1973. We had gas lines around the block. A lot of people were unhappy. Oil was more than $30 a barrel. We were excited here. We were concerned. We said: We will never allow exports to get to a level of more than 50 percent. We created something to ensure that we had some relief. We created the SPR, the Strategic Petroleum Reserve. We wanted to have a 100-day supply. I think we have a 56-day supply in the SPR today.

Now some people say: We have an emergency. Take the supply out of the SPR. Think about that. It is very dangerous to use your reserve to manipulate prices. You can only draw about 4 million barrels a day out of the Strategic Petroleum Reserve, which is located in the salt mines of Louisiana. If you take it out, remember, you have to refine it. Then what are you going to do for a fallback in a real emergency?

OPEC is watching what we do. If we pull down our Strategic Petroleum Reserve, we become that much more vulnerable and, as a consequence, more likely to be held hostage.

As we address what we are going to do this afternoon, again, I reiterate, is the priority here for a short-term fix for the American consumer not at the expense of the highway trust fund but at the expense of making it up through the budget process some other way? I think that is a legitimate question.

When you pit what we are attempting to propose on this side of the aisle, which is some kind of relief, to that proposed by the other side of the aisle, which is no immediate relief, the difference is clear. The Administration suggests only that we develop alternatives, and that we have conservation, all of which are worthwhile. But those goals are not going to help mom today on her way home with the kids from the soccer game when she has to fill up the sports utility vehicle and it is going to cost her $80. It is not going to help the farmer. It is not going to help my fishermen. It is not going to help the truckers. They want relief today to stay in business.

We have that opportunity. We are going to make that choice. It is a choice. It is a legitimate choice. It is a matter of determining where the priorities of this body are.

We have a lot of options. We have some specific proposals for the short term and the long term that I think deserve consideration. Because if you look at the other side and the administration proposals, it is pretty hard to find anything this specific.

The American people are saying: Hey, we have a crisis. We have a problem. The difficulty I have, to a large extent, is where we are seeking relief. We are not only limited to petitioning OPEC.

Let's take a look at our friend, Saddam Hussein, in Iraq. I have a chart that I think shows and tells more than I can say in a few words. This shows the Iraqi oil exports to the United States. There is virtually nothing in 1997.

But we all remember in 1991 we fought a war over there. We sent young American men and women. We had 147 casualties in that war—147. We had 423 who were wounded. We had 26 who were taken prisoner.

That war was in 1991. But what about the American taxpayer? What happened? You remember, we have been enforcing the no-fly zone over there. We have troops stationed around there. We have the fleet. We have been keeping Saddam Hussein fenced in, if you will. The cost to the American taxpayer has been $10 billion. That is what it has cost in the last 9 years. The administration does not factor that in.

When we look at our fastest growing source of imported oil coming into the United States, it is coming from our good friend, Saddam Hussein. Incredible. I am indignant over it. I don't know about you and my colleagues.

Last year, we imported 300,000 barrels a day from Iraq. This year we have imported 700,000 barrels a day.

The day before yesterday the Department of Commerce issued a release on sanctions for some of the technical parts that are needed within Iraqi refineries to increase their production by an additional 600,000 barrels a day. We are certainly cooperating with Saddam Hussein. Where do the profits go? We suspect they probably go to the Republican Guard who have something to do with keeping Saddam Hussein safe. It is questionable if funds really go to the people of Iraq.

I was looking at some figures the other day. As we rely on the Mideast, I think we should be reminded that what is happening here is we are enriching the Mideast, the Arab oil empire.

As I said, in 1973 we were 36-percent dependent. Today we are 56-percent dependent. But the startling reality is—and you may not believe history teaches anything; some people say it does not teach much—but the forecast that the Department of Energy has publicly put out is that we will be importing 65 percent of our oil by the year 2015 to 2020.

Currently, we receive 46-percent of our oil from OPEC; that is, on the 11 OPEC nations. Are these countries that we can depend on? How stable are they? What is the risk to Israel as a consequence of the difficulties and distrust in that part of the world?

The U.S. has economic sanctions on 8 of the 11 OPEC countries. What for? For human rights abuses, drug trafficking, terrorism, weapons of mass destruction. On the other three countries of OPEC, to name two, Algeria and Indonesia, they are certainly among the least stable nations in the world.

Are we through there? I don't think so. Six OPEC nations even have State Department-issued travel warnings against them. I ask you, if it isn't safe for Americans to travel there, is it safe to rely and entrust our energy security to those countries?

I was looking at some material which I think I have here. It is kind of startling because I think we had some reference by Senator LOTT who is concerned about our increasing support of Iraq and the realization that Iraq is creating a missile capability. I wonder for whom those missiles are designed. Mideast countries? Israel? Who is to say? But we are enriching and we are making possible the cash-flow that Saddam Hussein has; otherwise he would not have the cash-flow.

As we look at that energy policy that I talked about, although it is pretty hard to identify. It certainly is to import more. It does not suggest we develop domestic resources in this country. We have the technology to do it safely. We know that.

There is a great hue and cry by the administration against opening up the Arctic Coastal Plain. In my State of Alaska, we have been contributing 20 percent of the total crude oil produced in the United States for the last 23 years. We have a pipeline that is 800 miles long. It has withstood earthquakes and it has withstood dynamite, shots fired at it.

We have an area in Alaska that I can show my colleagues on a chart relative to the location and a brief description of where it is, because it is important that you understand a few things.

This morning I had an opportunity to speak on C-SPAN. One of the callers asked: Senator, you would like to open up the Coastal Plain, but why don't you put the rest of it in a wilderness or put it in a refuge or something?

I will shortly have a chart to show you we have already done that. We have 19 million acres in what we call the Arctic National Wildlife Refuge. This is an area that alone is 19 million acres. It is about the size of the State of South Carolina. We have already put 8 million acres in a permanent wilderness, 9.5 million acres in a refuge permanently. But we left for this body to determine whether we could safely initiate exploration in what they call a 1002 area, which is 1.5 million acres. That is all. The question is, Is this the time to bring in the environmental community to work with us to open it safely because we have an abundance of

capacity? This is the area I am talking about specifically. This is the 19 million acres. This is the refuge, 9.5 million acres; this is the wilderness, 8 million acres; this is the Coastal Plain, 1.5 million acres. The footprint would be 2,000 acres, if the oil is there. We have the pipeline right over there. The President vetoed this in 1995. If he had approved it, we would have production today. We have an availability of 1 million barrels a day in this pipeline right now. We have the overthrust belt, as I have indicated. We have OCS. We have the Rocky Mountains. But there is no effort by the administration for domestic production.

For those who wonder what it is really like up there and have never been there but are experts on it, who speak on the floor with profound knowledge and have never been to Alaska, let alone the Arctic, this is the Arctic Slope of Alaska. This is a rig. This is what it looks like 8 months of the year. This is winter. It is a long winter. It is pretty dark. This is an ice road. This is an ice pad. They build it up with water and ice so the footprint is minimum. Here is the same picture in the summer. The summer should be 4 months, but it is really only about 3. This is the tundra. That is the footprint. That is reality. It is awful hard to get people to come up and look at it and recognize it for what it is.

We are concerned about some of our friends, legitimately so. These are legitimate friends. They are going for a walk. Where are they walking? They are walking on the pipeline. It is warm. They don't get their feet cut. Here are three bears, right at home. That is not a prop; that is real.

We have a few more friends; we are concerned about these friends. Here are some of our friendly caribou. There you have it. That is Prudhoe Bay. That is technology that is 30 years old. No guns allowed; you can't shoot them. You can't run them down with a snow machine. When we started Prudhoe Bay, we had 3,800 caribou. Now we have a herd of more than 18,000. I don't know whether that convinces anybody that we have a sensitivity about the environment, that we can work with our technology and do it right. If we get an opportunity for people to objectively take a look at the job we have done, the technology we have developed over the years, and the opportunity we have to contribute to the energy security of this country as opposed to more dependence on imports, they usually agree with us.

That is where we are. I will conclude with a short rundown of the long-term and intermediate relief that we have proposed within our caucus to provide an opportunity to Members of this body to address what kind of relief they want. I have spoken to the gas tax. I have enunciated quite clearly that we do not have at risk the highway trust fund. That will be made whole. I have explained in detail that this measure would suspend the tax until the end of this year only, that it would come on only if the average price of gasoline got to $2 a barrel, and that the 4.3-cent-a-gallon tax originally did not go to the highway trust fund, it went to the general fund.

I conclude with what we are going to present to this body in our legislative package, which is some kind of a relief for the Northeast on crude oil storage, for not only crude but heating oil. They have been hit very hard, and they are going to be hit harder when they generate electricity this summer. A lot of it is going to be generated from fuel oil. They are going to be paying perhaps a third to two-thirds more for electricity because that is what comes on the line last. As a consequence, the costs associated with all other forms of energy raise up to the last energy source that contributes to the power pool, and that will be fuel oil.

We are also going to look at an effort to address the difficulty with the stripper wells by establishing some kind of a bottom price level where, when oil gets very low, they can still stay in existence. Make no mistake about it, the strippers make a tremendous contribution. We can't afford to lose them. They are all over Oklahoma. They are in Kansas, in many States. Senator KAY BAILEY HUTCHISON has legislation to address their survival.

We have legislation for delay of rental payments, to allow expenses for geological and geophysical costs, percentage depletion legislation, NOL carrybacks, marginal and inactive well tax credits, language to address opening within the overthrust belt on public lands.

Obviously, we are interested in coal because coal can play a major role in the power source needs of this country. This administration proposes to close eight coal-fired plants. They claim the management of those plants is going to be held criminally liable because they have intentionally extended the life of these plants that were grandfathered. That is the full employment act for the lawyers. They have no idea of where they are going to pick up the power to substitute for these plants.

We can address coal through technology, given the opportunity. The administration doesn't have a plan for coal. What are they doing with nuclear? Nothing. They won't address the problem of what to do with the waste. On the West Coast, they will not do anything about hydro. They are proposing to take the dams down. I don't know how many hundreds of trucks a day are going to be on the highways of Oregon if they take those dams down. Grain will be moved by truck rather than barge, contributing to more gas usage and more pollution.

The Administration says, we are going to move to increased use of natural gas. If you read the National Petroleum Institute figures, we are using 20 trillion cubic feet of gas now. In the next 15 years, we would be up to 31. We don't have the infrastructure to deliver it. We will have to invest $1.5 trillion for that infrastructure. But, the gas is not available for exploration because they won't let us have access to public lands. So gas is not the answer.

If you look at what we are attempting to do as opposed to what the other side has proposed, which is what? Alternative energy, conservation, some tax breaks—I am all for those things. But we have to do something right now. We have a plan. And if it is a priority and deemed a priority by this body, then you have a choice. You have a choice of whether to vote for the gas tax suspension for the balance of this year, if you feel that is a priority or you don't. It will not jeopardize the highway trust fund. Again, it is no free ride. We will have to find that money someplace else.

I could go on at length, but I felt it necessary to make this presentation to ensure that we had a fair understanding of what we are proposing in our caucus for immediate, interim, and long-term relief options against what you are hearing from the other side. I wanted you to know what we can do domestically to relieve our dependence on imported oil. And, I wanted to point out what the administration says we got the other day compared to the reality of what we got when we read the fine print.

It appears that our negotiators got the short end of the so-called stick because that increase, again, was only 500,000 barrels a day. It has a floor and a ceiling: a $28 ceiling; a $22 floor. If you think we will see oil cheaper than that, it simply is not going to happen.

If any Members would like to discuss with me just what is in this highway tax bill, please don't hesitate to do so.

I yield the floor.

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Minnesota.

Mr. GRAMS. What is the order of business before the Senate?

The PRESIDING OFFICER. The pending business is amendment No. 2902.

Mr. GRAMS. Mr. President, I ask unanimous consent to speak up to 10 minutes in support of S. 2097.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Reserving the right to object, and I will not object, I ask unanimous consent that I be recognized following Mr. GRAMS to speak out of order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I rise this afternoon to express my strong support for S. 2097, the Launching Our Communities Access to Local Television Act of 2000. I also commend Senator CRAIG THOMAS and Senator TIM

JOHNSON for the work they have done. They have been on the floor today talking about this bill; more important, they have been working for days, weeks, and even months trying to put this bill together. I really thank them and commend them for all the work and effort they put into getting this bill to where it is today.

During the 106th Congress, few issues have generated as many phone calls, letters, and e-mails to my office as those opinions expressed by rural Minnesotans concerned about the future of their satellite television programs.

In recent months, Federal district court decisions terminating the satellite signals of thousands of satellite subscribers and the uncertain status of the Satellite Home Viewer Act have caused unnecessary frustration and inconvenience for Minnesotans who depend upon satellite television for informational, education, and entertainment programming on a daily basis. For these reasons, I am very pleased to have supported the enactment of legislation last year that reauthorized the Satellite Home Viewer Act.

The Satellite Home Viewer Improvement Act has begun to encourage greater competition between the satellite and cable industries while also providing consumers in the top television markets with the benefit of ''local-into-local'' television programming. Additionally, this law has protected existing satellite subscribers from having their distant network signals terminated and reduced the copyright fees paid by satellite providers. This reduction in copyright fees has helped to make satellite service more affordable to consumers, particularly in rural areas.

I also recognize that millions of Americans in small, rural areas have not begun to enjoy the local-into-local programming because satellite carriers do not have the capability to provide this service into small, rural areas immediately. In fact, two of the largest satellite providers, DirecTV and Echostar, have testified that their companies will initially provide local-into-local service to households in the top 50–60 television markets. Thus, approximately 150 television markets such as the Duluth-Superior, Rochester, and Mankato television markets in Minnesota will not receive this programming as quickly as urban markets.

I firmly believe that Congress should ensure that rural America receives the benefits of this technology and local-into-local programming. For these reasons, I have been working with my colleagues on the Senate Banking Committee, industry groups, and consumers to pass the ''LOCAL TV Act.'' This legislation would establish a $1.25 billion loan guarantee program to facilitate access to local television programming in rural Minnesota communities and throughout the country. Importantly, the LOCAL TV Act will help to facilitate local-into-local programming without mandating a specific technology to provide this service and thereby encouraging competition and innovation by independent cable companies and satellite providers.

I was very concerned that this legislation excludes several private lenders from providing the financing to ensure local-into-local programming throughout rural communities. Specifically, the LOCAL TV Act provides that the federal government will guarantee 80 percent of any loan that is provided by FDIC insured depository institutions. So far, so good.

Mr. President, limiting the guarantee to 80 percent assures that whichever lending institution provides the financing will have very good reason to give the loan request extensive scrutiny to justify the 20 percent of the loan which is not guaranteed and perhaps decide not to lend. This careful scrutiny would be less assured if we allowed 100 percent government loan guarantees.

I also support authorizing the FDIC insured lenders to have the opportunity to participate in the loan guarantee programs. However, the bill currently excludes certain private sector lenders which have substantial experience providing multi-million dollar loans in a coop environment and which have a track record of support for projects of this size in rural areas.

For this reason, I have joined with Senators JOHNSON and THOMAS to introduce an amendment to this bill which will expand the list of eligible lenders. Specifically, the Johnson-Thomas-Grams amendment requires eligible lenders to have at least one issue of outstanding debt that is rated in one of the three highest rating categories by a national statistical rating agency. This provision will ensure that our expanded list of lenders will have been subjected to rigorous marketplace scrutiny. The process of achieving one of the three highest investment grade ratings involves an intense review of the lender's capital strength, lending expertise, and loan loss experience.

The wording for this amendment is almost identical to wording which this body utilized last fall when we passed S. 900, the Gramm-Leach-Bliley bill. In that landmark legislation, the test of marketplace scrutiny was used to determine which of the top 50 national banks could conduct expanded activities in a bank subsidiary.

The theory we used was that marketplace discipline is an important threshold in sorting the qualified from the unqualified. That same approach is being put in place here.

Lastly, our amendment also requires an eligible lender to have provided financing with outstanding debt from the Rural Utilities Service. This provision is important because the underlying bill authorizes the Rural Utilities Service to be the administrator of the loan guarantee program.

The second part of this provision states that the approved lender must demonstrate to the loan guarantee board that it has the expertise, capacity and capital strength to provide financing pursuant to the act.

Mr. President, I believe the Johnson-Thomas-Grams amendment will strengthen the LOCAL TV Act and ensure that rural Americans will soon enjoy the benefits of local television programming. I am pleased that Chairman GRAMM has been working to accommodate our concerns and strengthen this legislation.

Mr. President, again, I commend and thank very much Senators CRAIG THOMAS and TIM JOHNSON for all their hard work in making this legislation possible. I urge everybody's strong support of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. I ask unanimous consent that the prior order to allow Senator BYRD to follow Senator GRAMS be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BUNNING. Mr. President, I rise, first of all, to support S. 2097, the LOCAL TV Act of 2000.

I ask unanimous consent to withdraw the amendment I had previously offered and on which the yeas and nays were ordered.

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

Mr. BUNNING. Mr. President, I want to make a few comments about the mistaken identity by the National Association of Broadcasters in relationship to my amendment. What we have tried to do, and what this bill has successfully done, is allow most of the areas in the United States to have access to dish or satellite television. But there are areas that have been excluded. I will give you an example of some of those.

Areas are excluded when most of the television stations that are received instate are based out of the State. I use Kentucky as an example. If you want to hear something in Kentucky and you don't live in Louisville or Lexington, or a couple of other smaller cities, such as Bowling Green and Paducah, you must get your television news, sports, entertainment, and everything, from out of State, a different ADI, such as Cincinnati; Charleston-Huntington, WV; Knoxville, TN; Nashville, TN; Evansville, IN; and on and on and on.

This bill does not adequately cover those areas because it says generally if you are brought in an ADI area that is covered by an out-of-State television station, you must accept that. There can be exceptions. But, living in Kentucky, I surely don't want to have to watch Atlanta television, or Atlanta news, or, for that matter, Cleveland, OH, news on my satellite dish. I know most Kentuckians don't want that.

Of all the issues that have come before the Senate, this has been the one on which I have received the most information. I received a paper put out

by the National Association of Broadcasters that criticized my amendment to allow all or at least require one of the local markets in Kentucky to carry it on the dish or on the satellite. It said it ''destroys the network affiliation relationship.'' But that is hogwash. It does not destroy that. It just means that the people in certain areas don't want to watch New York television as the thing they get on their dish. If they are only going to go down to the first 60 major markets in this country, that is what we are going to have to do in many of the rural areas.

This loan guarantee program that we have will cover an awful lot of other areas. But South Dakota, North Dakota, Wyoming, Montana, and plenty of areas in this country do not have major markets and don't carry all four—ABC, NBC, CBS, and FOX—and will no doubt not have the coverage they might like to have in their area.

''Undermines localism'' is another thing the National Association of Broadcasters has said about the amendment I just withdrew.

Am I going to watch a local station from Paducah and go down there and buy something that has been advertised on a Paducah station if it is carried on my dish? Of course not. I am going to go to my local store, or wherever it might be, and buy the exact same thing that is available in my local area. I can pick up a local station out of Cincinnati with rabbit ears. I don't need a dish for that.

It ''creates two classes of satellite viewers''—no, it doesn't. We all pay almost the same amount for basic satellite television. My amendment did not change that.

''Flies in the face of both copyright and communication laws'' —not being a lawyer, and having dealt only with the prior law we passed last year, I know full well it doesn't violate any of those provisions in that law we had on the floor of the Senate.

Last, but not least, it says, ''it creates a huge regulatory disparity.'' No other multichannel video provider has nearly such an extensive ''must carry'' requirement. We don't want them to carry every station in Kentucky. We want them to carry one that has four of the major networks. That is what we want.

We will work it out later. I have talked with Senator BURNS, who is most expert on this, and I hope to work with Senator MCCAIN on Commerce to get this done. This is not the time nor the place to fight this fight. I will fight it another day at a later date.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I think while we have looked as if there was inaction and chaos all afternoon—it felt like it at various moments—the truth is, we have done our work.

Senator BAUCUS has an amendment which I intend to accept. Senator HATCH as a second-degree amendment. I will be supportive of both the second-degree amendment and first-degree amendment. We will accept those.

Senator JOHNSON and I have worked out differences. We will accept that amendment.

We will then be ready for a vote on final passage.

Senator BAUCUS may offer his amendment when he is ready. I have already offered the amendment for Senator HATCH. If Senator JOHNSON wants to offer a second-degree amendment to it, he can. If not, if someone will pass it to me, I will do it.

We are putting everybody on notice that we are coming to the happy hour. We should be able to finish our bill in about 15 minutes. People can start moving in this direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 2900, AS MODIFIED

(Purpose: To make minor and technical changes.)

Mr. BAUCUS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The clerk read as follows:

The Senator from Montana (Mr. BAUCUS) for himself, Mr. LEAHY, Mr. ROBB, Mr. STEVENS, Mr. WELLSTONE, Mr. KENNEDY, Mr. BURNS, and Mr. MURKOWSKI, proposes an amendment numbered 2900, as modified.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 25, line 10, insert after ''local television stations'' the following: '', and related signals (including high-speed Internet access and National Weather Service Warnings),''.

On page 30, strike line 9 and insert the following: ''means by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service Warnings),''.

On page 33, line 19, strike ''areas,'' and insert ''areas and the number of States (including noncontiguous States),''.

On page 33, beginning in line 22, strike ''estimated cost per household to be served.'' and insert ''efficiency in providing service given the area to be served.''.

On page 33, between lines 23 and 24, insert the following:

(B) ADDITIONAL CONSIDERATIONS.—To the maximum extend practicable, the Board should give additional consideration to projects which also provide related signals (including high-speed Internet access and National Weather Service Warnings).

On page 33, line 24, strike ''(B)'' and insert ''(C)''.

Mr. BAUCUS. Mr. President, this is an amendment to which the chairman of committee has graciously stated he agreed. This is a modification of an earlier amendment I provided. This amendment essentially provides that related signals, including high-speed Internet access and National Weather Service warnings, be included in the criteria when the board decides which loans to guarantee in providing for local-into-local service.

One of the modifications, frankly, is as follows: Including noncontiguous States.

I chuckled a little bit because that is Alaska, which is wonderful. But it also is a technical matter that makes it more likely it is not necessarily constrained by otherwise constraining language.

The amendment basically says that, to the maximum extent practicable, the board should give additional consideration to projects which also provide related signals—again, including high-speed Internet access and National Weather Service warnings.

The whole point is, we have an opportunity to help provide broad bandwidth Internet service to rural America while we are now passing legislation which gives incentives to provide more local-into-local television coverage to rural America. I believe we should take advantage of that opportunity and give a little boost and a little preference to those applicants who will provide that additional capability.

I want to sort of chime in on the point the Senator from Texas was making about the floor looking as if we were not doing our work. There was a group of Montana high school students here about 2 or 3 hours ago. They asked me, Why aren't there more Senators on the floor and why are we not doing business? I explained to them, as the Senator from Texas essentially said, that a lot of work is not done directly in debate but there are negotiations and kind of behind-the-scenes work going on to work things out. I compliment the Senator for his work in helping us accomplish that objective.

Before I finish, I also want to pay particular compliments to not only the Senator from Texas but to my colleague from Montana, Senator BURNS. Senator BURNS has been very active in helping provide both local coverage and satellite coverage. I want to particularly note that; in addition, certainly managing a bill of this size, Senator JOHNSON as well as Senator LEAHY from Vermont.

There are a lot of people who worked on this. We are making progress. Sometimes it is a little slow. It is not very expeditious, but that is the nature of our democracy. I thank them.

Mr. GRAMM. Mr. President, I thank Senator BAUCUS for working with us on the amendment. We are supportive of the amendment and we accept it.

Mr. STEVENS. Mr. President, I am pleased the amendment I cosponsored was agreed to.

That amendment did three important things. First, it made clear that any plan put forward to provide local broadcast signals to rural areas takes into account service to Alaska and Hawaii. Under my amendment these noncontiguous States are elevated from afterthoughts to priority consideration.

We also altered another priority in this bill that could have inadvertently penalized the most rural States. Originally the bill mandated that the cost

per household of providing service be a top priority.

Such a provision sounds good on its face but the high cost of service to outlying areas is one reason why the incumbent satellite and cable providers are not serving our areas. My amendment doesn't remove cost as a factor, but it ensures that rural states aren't penalized when proposals are made.

Finally, this amendment includes language that would allow high-speed internet access to also be supported by the loan guarantees.

I thank Senators BURNS, BAUCUS and LEAHY for their help.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2900), as modified, was agreed to.

AMENDMENT NO. 2902, AS MODIFIED

Mr. GRAMM. Mr. President, I send a modification to the amendment I previously sent forward on behalf of Senator HATCH.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment (No. 2902), as modified, is as follows:

On page 49, strike lines 1 through 13 and insert the following:

SEC. 8. DEFINITIONS.

On page 50, line 23, strike ''**10.**'' and insert ''**9.**''.

On page 27, line 21, strike ''10'' and insert in lieu thereof ''9''.

Mr. GRAMM. I don't think there is any further debate on this amendment. I believe it is acceptable to both sides.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 2902), as modified, was agreed to.

Mr. GRAMM. We just received a copy of the amendment Senator JOHNSON and I worked out. While he is reviewing it, let me make my concluding remarks.

We had a very difficult mandate, to take a bill from last year and make it possible for people living in rural America to get their local television station so they can receive local news, the local weather, the local football game, all of which are critical to life in this great country that we know as the United States of America.

The problem from last year is that, with the confluence of interests that would be affected, they put together a bill that was 100 percent loan guarantee, that did not have an effective way of protecting the taxpayer. Therefore, the scoring by the Congressional Budget Office was a potential default rate of about 45 percent.

On a bipartisan basis, we have now put together an alternative. We have a loan board made up of the Chairman of the Federal Reserve Board, the Secretary of the Treasury, and the Secretary of Agriculture, or their Senate-confirmed designees. We guarantee only 80 percent of the loan. We have an expanded ability to go behind shell corporations to get to real assets.

We have put together a bill aimed at protecting the taxpayer. It is a risky business trying to come up with the technology and investing $1 billion to get local television stations to rural America. A lot of things can go wrong. This is a dangerous business we have undertaken.

Given that the Senate and the House of Representatives, by overwhelming numbers, decided this was something that needed to be done, we committed in the Banking Committee to try to do right. We said that the Committee would report a bill by the end of this month. In fact, we passed a bill unanimously in our Committee a month ago. I believe we have done as good a job as possible given the mandate we had and given the interest of the people who are both on the Committee and serve in the Senate.

I am proud of this bill, and now we have to go to conference. They have divided jurisdiction in the House, and it will be a difficult conference.

My goal is to stay true to two principles: No. 1, we want to enhance the chance that people who live in rural America, especially in isolated areas, can get their local television signal. Second, we want to be good stewards of the taxpayers' money. We want to guarantee to the best of our ability not only that the loans will be made but that they will be paid back. It does no good to make bad loans, because bad loans don't produce local TV signals. Bad loans simply cost the taxpayer hundreds of millions of dollars and do no good.

I thank Senator JOHNSON who has been a leader on this. I thank CONRAD BURNS. More than anybody else, CONRAD BURNS is responsible for this bill passing the Senate today. He had the idea, he put together a proposal, and he worked with Members to put together a better proposal. He has been the constant driving force for this to happen.

When ABC Saturday football comes on with the local football team, I hope people will think about CONRAD BURNS and the leadership he provided in making it possible for them to view these shows.

We will dispense with this amendment by a voice vote. Anyone who wants to make a last-minute statement on this bill, please come to the floor. We are very close to a vote on final passage.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. First, I compliment my colleague, Senator JOHNSON, for the extraordinary efforts he has made in reaching this compromise. I compliment, as well, the Republican manager, Senator GRAMM, for the work that has gone into the agreement that we now have reached.

This is an important piece of legislation. I think we are going to see a very strong vote. It is, in large measure, due to the contributions and leadership of Senator JOHNSON and Senator GRAMM. I hope we can dispose of both of these matters shortly.

It has been a long time coming. But it was worth the wait.

I want to thank my colleagues—especially Senator JOHNSON—for making essential improvements. Because of their patience and persistence, we are now—finally—on the verge of passing a bill that will give rural Americans the same access to affordable local TV programming as everyone else in our nation.

Senator JOHNSON's amendment is the heart of this bill.

It will allow banks associated with rural cooperatives to lend coops enough money to build their own satellite facilities.

The reason this is so critical is because commercial satellite broadcasters have made it absolutely clear: They have no interest in serving rural markets. They don't think it's worth their time or money to build satellite TV facilities for rural markets.

The same is true of many commercial banks.

If the only choice for rural communities was to borrow from commercial banks to build satellite facilities, the communities—very likely—would end up paying high interest rates.

Those high interest rates would drive up the costs of building the satellite facilities.

That, in turn, would drive up the price rural Americans would be forced to pay for local TV programming.

Senator JOHNSON's amendment, though, means that banks associated with rural cooperatives can also make loans to build satellite facilities. The coops will charge lower interest rates than commercial banks.

This is a huge victory for people in small towns and rural communities in South Dakota, and all across America.

The reason we fought so hard to get this bill right is because this is not just about entertainment. This is about public safety.

It is potentially about life and death.

Local stations provide local news and public affairs programming. They also provide weather updates.

A year and a half ago, a tornado destroyed much of the town of Spencer, South Dakota. As devastating as that tornado was, it could have been far worse. It could have claimed many lives.

One reason it did not may very well have been because Spencer is within the Sioux Falls local broadcast area.

People could turn on their TVs and see that the tornado was coming, and take cover.

But most South Dakota communities are outside both the Sioux Falls and the Rapid City broadcast areas.

Without Senator JOHNSON's amendment, it is doubtful that they would be able to receive local weather or news reports.

Rural coops have a 60-year history of responsibly promoting economic development throughout rural America. By

adding them to the pool of qualified lenders, we have greatly improved this bill.

I commend Senator JOHNSON again for his leadership, and I urge my colleagues to vote for his amendment and this bill.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, we have had a discussion going on throughout the course of this afternoon relative to the satellite television legislation and an amendment that is necessary on this bill.

I commend Senator GRAMM, chairman of the Senate Banking Committee, and his staff, Senator THOMAS, Senator GRAMS, Senator BURNS, Senator SARBANES and his staff, and others who have worked diligently on this. We have spent a lot of time on it.

I believe we are almost at the moment where we can offer a compromise amendment and resolve this once and for all. We just received a copy of the amendment. There are one or two points that are being checked with counsel. Within literally minutes, we should be able to confirm the language is exactly what we think it is.

I am appreciative of the bipartisan effort that went into making this legislation a reality. The legislation last fall was a good bill. It permitted the broadcast of local signals to local areas, but we did need the guarantee loan provisions to get into the smaller television markets.

It has just been confirmed to me the language is as we thought.

Again, I applaud Senator GRAMM and others for their work in that regard.

AMENDMENT NO. 2903

(Purpose: To address certain lending practices)

Mr. JOHNSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself, Mr. GRAMM, Mr. THOMAS, Mr. GRAMS, and Mr. BURNS, proposes an amendment numbered 2903.

Mr. JOHNSON. 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 amendment is as follows:

On page 30, strike line 22 and all that follows through page 31, line 3, and insert the following:

''(D)(i) the loan (including Other Debt, as defined in subsection (f)(2)(B))—

''(I) is provided by any entity engaged in the business of commercial lending—

''(aa) if the loan is made in accordance with loan-to-one-borrower and affiliate transaction restrictions to which the entity if subject under applicable law; or

''(bb) if subclause (aa) does not apply, the loan is made only to a borrower that is not an affiliate of the entity and only if the amount of the loan and all outstanding loans by that entity to that borrower and any of its affiliates does not exceed 10 percent of the net equity of the entity; or

''(II) is provided by a nonprofit corporation, including the National Rural Utilities Cooperative Finance Corporation, engaged primarily in commercial lending, if the Board determines that such nonprofit corporation has one or more issues of outstanding long term debt that is rated within the highest 3 rating categories of a nationally recognized statistical rating organization, and, if the Board determines that the making of the loan by such nonprofit corporation will cause a decline in the debt rating mentioned above, the Board at its discretion may disapprove the loan guarantee on this basis.

''(ii)(I) no loan (including Other Debt as defined in subsection (f)(2)(B) may be made for purposes of this Act by a government entity or affiliate thereof, or by the Federal Agricultural Mortgage Corporation, or any institution supervised by the Office of Federal Housing Enterprise Oversight, the Federal Housing Finance Board, or any affiliate of such entities;

''(II) any loan (including Other Debt as defined in subsection (f)(2)(B) must have terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

''(III) for purposes of subclause (i)(I)(bb), the term 'net equity' means the value of the total assets of the entity, less the total liabilities of the entity, as recorded under generally accepted accounting principles for the fiscal quarter ended immediately prior to the date on which the subject loan is approved;''.

Mr. JOHNSON. Mr. President, I offer this amendment on behalf of myself, Senator THOMAS, Senator BURNS, Senator GRAMS, and Senator GRAMM. We have worked throughout the afternoon to expand the universal qualified lenders without sacrificing taxpayer protections in the bill. Thanks to the good faith on all sides, we have now allowed cooperative lending entities, such as the CFC and CoBank, to participate in the program while ensuring maximum protection of the taxpayer dollars.

I ask for the yeas and nays on this amendment.

Mr. GRAMM. If the Senator will yield, I know Senator DOMENICI wanted to vote on final passage and has to leave to attend a meeting. I do not think anybody opposes the amendment on which we have worked out a consensus. If the Senator wants a rollcall, obviously, we will have one.

Mr. JOHNSON. I appreciate there is a timeliness issue here, but I do think it is important to have a rollcall on this amendment. This is a very significant matter. This is going to the conference committee. I am hopeful we can expedite that matter.

Mr. GRAMM. Mr. President, I ask unanimous consent that this amendment be voted on immediately following a short statement by Senator BURNS.

Mr. BURNS. Mr. President, I can make my statement following the vote.

Mr. GRAMM. We can do it quickly. I ask unanimous consent that after the amendment is adopted, we proceed to third reading and that there be an immediate vote on passage of our bill, to be followed by the cloture vote on the gas tax legislation.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Montana.

Mr. BURNS. Mr. President, I have a couple thank-yous, because this has been an issue that has been worked out mostly because of the cooperation of a lot of folks.

Last year, as my colleagues know, we ran into that brick wall called Texas GRAMM. Nonetheless, he has just been a champion of getting this piece of legislation to the floor and getting it worked out. We have a better bill. Under his guidance, under his recommendations, I think we have a better bill. We have a better bill for the taxpayers. We have a better bill for the people who want to receive their local-into-local via satellite.

I also thank Senator JOHNSON and the ranking member of the Banking Committee, Senator PAUL SARBANES, and my colleague from Montana, who made it stronger because they understand the infrastructure is going to be broadband services in our rural areas. This is a giant step forward.

Also, I thank the leader, Senator LOTT, who put this on the calendar and said it had to be one of the important things we pass this year in this Congress. I appreciate his leadership. I yield the floor.

The PRESIDING OFFICER. Does the Senator from South Dakota wish to be recognized?

Mr. JOHNSON. Mr. President, I reiterate my request for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2903. The clerk will call the roll.

Mr. REID. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—99

Abraham	Domenici	Kerry
Akaka	Dorgan	Kohl
Allard	Durbin	Kyl
Ashcroft	Edwards	Landrieu
Baucus	Enzi	Lautenberg
Bayh	Feingold	Leahy
Bennett	Feinstein	Levin
Biden	Fitzgerald	Lieberman
Bingaman	Frist	Lincoln
Bond	Gorton	Lott
Breaux	Graham	Lugar
Brownback	Gramm	Mack
Bryan	Grams	McCain
Bunning	Grassley	McConnell
Burns	Gregg	Mikulski
Byrd	Hagel	Moynihan
Campbell	Harkin	Murkowski
Chafee, L.	Hatch	Murray
Cleland	Helms	Nickles
Cochran	Hollings	Reed
Collins	Hutchinson	Reid
Conrad	Hutchison	Robb
Coverdell	Inhofe	Roberts
Craig	Inouye	Rockefeller
Crapo	Jeffords	Roth
Daschle	Johnson	Santorum
DeWine	Kennedy	Sarbanes
Dodd	Kerrey	Schumer

Sessions	Specter	Torricelli
Shelby	Stevens	Voinovich
Smith (NH)	Thomas	Warner
Smith (OR)	Thompson	Wellstone
Snowe	Thurmond	Wyden

NOT VOTING—1

Boxer

The amendment (No. 2903) was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the next vote in the series be limited to 10 minutes.

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

Mr. HATCH. Mr. President, I am pleased that the Senate has today passed a bill that I tried to have passed along with the comprehensive satellite reforms enacted a few months ago at the end of the last congressional session. The reforms we authored are already bearing fruit. Satellite carriers are beginning to serve their customers local television, which they had not done before. As part of our comprehensive reform we developed a loan guarantee program to help ensure that smaller markets would not be left behind in enjoying the benefits of our reforms.

The chairman of the Banking Committee requested further time to review and improve if possible the program, and we were able to work together to meet his concerns. The bill the Senate adopts today is similar in most respects to the legislation we developed last year, and I am pleased that we are finally able to pass this important legislation.

I hope the House will act expeditiously on similar legislation, or take up the Senate legislation as soon as possible. I have long championed the provision of local television signals by satellite carriers for many reasons. First, it allows for more direct competition against cable customers alike, in the form of lower prices and better services, as well as expanded choice. Second, I believe that local television helps unite local communities by providing programming relevant to that community. It is important that Utahns know what is happening in their communities, and be able to participate in civic affairs as informed citizens. They need to know what the local weather forecast in New York. And they enjoy watching the local sports teams, or other Utah-related programming. Third, I think local television service is more consistent with the current market relationships than beaming the programming tailored to other communities into our local communities.

For these reasons, I pushed reforms to allow satellite companies to carry local programming for a number of Congresses, culminating in our passage of the Satellite Home Viewer Improvement Act of 1999 last year. The one piece of unfinished business from that package of reforms was the loan guarantee program we adopt today. Under this legislation, government-backed loans will be made available to ensure that those smaller markets, the markets that most need local television delivery by satellite or other means, are not left behind. The satellite carriers and cable companies understandably serve the larger markets first, where costs are lower and revenues potentially greater. Hopefully with the adoption and eventual enactment of this legislation today, we will go a long way to help all our local communities enjoy together the programming most relevant to them, their local television signals.

Mr. KOHL. Mr. President, I rise in support of S. 2097, the Launching Our Communities Access to Local Television Act of 2000. Enacting this legislation will complete our work on the Satellite Home Viewer Improvements Act that we voted into law last fall. Simply put, the LOCAL TV bill is the last piece of the puzzle that will encourage competition to cable in all markets, not just the top 20 or 30 largest urban areas.

At the SHVIA Conference just this past year, we tried to tackle how to encourage ''local-into-local'' service into all areas, not just the biggest and most lucrative TV markets. But we only had mixed success. So it made sense to postpone the debate until this year. At the time, I was not entirely comfortable with the precursor of this measure. But I did then and I do now strongly support its goals. Today's package develops an approach that combines incentives and loan guarantees, which will pave the way for ''local-into-local'' service to reach into our rural areas. I am encouraged by the revisions that addressed the concerns of Chairman GRAMM and others.

For example, a loan guarantee must be approved by a board comprised of the Treasury Secretary, Federal Reserve Chairman, and the Agriculture Secretary. Such a board is unlikely to sign off on an overly risky proposition. Their review will help ensure fiscal discipline and prevent the taxpayer from being left on the hook for a bad deal. Furthermore, the government will not underwrite the entire amount of the loan. Holding lenders to 20 percent of the amount financed will make them scrutinize a loan application long and hard before they extend credit under this program.

Moreover, we still allow market forces to make this program work. The LOCAL TV bill does not favor any particular technology. It is technologically neutral. Therefore, whether it is satellite, cable or an emerging technology, anyone with the entrepreneurial spirit to take on the task of delivering local television signals to remote areas is eligible for the program. By creating this incentive for all to participate, we permit the market to determine who will win a loan guarantee under this law.

Hopefully, and most importantly, this bill will help local-into-local get rolled out more ubiquitously to rural markets in Wisconsin around Green Bay, Madison, Eau Claire, and Wausau and to other areas across the country. This is a good thing for consumers and, very simply, that's why I support passage of this measure.

I yield the floor.

Mr. ROBB. Mr. President, I rise today first of all to commend those members on both sides of the aisle who have worked so hard to bring this important loan guarantee bill to the floor. It is the final piece—and in my view, the key piece—of a lengthy effort to enact comprehensive reform of our nation's satellite television laws.

Last year, we passed a bill that I was proud to cosponsor, the Satellite Home Viewer Improvement Act of 1999. It restored service to thousands of Virginia households who had been cut off from their network signals, and more importantly, allowed satellite television companies to finally provide local network services to consumers. My only disappointment about the Act was that a last-minute deal removed a provision which would have made it easier for viewers living outside of major metropolitan areas to get satellite broadcasts of their local television stations.

As a result, the only market in Virginia that can receive local-into-local service is the metropolitan D.C. area, leaving over 94% of satellite households in my state without this crucial service. The satellite industry is not required to start offering local service to all their customers, and they've made it clear that they don't intend to do so, leaving many Americans without this important service.

I believe that every household in Virginia, and, indeed, across America deserves the same quality local television service. This isn't just a matter of helping rural areas get the latest episodes of ''Who Wants to Be a Millionaire?'' or ''NYPD Blue''—it's about ensuring that all consumers have access to vital local public safety information, school closings, weather and news programming that we've come to rely on.

There's no question that the market is out there for these services—I've been inundated with thousands of phone calls, letters and post cards from Virginians who want to subscribe to them. Unfortunately, many companies and cooperatives who are interested in providing new local television services have held back because the financing can be a bit tricky.

The bill before us today will help to address this problem. By providing loan guarantees that support new satellite services that serve rural areas of the country, we can help facilitate the transmission of local television signals to areas of the country that are not able to receive this service. Earlier today, I joined Senators JOHNSON and THOMAS in introducing an amendment that would significantly improve the loan guarantee program by expanding it to include those entities that are most adept at providing rural utilities. I'm very pleased that a modified

version of this amendment has been accepted, and believe that it will go a long way toward bringing affordable local television signals to unserved areas in Virginia.

Mr. President, I'd also like to talk for a moment about a second amendment which I've cosponsored, along with Senators BAUCUS and LEAHY, to address the issue of the emerging ''digital divide'' between urban and rural America. While many people generally think of Internet access as something that you get over telephone lines, consumers are increasingly able to access the Internet at much faster speeds through the same systems used to transmit cable and satellite television.

Our amendment simply clarifies that this new loan guarantee program should look at ways that the same systems which are deployed in rural areas to deliver local television services can also be used to deliver new broadband communications services. At a time when television and the Internet are heading in a direction where they may soon converge, we ought to have the foresight to look at ways that new communications systems can support multiple services and technologies, particularly when the government is helping to finance the deployment of these systems. This amendment has also been accepted.

Again, Mr. President, I strongly support the underlying bill, and commend those on both sides of the aisle who have helped move it to the Senate floor. I look forward to working with my colleagues to ensure that we take steps to further enhance the range of choices consumers have in the marketplace.

ADMINISTRATIVE PROCEDURE ACT

Mr. ENZI. Mr. President, I would like to engage in a colloquy with the chairman of the Senate Banking Committee. Is it the case that the program established by S. 2097, the ''Launching Our Communities' Access to Local Television Act of 2000,'' would be subject to the Administrative Procedure Act? For example, would the Board established by this Act be required to make its proposed rules and regulations available for public comment and other relevant procedures under the Administrative Procedure Act?

Mr. GRAMM. The Senator is correct. Public involvement must be an essential part of this program if it is to succeed. The Board established by S. 2097 falls within the definition of an ''agency'' under section 552 of Title 5 of the United States Code (Administrative Procedure Act) and therefore will have its rulemaking subject to the Administrative Procedure Act. All parties will have an opportunity to be heard. This openness to public comment will help ensure that the interests of those most likely to benefit from the loan guarantee program—television subscribers in unserved areas—will be represented. In addition, an open rulemaking should help ensure that no applicant for a loan guarantee will receive consideration apart from the merits of the proposed project.

Mr. ENZI. I thank the chairman for this clarification.

APPLICATION OF COPYRIGHT AND COMMUNICATIONS LAW TO LOAN GUARANTEE APPLICANTS

Mr. HATCH. Mr. President, it would be appropriate at this point to explain our joint view regarding the application of copyright and communications law to those who provide local television signals with the assistance provided under this Act. We all agree that the rights, obligations, and limitations that apply to applicants under this loan guarantee program ought to be the same as those providing similar services without the assistance of the loan guarantee program. Congress passed comprehensive rules in this area just a few months ago at the end of the last session, and it is our joint intention to clarify that those rules apply to applicants under this program just as they do to others who take advantage of the reforms passed last year. To underscore this position we have offered an amendment, and that amendment has been accepted, that will clarify some confusion resulting from the manner in which section 8 of the underlying bill was drafted by dropping section 8 from the bill altogether. It is the general rule that otherwise applicable law will apply absent a clear statement to the contrary. Since the relevant sections of Title 17 and Title 47 would apply, the attempt to list the provisions that apply in this context is superfluous, and to the extent that the drafting in current section 8 could be read to be inconsistent with current law, it merely causes needless confusion. It seems best, therefore, to simply drop the provision and make a clear statement that currently applicable copyright and communications law will apply to applicants under the loan guarantee program just as it does to those providing similar services without loan guarantee assistance. Do my colleagues agree?

Mr. STEVENS. I do agree. It was never the intention of those who worked on the broad satellite television reforms in the last session to establish any different copyright or communications rules for loan guarantee applicants, but rather that they be governed by the same rules as all others in the market. If special rules were established for loan guarantee applicants, the loan guarantee program would have collateral effects on the market for subscription television services by causing a confusing disparity in the rules applicable to competitors, and possibly skew competition in unforeseen or inappropriate ways. I agree that it is important to clarify the application of law in this way at that time. I would ask the managers of the bill if they agree with us and will commit to work through conference to the end of ensuring that the rules we adopted last year will continue to apply to applicants and non-applicants alike?

Mr. GRAMM. I agree with my colleagues that we should clarify that current copyright and communications law will apply to applicants and non-applicants alike under our loan guarantee legislation. And I will continue to work, as I have heretofore, to ensure that our loan guarantee bill does not change the application of the rules passed last year with regard to applicants or other non-applicant providers of television services.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. BENNETT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MACK (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—97

Abraham	Feinstein	McCain
Akaka	Fitzgerald	McConnell
Allard	Frist	Mikulski
Ashcroft	Gorton	Moynihan
Baucus	Graham	Murkowski
Bayh	Gramm	Murray
Bennett	Grams	Nickles
Biden	Grassley	Reed
Bingaman	Gregg	Reid
Bond	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee, L.	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Enzi	Lott	
Feingold	Lugar	

ANSWERED ''PRESENT''—1

Mack

NOT VOTING—2

Boxer Domenici

The bill (S. 2097), as amended, was passed.

Mr. NICKLES. Mr. President, in regard to the legislation just passed, I

compliment the chairman of the committee, Senator GRAMM, and also Senator CONRAD BURNS, for their leadership. They worked on this legislation for a long time. I compliment them on passing a good bill and passing it overwhelmingly.

GAS TAX REPEAL ACT—MOTION TO PROCEED

The Senate resumed consideration of the motion.

Mr. LOTT. Mr. President, today's fuel prices are a daily reminder that America is now at the mercy of foreign oil producing nations. However, before you blame your neighbor's SUV, your local fuel distributors, the oil companies, the automakers, or any of the other usual scapegoats, consider this fact—America is one of the leading energy producing countries in the world. This country has the technology, alternative resources and enough oil to be much more self-sufficient. America does not have to revert back to the practices of the 1970s.

This country is faced with a very serious problem. Our nation's farmers and truckers are being hit the hardest—simply because of this Administration's lack of energy policy. In fact, Secretary Richardson recently admitted that this Administration was caught napping when energy prices began to rise. As a result, U.S. crude oil production is down 17 percent since 1993, and consumption is up 14%. America now imports 56% of the oil consumed—compared to 36% imported at the time of the 1973 Arab oil embargo. At this rate the DOE predicts America will be at least 65% dependent on foreign oil by 2020.

This Administration has close ties to radical environmentalists—environmentalists whose strong rhetoric and drastic actions appear more like a new-age religion than a clarion call for good stewardship. It appears that the White House has spent eight years trying to slowly kill our oil, coal, natural gas and even our hydroelectric industries.

The Administration began this process in 1993 with an effort to impose a $73 billion five-year energy tax to force the American people away from the use of automobiles and American industries away from their primary energy sources. The Clinton/Gore EPA is still attempting to shut down coal-fired electric generating plants in the South and Midwest. Meanwhile, the Administration is providing no offsets to this. In fact, they have done nothing to increase the availability of domestic natural gas, which is the clean alternative for coal in electric plants. Federal land out West is expected to contain as much as 137 trillion cubic feet of natural gas, but the Administration refuses to allow drilling. Similarly, the Administration will not allow exploration on federal land in Alaska, which is estimated to contain 16 billion barrels of domestic crude oil.

None of these facts should be surprising. Vice President GORE has vowed to prohibit future exploration for oil or natural gas on our outer-continental-shelf. He has bluntly stated that the internal combustion engine—the very mechanism which drove America's industrial development and led to the creation of our middle class—is a threat. Maybe that's why he embraces the Kyoto Protocol which would impose staggering consumption restrictions on our economy, while exempting other countries. This treaty is so bad that my colleagues from GORE's own party joined the Senate leadership in voting against it 95 to zero. AL GORE may not depend on the internal combustion engine for his livelihood, but a lot of folks beyond the Washington beltway do.

There has to be a solution to this problem. Even without tapping all of America's resources, this country still produces almost half of her fuel needs—far more than most industrial countries. In the long run, a national energy policy that looks at all realistic alternative sources of energy must be developed. Congress must also provide incentives for independent producers to keep their wells pumping. Tax credits for marginal wells will restore our link to existing oil resources, including many in Mississippi. These solutions will be needed someday soon.

In the short term, Congress can reduce or temporarily suspend federal fuel taxes, which, along with state excise taxes, account for an average of 40 cents per gallon of gasoline. This would include the ''Gore Fuel Tax'' ramrodded by the President back in 1993 in a decision so close that AL GORE headed to Capitol Hill to cast the tie-breaking vote. Yes, the Vice-President is the very reason the 4.3 cent gas tax was implemented. Now, as the Administration continues to do nothing to remedy this crisis, the Congress can make a difference. Repealing the Gore Gas Tax immediately, and providing a complete federal fuels tax holiday if prices reach a nationwide average of $2.00, will provide real relief for American consumers at the pump. This can be done for the remainder of this year without touching one cent of the Highway Trust Fund, Social Security, or Medicare. This is a real solution to a very real problem.

This reflects the leadership of a number of our colleagues on this important issue. One provision to suspend the diesel fuel tax has been championed by the senior Senator from Colorado, BEN NIGHTHORSE CAMPBELL. A trucker himself, Senator CAMPBELL has led the way on ways to assist truckers and their families who are suffering from the rising price of diesel fuel. He has met with the truckers who have traveled great distances to Washington to make their voices heard. Senator CAMPBELL's unique insights and personal experiences have been helpful to the leadership in crafting this comprehensive gas tax bill.

This is not the 1970s. America has better technology, more efficient and cleaner automobiles as well as more energy options. The question is: how long will we hold these options and be held hostage to nations abroad or radical environmentalists at home? America can solve her energy problems but Congress must act in the interests of our entire nation, rather than a select few.

Mr. DASCHLE. Mr. President, I want to explain the procedural situation we are in with regard to the motion to proceed on the so-called gas tax repeal. I could not be more strongly in opposition to the repeal of the gas tax because of its potential to devastate our highway and transit programs.

Nevertheless, I intend to support the motion to proceed this afternoon and I urge my colleagues on this side to do so for a couple of reasons.

First of all, it seems to me this ought to be a debate that we have early next week. I think there are a lot of very important questions that ought to be raised about the advisability of the repeal of the gas tax. I think Governors and those from industries that are involved in the construction of our infrastructure this year ought to have the opportunity to be heard.

I will read for my colleagues some of the comments made by my colleagues on the Republican side of the aisle with regard to the gas tax. I think they ought to be heard, as well.

Let me quote from Speaker DENNIS HASTERT, who on March 26, said:

> But the problem is that this doesn't solve the problem. . .that's just a little tick in what the cost of gas is. We need to solve the real problems out there.

So said the Speaker of the House of Representatives.

The House Transportation Committee chairman, BUD SHUSTER said:

> Repeal of the fuel tax is the wrong way to go. [It's] counterproductive because reducing a portion of the price without reducing the underlying cost of crude oil makes it easier for OPEC countries to keep prices high.

So says the chairman, the Republican chairman of the House Transportation Committee.

Here is what the House majority leader, DICK ARMEY said:

> Let's not get bogged down on only one dimension of the problem—a short-term dimension that offers scant relief. Even if we repealed, that it would give little relief to consumers.

Here is what my colleague, the very respected and distinguished chairman of the Armed Services Committee, JOHN WARNER said:

> Repealing the 4.3 cents will have little or no impact on the price of fuel. It will, however, severely limit all of our States' abilities to make needed surface transportation improvements.

Here is what our colleague, Senator GEORGE VOINOVICH, said on March 24:

> Even with this repeal, there is no guarantee it is going to bring down the cost at the pump. It defies common sense.

Here is what the GOP conference chair, J.C. WATTS, said in the House of Representatives on March 19:

I don't know if the tax has any affect on fuel tax. Supply and demand is driving price right now.

Finally, here is what Congressman DON YOUNG said. He gets the award for the bluntest assessment of the advisability of this particular legislation.

Absolutely the dumbest thing ever thought of.

This ought to be debated. We ought to have a good discussion about its advisability. This is one of those rare occasions when I happen to be on the same side as the Speaker of the House of Representatives, the majority leader on the House of Representatives, the conference chair on the House of Representatives, Congressman YOUNG from the House of Representatives, and some of my distinguished colleagues here in the Senate.

We ought to debate it. It ought to be amended. We don't oftentimes have a vehicle that could be offered that will allow an opportunity to debate energy and tax policy such as this. I am hoping we can offer amendments to this bill and we would expect we would have the opportunity to do so. This is one of those rare occasions when many of our colleagues share the view expressed so powerfully and eloquently by our Republican colleagues.

I am not giving the credit they deserve to my Democratic colleagues on the House side. I could come up with at least as long a list on that side.

We look forward to this debate. We are certainly not going to object at all to having the motion to proceed presented to us this afternoon.

We just want to get to the bill and have this debate. That is my reason for supporting the motion to proceed, to have a good debate, to ensure the American people know what the implications of this particular vote will be and the unusual coalition that has already been created in opposition to this repeal. I yield the floor.

Mr. DODD. Mr. President, it is not often that so many of my colleagues come to the Senate floor in opposition to lowering a tax. They do so and I join them today for good reason. The legislation to repeal the 4.3 cent per gallon excise tax on gasoline is a wolf in sheep's clothing.

In fact, several members on the other side of the aisle from House Majority Leader DICK ARMEY and Ways and Means Chairman BILL ARCHER, to House Transportation Chairman SHUSTER are opposed to this measure. The National Governors Association has voiced its adamant opposition, as well.

The proposal, S. 2285, is fiscally irresponsible and will not lead to lower gasoline prices for consumers. This measure could cause the state of Connecticut to lose more than $280 million to highway funds for FY 2002 and 2003, in addition to hundreds of lost jobs as highway projects are put on hold or shelved indefinitely. Congress made a commitment to help states like Connecticut repair and maintain our highways and it should not break that commitment.

Supporters of this legislation say they would tap the non-Social Security surplus to replace the lost tax revenues created by their proposal. That is a mistake. We should be directing the surplus to debt reduction, ensuring the solvency of Social Security, prescription drugs, targeted tax cuts and investments in education and the environment.

The likelihood that any reduction in the Federal gasoline tax will reach consumers is unlikely. The tax is not imposed at the pump, but rather shortly after the gasoline leaves the refinery. The gasoline could pass through several other entities before it reaches the pump and none of the middlemen would have to pass on the savings. The legislation contains only a Sense of Congress that any benefits of the tax be passed on to consumers. Past experience in Connecticut has shown that decreases in a fuel tax have not been passed on to motorists. In 1997, gas prices shot up 11 cents in August despite a 3-cent cut in the state gasoline tax that took effect on July 1.

Finally, it is worth noting that several states, including Arkansas, Nevada, Oklahoma, California, and Tennessee, have laws that mandate an increase in state gasoline taxes if the Federal rate decreases. Obviously, a state's legislature can act to change its laws. But these laws only underscore the complexity of gas pricing which the bill before us does not.

The cut could be another 18.3 cents per gallon for gasoline and more for other oil-based fuels. The gasoline tax is dedicated revenue that we use to maintain our highways. The loss of funds for highway improvements and mass transit, the loss of jobs and the uncertainty—if not unlikelihood—that a gas tax reduction would result in lower gas prices—make this bill unsound and unwise.

We all want to bring down the price of gasoline. Let's take responsible steps to move in that direction. I commend the administration for getting a commitment from the OPEC nations to increase production. In addition, the administration has also proposed tax credits for energy-efficient homes and energy-efficient cars, funding for the development of clean and renewable energy and the enactment of tax proposals to promote the use of alternative energy sources.

Ms. SNOWE. Mr. President, I rise today in support of the motion to proceed to invoke cloture on S. 2285, the Federal Fuels Tax Holiday Act of 2000, a bill introduced by Senator LOTT which I have been pleased to cosponsor.

This legislation will repeal, until the end of this year, the 4.3 cent-per-gallon increase to the federal excise tax on gasoline, diesel, kerosene, and aviation fuel added by the Clinton Administration in 1993.

Also, our legislation is set up so that should the national average for regular unleaded gasoline prices breach the $2 mark, it would also repeal, until the end of the year, the 18.3 cent-per-gallon federal gasoline tax; the 24.3 cent-per-gallon excise tax on highway diesel fuel and kerosene; the 4.3 cents per-gallon railroad diesel fuel; the 24.3 cent-per-gallon excise tax on inland waterway fuel; the 19.3 cent-per-gallon for noncommercial aviation gasoline; the 21.8 cent-per-gallon for noncommercial jet fuel; and 4.3 cents-per-gallon for commercial aviation fuel.

This will provide the nation with a vital ''circuit breaker'' in the midst of the very real possibility of skyrocketing fuel costs as America takes to the road this summer—and the legislation ensures that any savings will truly be passed on to consumers and not pocketed before customers can benefit from the savings at the pump.

Some of my colleagues say this will not amount to enough savings for the consumers to even care about. Well, I guess my constituents in Maine are more thrifty than others, especially after a winter of paying the highest prices in decades for both home heating oil and high gas prices at the pump.

At the same time, it allows reimbursement of the Highway Trust Fund, which is financed by the gasoline tax, and the Airport and Airways Trust Fund, financed by the aviation fuel tax. Both these funds are held completely harmless, with any lost revenues to be replaced from the budget surplus. No one should have any concerns about the impact this bill would have on the progress of important highway and airport projects because the impact would be zero.

This legislation takes a concrete step toward more reasonable fuel prices, helping to serve as a buffer for consumers who are already reeling from the high cost of gasoline and other fuels. Of course, I hope the provisions for temporary repeal of the full tax will not be necessary. But if they are, they will provide immediate relief to taxpayers and ensure that, if prices are skyrocketing, any savings in fuel costs will be passed on to consumers.

The retail price we pay for refined petroleum products for gasoline, diesel fuel, and home heating oil, for instance, substantially depends upon the cost of crude oil to refiners. We have seen a barrel of crude oil climb to over $35.00 recently from a price of $10.50 in February of 1999. That is a 145 percent increase. And while OPEC agreed this week to only very modest increases in crude oil production, White House officials say that the cost of gasoline at the pump will now decline in the coming months, even though their own Economic Advisor Gene Sperling was quoted in the Washington Post on March 29, as warning that ''there is still significant and inherent uncertainty in the oil market, particularly with such low inventories, and we will continue to monitor the situation very closely''.

Mr. President, while the Administration has ''monitored'' the situation, crude oil prices have gone up and up,

and our inventories went down. As a matter of fact, the Administration admits that it was ''caught napping'' after OPEC decided to decrease production in March of 1999—and while they napped through a long winter's sleep, prices for crude climbed as temperatures plummeted.

The effect on gasoline, diesel and home heating oil was predictable, and in fact was predicted. Last October—a half a year ago—the Department of Energy, in its 1999–2000 Winter Fuels Outlook, projected a 44 percent increase in home heating oil bills. In a severe winter, the agency estimated, an additional 28 percent increase in costs could be felt for residential customers.

In other words, the Department of Energy itself predicted an increase of over 70 percent, but did nothing. In actuality, home heating oil costs jumped from a fairly consistent national of 86 cents per gallon in the winter of 1998–99 to as high as $2.08 per gallon in Maine early last month—an increase of well over 100 percent. And, in that same time frame, conventional gasoline prices have risen 70 percent or higher.

So now the Administration tells us that gasoline prices will most likely go down by this summer because of the small production increases agreed to by OPEC. Well, even with an increase in OPEC quotas, there will still be a shortfall in meeting worldwide demand for crude oil. Approximately 76.3 million barrels per day are needed to meet demand, but the anticipated new OPEC production is estimated to be only 75.3 million barrels per day. So you'll have to excuse me if I'm a little hesitant accepting estimates from an Administration that seems to make predictions by gazing into a crystal ball. I want to at least make sure that Americans have in their pockets what they would have otherwise paid in fuel taxes if the Administration underestimates prices once again and gasoline hits $2.00 a gallon.

Beyond the pump, consumers are getting hit with extra costs directly attributable to high fuel costs. If you've paid to send an overnight package lately, you probably noted that you were charged a fuel fee, because their cost of diesel fuel has increased by about 60 percent over the past year. And with a 150 percent increase in jet fuel, that airline ticket you buy today will probably include something you've never seen before—a fuel charge of $20.00. How long will it be before costs of other products will also be passed on the consumer?

And, consider the impacts to the nations' farmers. The New York Times reported just this past Wednesday that a farmer paying 40 cents a gallon more this year to fuel his diesel tractors and combines is adding as much as $240 a day to his harvesting costs. In my home state of Maine, we are at the peak season for moving last year's potato crop out of storage and to the large Eastern markets. But the industry can't get truckers to come into the State to move the potatoes because they are discouraged by the particularly high price of diesel in Maine.

The only help the potato industry has had recently in getting their product to market has certainly not been due to the energy policy of this Administration, but to local truckers who have turned to hauling potatoes because the recent wet weather has kept them away from taking timber out of the Maine woods.

Soon, we will enter the summer months, when tourism is particularly important to the economy of New England and to Maine in particular. With gas prices climbing even higher, we need relief now, and that's what this bill provides.

Mr. President, the choices are clear—do nothing for the taxpayers who are being gouged by failed energy policies, or do something by supporting legislation that acts as a circuit breaker that gives citizens a break at the gas pump, protects the Trust Funds that build our highways and airports, I urge my colleagues to support this bill and I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

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 motion to proceed to the Gas Tax Repeal Act, S. 2285:

Trent Lott, Frank H. Murkowski, Paul Coverdell, Conrad Burns, Larry E. Craig, Mike Crapo, Judd Gregg, Orrin Hatch, Rod Grams, Susan Collins, Robert F. Bennett, Chuck Grassley, Mike Inhofe, Don Nickles, Sam Brownback, and Richard G. Lugar.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to the Gas Tax Repeal Act, S. 2285, 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 New Mexico (Mr. DOMENICI) and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 86, nays 11, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—86

Abraham	Allard	Bayh
Akaka	Ashcroft	Bennett
Biden	Gramm	McConnell
Bingaman	Grams	Mikulski
Breaux	Grassley	Moynihan
Brownback	Gregg	Murkowski
Bryan	Hagel	Murray
Bunning	Hatch	Nickles
Burns	Helms	Reed
Campbell	Hollings	Reid
Chafee, L.	Hutchinson	Rockefeller
Cleland	Hutchison	Roth
Cochran	Inouye	Santorum
Collins	Jeffords	Sarbanes
Conrad	Johnson	Schumer
Coverdell	Kennedy	Sessions
Craig	Kerrey	Shelby
Crapo	Kerry	Smith (NH)
Daschle	Kohl	Smith (OR)
DeWine	Kyl	Snowe
Dodd	Landrieu	Specter
Dorgan	Lautenberg	Stevens
Durbin	Leahy	Thompson
Edwards	Levin	Thurmond
Feingold	Lieberman	Torricelli
Fitzgerald	Lott	Voinovich
Frist	Lugar	Wellstone
Gorton	Mack	Wyden
Graham	McCain	

NAYS—11

Baucus	Feinstein	Roberts
Bond	Harkin	Thomas
Byrd	Lincoln	Warner
Enzi	Robb	

NOT VOTING—3

Boxer	Domenici	Inhofe

The PRESIDING OFFICER. On this vote, the yeas are 86, the nays are 11. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Oklahoma.

MORNING BUSINESS

Mr. NICKLES. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

LARRY HARRISON

Mr. NICKLES. Mr. President, sadly this week the Senate has lost another member of our family. On Monday, Larry Harrison, a retired Senate staffer, passed away in Washington, DC. Before his retirement in June of 1997, Larry had over 36 years of Federal service.

Most of my colleagues will remember Larry's hard work as a Chamber attendant. His dedication to the upkeep of the Chamber and the surrounding rooms will be remembered. On Tuesday evening, former Senator Bob Dole fondly remembered Larry during the Leader's Lecture Series.

Like many of the support staff who work for this institution, Larry arrived at work long before the Senate convened and frequently left the Chamber long after adjournment.

Many Senators will recall Larry's passion for golf. I certainly do. As a matter of fact, Larry was one of the founders of the ''Cloakroom Open.'' This golf tournament was organized by Larry to enable many of the Senate staff who work around the Senate Chamber an opportunity to play a round of golf together. It was a chance for a little camaraderie without the discussion of party or politics.

Many may know that Larry's step son, Mike Henry, also works for the Senate and has worked for the Senate for a long time. I have had the pleasure of knowing Mike. I think highly of Mike and his family. Mike's wife, Cookie, also works for the House of Representatives. This is a family who has dedicated decades of service to the Congress and to the Senate.

I join with all of my colleagues in expressing sympathy to Larry's family and our hearts and prayers go out to them at this time. I know all Members will join me in saying, ''Thank you, Larry, for your service, and keep hitting 'em straight.''

Mr. DASCHLE. Mr. President, the Senate recently lost a very dear friend. Larry Harrison, who worked in the Capitol for over 36 years prior to his retirement in 1997, died early this week. Larry's many years of dedicated and distinguished work made him an institution within this institution. It was tough on all of us when he retired a few years ago, but it is much more difficult to say goodbye to him today.

Larry served this country and the Senate in a variety of ways for nearly four decades. He served in the U.S. Army during World War II, participating in the D-Day invasion at Normandy, and following the war worked for the Architect of the Capitol for five years. Larry returned to the Capitol to work for the Sergeant at Arms in 1967. He stayed there until 1997, outlasting all but five of the Senators who were serving in this chamber when he started.

Larry had an extraordinary work ethic, and he committed himself to his job with tremendous pride, energy, and humor. During his time in the Capitol, Larry was responsible for maintaining the President's Room, the Cloakroom, and the Senate Chamber. Somehow, he even found time to operate a shoe shine station in the Senator's bathroom, and I know I speak for everyone when I say that this place hasn't been the same without Larry's friendly smile and kind voice.

When he retired in 1997, our loss was his family's gain. His wife, Jean, and sons, Michael Henry, Albert Philips and Kevin Harrison got their husband and father back full-time. Sadly, their time with him has now been cut all too short.

Our thoughts and prayers are with Larry Harrison's friends and family, especially his wife, Jean, and their three sons. Larry was a good man, a caring husband, and great father. He will be missed.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 29, 2000, the Federal debt stood at $5,733,451,648,545.39 (Five trillion, seven hundred thirty-three billion, four hundred fifty-one million, six hundred forty-eight thousand, five hundred forty-five dollars and thirty-nine cents).

One year ago, March 29, 1999, the Federal debt stood at $5,647,515,000,000 (Five trillion, six hundred forty-seven billion, five hundred fifteen million).

Five years ago, March 29, 1995, the Federal debt stood at $4,851,857,000,000 (Four trillion, eight hundred fifty-one billion, eight hundred fifty-seven million).

Ten years ago, March 29, 1990, the Federal debt stood at $3,052,317,000,000 (Three trillion, fifty-two billion, three hundred seventeen million).

Fifteen years ago, March 29, 1985, the Federal debt stood at $1,710,731,000,000 (One trillion, seven hundred ten billion, seven hundred thirty-one million) which reflects a debt increase of more than $4 trillion—$4,022,720,648,545.39 (Four trillion, twenty-two billion, seven hundred twenty million, six hundred forty-eight thousand, five hundred forty-five dollars and thirty-nine cents) during the past 15 years.

PERMANENT NORMAL TRADE RELATIONS FOR CHINA

Mrs. FEINSTEIN. Mr. President, I draw the attention of the Senate to a timely Opinion-Editorial, written by former Ambassador Leonard Woodcock, that appeared in the March 9, 2000 Los Angeles Times. Long a champion of workers' welfare and workers' rights, Ambassador Woodcock was also the first United States Ambassador's to the People's Republic of China.

Ambassador Woodcock lays out, in a clear and well-reasoned manner, powerful arguments showing how the United States will benefit from establishing permanent normal trade relations (PNTR) with China, and why it is in our interest to see China in the World Trade Organization (WTO). Equally important, the author forces those who profess a concern for Chinese workers' rights to take a realistic look at how our decision concerning China PNTR will help or harm workers in China.

I comment Ambassador Woodcock's thought-provoking commentary to all my colleagues in the Congress and, even more, to all persons interested in understanding the basics of the U.S.-China PNTR debate. I ask unanimous consent that Ambassador Woodcock's Opinion-Editorial be printed in the CONGRESSIONAL RECORD following my remarks.

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

EVOLUTION DOESN'T OCCUR OVERNIGHT

WTO agreement: Organized labor should support it. It's in both U.S. and Chinese interests.

(By Leonard Woodcock)

The recent U.S.-China World Trade Organization bilateral accession agreement appears to be good for workers in both countries. I was privileged, as U.S. ambassador to China, to sign the 1979 trade agreement that provided for most-favored-nation trade status to China and have, as a private citizen, been involved with this issue for many years.

American labor has a tremendous interest in China's trading on fair terms with the U.S. The agreement we signed with China this past November marks the largest single step ever taken toward achieving that goal. The agreement expands American jobs. And while China already enjoys WTO-based access to our economy, this agreement will open China's economy to unprecedented levels of American exports, many of which are high-quality goods produced by high-paying jobs.

There is reason to fear unfair trade practices. Yet this agreement actually provides better protections than our existing laws allow. It stipulates 12 years of protections against market surges and provides unusually strong anti-dumping laws—which aim to counter unfairly priced imports—for 15 years.

I have, therefore, been startled by organized labor's vociferous negative reaction to this agreement. The reality is that the U.S. as a whole benefits mightily from this historic accord. The AFL–CIO argues that nothing in this agreement demands that free trade unions be formed in China. Yet the WTO does not require this of any of its 136 member countries, and the WTO is the wrong instrument to use to achieve unionization.

We should, instead, be asking a more important question. Are Chinese workers better off with or without this agreement? The answer is that this agreement, in a variety of ways, will be enormously beneficial to Chinese workers.

On a subtle level, the changes the agreement requires of China's economic system will work in favor of investment by Western firms and take away some of the key advantages Asian firms now enjoy in China. Every survey has demonstrated that working conditions and environmental standards in plants run by West European and North American firms are usually better than those in Asian and in indigenous Chinese firms.

The greater foreign presence also will expose Chinese workers to more ideas about organization and rights. That is perhaps one reason why almost every Chinese political dissident who has spoken on this issue has called the United States-China WTO agreement good news for freedom in China.

The trade deficit with China is a troublesome one to the labor movement. We need to put it in perspective in two ways. First, if we were to block access of goods from China to the United States, this would not increase American jobs. That is because the Chinese exports—mostly toys, tools, apparel, cheap electronics, etc.—would be produced in other low-wage countries, not in the United States. Yet if China stopped buying from us, we would lose about 400,000 jobs, mostly high-wage.

Second, a large portion of exports from ''China'' are goods produced in the main in Hong Kong. Taiwan and Southeast Asia. The major components are then shipped to China for final assembly and packaging, but the entire cost of the item (often only 15% of which was contributed in China) is attributed to China's export ledger. Exports to the United States from Hong Kong and Taiwan have declined over the past decade almost as fast as imports from China have increased. Yet the companies making the profits are in Hong Kong and Taiwan, and they will simply shift their operations to Vietnam or elsewhere if we close down exports from China.

Americans are broadly concerned about the rights and quality of life of Chinese citizens. My perspective on this serious issue is influenced by my experience in the U.S. In my lifetime, women were not allowed the vote, and labor was not allowed to organize. And, in my lifetime, although the law did

not permit lynching, it was protected and carried out by legal officeholders. As time passed, we made progress, and I doubt if lectures or threats from foreigners would have moved things faster.

Democracy, including rights for workers, is an evolutionary process. Isolation and containment will not promote improved rights for a people. Rather, working together and from within a society will, over time, promote improved conditions. The United States-China WTO agreement will speed up the evolutionary process in China. American labor should support it because it is in our interest, and it is the interests of Chinese workers too.

RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT

Mr. REED. Mr. President, I rise today to briefly discuss a reauthorization bill introduced yesterday by Senators JEFFORDS and KENNEDY, the Ryan White CARE Act Amendments of 2000, S. 2311. This legislation is very important in that it will help to continue to improve the quality and availability of care for low-income, uninsured, and under insured individuals and families affected by AIDS and HIV disease. I am pleased to be a cosponsor of this initiative.

Ryan White died on April 8, 1990 at age 18. He was a prime example of someone whose own community rejected him when he was only 13 years old because of his health status. As a result of his courageous battle to attend public school in Indiana, we all learned and understood more about AIDS. Ryan White played a major role in changing people's views concerning the disease and AIDS patients. Through his actions, he conveyed the importance of education and awareness to combat the spread of this deadly disease. Even after his death, the story of his courageous battle with AIDS continues to impact the common man. His legacy lives on through the Ryan White CARE Act.

This reauthorization provides us the opportunity to improve this bipartisan legislation to adequately care for those persons affected with AIDS and HIV. As noted by Ryan's mother, Jeanne, ''We have come a long way since Ryan's death, but we still have so far to go.'' Although the number of AIDS cases continues to decline each year, the number of HIV-positive individuals continues to grow at an alarming rate. This legislation would expand the duties of the Planning Council, provide for a Quality Management Program, establish requirements for heath care referral relationships, fund early intervention services, and improve resources for infants, children, and women. Until a cure is found, the Ryan White CARE Act will continue to be the ''payer of last resort'' for thousands of individuals who otherwise cannot afford health care or basic subsistence needs. In my home State of Rhode Island, $3,463,706 of Ryan White CARE funding was provided during fiscal year 1999 to ensure access to life-sustaining drugs and other critical health and social services for those individuals affected with AIDS and HIV.

Because AIDS and HIV is a national problem, it deserves national attention. I look forward to working with my colleagues in the Senate Health, Education, Labor and Pensions Committee to make further enhancements and improvements to the bill. Specifically, I understand my colleague, Senator BINGAMAN, has been working on a provision that would allow more states to have access to dental care grant funding under Part F of the act. I believe this is a very important issue for individuals with HIV and AIDS and hope this provision will be incorporated into the overall bill.

ANTI-DEMOCRATIC ACTIONS IN BELARUS

Mr. DURBIN. Mr. President, I rise to speak today about the dramatically deteriorating situation in Belarus. As of Sunday, March 26, more than 100 opposition activists remained in custody after a rally on Saturday that turned from a peaceful event into a demonstration that saw police clubbing protesters with nightsticks, hitting journalists covering the event and sending armored cars into Central Minsk. More than 500 people were detained, most of whom were not formally charged until Monday. This is only one of the examples of how, in Belarus, the Lukashenka regime continues to try to suppress the will of the people.

In November, Senator CAMPBELL and I introduced a resolution condemning the Lukashenka regime and its actions towards the country. The sad reality is that Belarus is being left behind while the rest of Europe is building a foundation of democratic governance, respect for human rights, and the rule of law.

Since 1996, President Lukashenka has been responsible for numerous unconstitutional steps. He unilaterally extended his term until 2001 after he promised to hold democratic elections in 1999. He replaced the 13th Supreme Soviet with a rubberstamp parliament and he rewrote the country's constitution.

Belarus has turned into a country where those who choose to participate in civil society by speaking truth to power must do so at great risk to their freedom, and even their lives, under Lukashenka's rule. Two prominent opposition figures—General Yuri Zakharenko and Viktor Gonchar—as well as another associate, Anatoly Krasovsky, have disappeared. Many of the people arrested on March 25 as well as other peaceful protesters were members of the opposition.

Belarus' economy is apparently imploding and neighboring countries, Poland, Lithuania, and Latvia, are concerned about regional instability.

Our resolution condemns the arrest of opposition figures and the disappearance of others; calls for a dialogue between Lukashenka and the opposition; calls for the restoration of a democratically-elected government and democratic institutions; calls on the U.S. President to fund travel by Belarusian opposition figures and non-governmental organizations in Belarus; and supports information flows into Belarus.

Belarus is not making progress. We must do what we can to sustain the remarkable progress of the other countries that have transformed themselves into fully democratic market democracies, and encourage the development of a democracy in Belarus.

Mr. CAMPBELL. Mr. President, on March 25, Belarusian authorities harshly suppressed a pro-democracy demonstration in the capital of Minsk, arresting and detaining hundreds of peaceful protestors, including nearly 30 domestic and foreign journalists. Riot police, deployed with dogs and armored personnel carriers, used excessive force against some peaceful demonstrators.

Among those detained and beaten was democratic opposition leader Anatoly Lebedka, Deputy Chairman of the 13th Supreme Soviet. Many of my Senate colleagues met Mr. Lebedka last September when I introduced him right here on the Senate floor. Mr. Lebedka was just in Washington earlier this month to testify at a Helsinki Commission hearing about the deteriorating situation in Belarus.

Based on information I obtained from the State Department, I am advised that Anatoly Lebedka was arrested by plainclothes police during the demonstration, kept in detention, and reportedly beaten over the course of two days. He spent most of Monday in a police van outside the courthouse awaiting trial, but was released at 5:00 p.m. His trial has been scheduled for April 4.

Mr. President, the harsh overreaction by the authorities to this peaceful demonstration represents a clear violation of the freedom of association, assembly, and information guaranteed both by the Belarusian constitution and OSCE agreements. In addition, the Belarusian authorities detained a U.S. citizen who is an accredited diplomat and a member of the OSCE Advisory and Monitoring Group in Belarus, and who was observing the demonstration in line with his official responsibilities. This action also violates international conventions.

It appears that the green light for the most recent crackdown was given by Belarusian President Lukashenka, who praised the police for their actions. Reports indicate that earlier this month, he cautioned that the riot police will ''beat the stuffing out'' of any protestor who ''gets out of line.''

Unfortunately, the suppression by the Belarusian authorities of peaceful protest, along with the sentencing last week of a prominent member of the opposition, does nothing to encourage a constructive dialogue with the democratic opposition that can lead Belarus

out of its continuing constitutional impasse and end its self-imposed international isolation.

Mr. President, I call upon the Government of Belarus to thoroughly investigate reports of police brutality during the course of the demonstration and subsequent detentions and take measures to ensure that citizens are guaranteed their rights to engage in peaceful protests, keeping with that country's OSCE commitments.

I was pleased to join Senator DURBIN as an original cosponsor to Senate Concurrent Resolution 75 which we introduced last November. That resolution summarized many of the political problems facing the democratic opposition in Belarus expressing strong opposition to the continued egregious violations of human rights, the lack of progress toward the establishment of democracy and the rule of law in Belarus, and calls on President Lukashenka to engage in negotiations with the representatives of the opposition and to restore the constitutional rights of the Belarusian people. In light of the recent violent crackdown on pro-democracy demonstrators last weekend, I urge my colleagues to support passage of the Durbin/Campbell resolution.

Mr. President, I ask unanimous consent that a news report from the Washington Post on this latest crackdown be printed in the RECORD.

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

[From the Washington Post, Mar. 26, 2000]

BELARUS POLICE CRACK DOWN ON PROTEST

MINSK, BELARUS.—Hundreds of police beat back thousands of protesters at an opposition rally, sending armored personnel carriers into central Minsk and detaining 400 people in one of the country's harshest crackdowns on dissent in recent years.

The rally was held to commemorate the founding of the Belarusian Popular Republic on March 25, 1918, when German forces were ousted from Minsk in the waning days of World War I. The independent state was short-lived and within a year, much of Belarus was part of the Soviet Union.

Belarus' hard-line government had said it would allow the rally to be held on the outskirts of Minsk, but several thousand demonstrators went instead to a central square in the capital.

ILLEGAL IMMIGRATION LAW REPORT

Mr. GRAHAM. Mr. President, I come to the floor today to discuss an injustice to a group of Central American and Caribbean nationals who for many years have resided in the United States. As I speak, a clock is ticking. A deadline to gain legal status in the United States is one day away. How did we get to this point?

In 1997 and 1998, Congress passed legislation to protect Central American, Cuban and Haitian refugees from deportation. Action was needed because of the passage of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act which changed immigration rules retroactively. Under the Presidency of Ronald Reagan, the United States offered protection and legal status to many Central American nationals who were fighting for Democracy in their home country, or fleeing the war that ensued.

Similarly, during the Presidency of George Bush, Haitian nationals were forced to flee after the overthrow of elected President Jean Bertrand Aristide. They were offered protection and legal status in the United States.

By 1996, these Central American and Haitian nationals had been living in our nation for years, in the cases of Central Americans, often longer than a decade. They established businesses, had families, bought homes, and strengthened their communities.

Then, in 1996, with the passage of the Illegal Immigration Reform and Immigrant Responsibility Act, these Central American and Haitian Individuals and families were made retroactively deportable. These deportations would have occurred years and years after these nationals had established full lives in the United States.

Congress protected their legal status here by passing the Nicaraguan Adjustment and Central American Relief Act in November of 1997 and the Haitian Refugee Immigration Fairness Act in October of 1998 by making certain sections of the 1996 immigration law nonretroactive.

Since 1997, we have waited for final regulations to guide applicants through the process of applying for relief under NACARA. Since 1998, we have waited for final regulations to assist Haitian nationals with this process. And now, seven days before the application deadline, final regulations are issued. This is not an example of ''good government.''

Under legislation I introduced in February, the new deadline for relief will be one year after the date the regulations became final. This new deadline, March 23, 2001, reflects the added time needed by the INS to develop regulation. This will not cover any additional individuals who will then have rights to live in the United States. It just creates a more realistic, and fair deadline for individuals Congress has already passed legislation to protect.

We are now one day away from the deadline coming and going, and the Senate has yet to take action on this legislation. The Senate Judiciary Committee will not be able to meet this week to approve this legislation. We cannot purport to offer our constituents good and fair government if we let this deadline come and go without the simple action of extending the deadline by one year. When I spoke on the Senate Floor earlier this year, I tried to put a human story with this legislation. It's her story, and others, that should spur us to action on this legislation.

Immigration attorneys in Florida are trying to help a young woman I will call ''Francis.'' She is 22 years old this year. Her parents fled Haiti in the 1980's when she was very young. Her family settled in Florida and she now has 3 U.S. citizen brothers and sisters.

Then tragedy struck her family. Her father died when she was seven. Her mother died when she was in her early teens. She finished high school and is raising her younger brothers and sisters while working. She is an orphan, protected by our 1998 legislation.

She is trying to pull the documents together to apply to stay in the United States, and not be separated from her U.S. citizen brothers and sisters—the only family she has left. The 1-year extension and the ability to apply for relief under final regulations will make a huge difference in the life of this young woman.

I ask for the Senate's quick action on this timely and important matter. Many in the Senate worked diligently to protect Cuban, Haitian and Nicaraguan nationals in the original legislation. Let's not put these families at risk by our failure to act now.

WORKER ECONOMIC OPPORTUNITY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the Worker Economic Opportunity Act (S. 2323), which was introduced yesterday, be printed in the RECORD.

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

S. 2323

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 ''Worker Economic Opportunity Act''.

SEC. 2. AMENDMENTS TO THE FAIR LABOR STANDARDS ACT OF 1938.

(a) EXCLUSION FROM REGULAR RATE.—Section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)) is amended—

(1) in paragraph (6), by striking ''or'' at the end;

(2) in paragraph (7), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(8) any value or income derived from employer-provided grants or rights provided pursuant to a stock option, stock appreciation right, or bona fide employee stock purchase program which is not otherwise excludable under any of paragraphs (1) through (7) if—

''(A) grants are made pursuant to a program, the terms and conditions of which are communicated to participating employees either at the beginning of the employee's participation in the program or at the time of the grant;

''(B) in the case of stock options and stock appreciation rights, the grant or right cannot be exercisable for a period of at least 6 months after the time of grant (except that grants or rights may become exercisable because of an employee's death, disability, retirement, or a change in corporate ownership, or other circumstances permitted by regulation), and the exercise price is at least 85 percent of the fair market value of the stock at the time of grant;

''(C) exercise of any grant or right is voluntary; and

''(D) any determinations regarding the award of, and the amount of, employer-provided grants or rights that are based on performance are—

''(i) made based upon meeting previously established performance criteria (which may include hours of work, efficiency, or productivity) of any business unit consisting of at least 10 employees or of a facility, except that, any determinations may be based on length of service or minimum schedule of hours or days of work; or

''(ii) made based upon the past performance (which may include any criteria) of one or more employees in a given period so long as the determination is in the sole discretion of the employer and not pursuant to any prior contract.''.

(b) EXTRA COMPENSATION.—Section 7(h) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(h)) is amended—

(1) by striking ''Extra'' and inserting the following:

''(2) Extra''; and

(2) by inserting after the subsection designation the following:

''(1) Except as provided in paragraph (2), sums excluded from the regular rate pursuant to subsection (e) shall not be creditable toward wages required under section 6 or overtime compensation required under this section.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of enactment of this Act.

(d) LIABILITY OF EMPLOYERS.—No employer shall be liable under the Fair Labor Standards Act of 1938 for any failure to include in an employee's regular rate (as defined for purposes of such Act) any income or value derived from employer-provided grants or rights obtained pursuant to any stock option, stock appreciation right, or employee stock purchase program if—

(1) the grants or rights were obtained before the effective date described in subsection (c);

(2) the grants or rights were obtained within the 12-month period beginning on the effective date described in subsection (c), so long as such program was in existence on the date of enactment of this Act and will require shareholder approval to modify such program to comply with section 7(e)(8) of the Fair Labor Standards Act of 1938 (as added by the amendments made by subsection (a)); or

(3) such program is provided under a collective bargaining agreement that is in effect on the effective date described in subsection (c).

(e) REGULATIONS.—The Secretary of Labor may promulgate such regulations as may be necessary to carry out the amendments made by this Act.

The PRESIDING OFFICER. The Senator from Iowa.

IOWA STATE UNIVERSITY ATHLETICS

Mr. GRASSLEY. Mr. President, we often hear about some of the things that are wrong with intercollegiate athletics and how they sometimes detract from the top priority of our colleges and universities, which is educating students.

Let me point to an example of how excellence in undergraduate education and excellence in intercollegiate athletics can go hand-in-hand, and it's from my home state of Iowa.

Iowa State University is experiencing one of its most successful years ever in intercollegiate athletics.

This year, Iowa State made history by being the first university in the Big 12 Conference or its predecessor conferences—the Big 8 and the Southwest Conferences—to win four basketball trophies in one season—both men's and women's regular season and conference tournament championships.

Both teams earned ISU record-high seedings in the NCAA Tournament, the men took a second seed and the women took a third and both did well in the tournament. The men advanced to the ''Elite Eight'' and the women to the ''Sweet Sixteen'' after an ''Elite Eight' appearance last year.

Marcus Fizer became the schools' first-ever consensus first-team All-American, and Stacy Frese and Angie Welle of the women's team were also All-America selections. Stacy Frese drew this honor for the second year in a row.

The Cyclone wrestling team—led by two-time NCAA champion and tournament MVP Cael Sanderson—finished second in the nation.

The women's gymnastics team won its first-ever Big 12 Conference Championship.

These are just a few of Iowa State's 450 student-athletes, young people who are getting an education while exhibiting their special athletic skills.

And just how are they using this opportunity?

Here are some examples from last year because the final stats from this year aren't in, but I'm told they will be similar—or even better.

Of the 450 student athletes 168, or 40 percent, made the Athletic Department's Academic Honor Roll for maintaining a ''B'' or better GPA and nearly 100 earned academic All-Big 12 recognition.

This year, basketball player Paul Shirley, who majors in mechanical engineering, and Stacy Frese, a finance major, are again Academic All-Americans.

Iowa State student-athletes also lead the Big 12 in the most important statistic—their graduation rate.

They are No. 1 in the Big 12 regarding their four-year graduation rates and No. 1 regarding their six-year graduation rates two of the past three reporting periods.

Iowa State student athletes are also No. 1 in terms of overall graduation rate for student-athletes who stay in school for their entire eligibility with 9 of out 10 student athletes getting their degree.

We are all very proud of the Cyclones this year for what they have done in competition, and in the classroom. I hope I have the opportunity to come to the floor and offer the same statistics and facts next year. Go Cyclones!

The PRESIDING OFFICER. The Senator from Kansas.

THE MARRIAGE PENALTY

Mr. BROWNBACK. Mr. President, I rise today to speak on the issue of the marriage penalty and progress that has been made today on getting this important tax relief out across the country.

First, I applaud Chairman ROTH for his work on this important issue. Just today, the Senate Finance Committee considered an important bill to provide marriage penalty relief. This bill would provide relief to millions of American families—around 25 million—suffering under the burden of a marriage penalty.

The proposal considered by the Senate Finance Committee passed today. We are now another step closer to getting this to the floor, which I believe will take place sometime during the week of April 11, to be able to consider providing this important tax relief to the American public. I am delighted that that bill cleared through the Senate Finance Committee today.

The Senate Finance Committee used the House-passed version as a base, upon which it built an even broader and more inclusive bill. Our bill restores fairness and equity to a Tax Code that has come to penalize the institution of marriage in over 66 different ways. That is pretty imaginative, to find that many ways, but it is in there.

First, our bill eliminates the marriage penalty in the standard deduction. I want to give the numbers. The standard deduction this year for a single taxpayer is $4,400. However, for a married couple filing jointly, the standard deduction is only $7,350—not even twice the amount for single filers.

Our bill does a simple, clear, and just thing. Our bill doubles the standard deduction by making it $8,800. This change in the tax law would take place beginning in 2001, by immediately doubling the standard deduction for joint filers. Our bill is fair. That is the fair thing to do. It is the right thing to do.

Second, our bill widens the 15-percent tax bracket. Under current law, the 15-percent tax bracket for a single taxpayer ends at an income threshold of $26,250. I know these are a lot of numbers, but it is important to show the specifics of the Tax Code and where it penalizes marriage and how we are fixing it.

For a married couple, their bracket is less than double this threshold of $26,250. In fact, the threshold is $43,850 for a married couple filing jointly—another penalty.

If our bill were fully phased in this year, it would mean that the 15-percent bracket would extend upward to an income amount of $52,500. So for a married couple filing jointly, instead of having a $43,850 threshold level, it goes up to $52,500. It doubles what it is for a single filer. This is real marriage penalty relief and elimination. It is relief because even income earners above the current upper income threshold for the 15-percent bracket—these are the upper income levels of the 15-percent bracket—will be able to fall down through

the brackets and thus lower their total tax liability. It is elimination because it doubles the bracket, thus eliminating the marriage penalty in the 15-percent bracket. Again, what we are after is to make everything equal. If you have two single filers or if you have a married couple both filing, they should pay the same amount in taxes. That is what we are trying to get at with this marriage penalty elimination.

It will benefit those people hit by this marriage penalty. It is going to lower the taxes for America's families. That is important. It is also equitable.

Third, our bill applies the same principle of bracket widening to the 28-percent bracket as well. We are just talking about the 15-percent bracket, doubling that $26,250 to $52,500 instead of the current level of $43,850 for a married couple. That is the 15-percent bracket, the upper end of it. We would also do it for the 28-percent bracket, the 28-percent bracket as applied to singles earning between $26,250 to $63,550. That $63,550 is the upper level of the 28-percent bracket.

As in the 15-percent bracket, this amount is not double for joint filers for married couples. You don't get a doubling amount. You actually get cut back from that. Under our marriage penalty relief bill, it is double. That level at which you can stay in the 28-percent bracket as a married couple filing joint would be exactly double what you were as a single person. So again, we just make it equitable and fair. If it is two people filing singly or if it is a couple filing jointly, it will be the same taxable event. That is fair. That is equitable.

Fourth, our bill increases the phaseout range for the earned-income tax credit. This is an important feature. Particularly for low-income families with children, they can incur a significant marriage penalty because of current limits on the earned-income tax credit. If both spouses work, the phaseout of the EITC on the basis of their combined income can lead to the loss of some or all of the EITC benefits to which they would be entitled as singles. In other words, if you have two people filing singly, they would be entitled to a certain amount of earned-income tax credit. But if you combine their incomes, you don't get the same amount of earned-income tax credit for the couple as you do for two singles. Our bill fixes that problem as well.

The Senate Finance Committee proposal increases the beginning and ending points of the phaseout range by $2,500. This change will be effective December 31, 2000. This will mean families who currently are ineligible for the credit but within the $2,500 of eligibility will be able to receive the refundable EITC. This will reduce the marriage penalty EITC.

As I mentioned, the marriage penalty is 66 places in the Tax Code. We are getting at some of the most pernicious areas. For the earned-income tax credit, if you are a two-wage earner family and you should have both been able to qualify for the EITC, once you get married you should have the same amount of EITC available to your family. This particularly applies to lower income families. It is an important thing that we are doing. We fix this in our bill.

Our bill helps families at all income levels: low income, middle income, on up.

Finally, our bill would permanently extend the provision that allows the personal nonrefundable credits to offset both the regular tax and the minimum tax. It is important that America's families receive the full benefit of the tax cuts they were promised. This important change will allow America's families to maintain the $500-per-child tax credit, the Hope scholarship, the adoption credit, and many others that they would not be able to unless we change this particular area of the marriage penalty that applies as well.

Our bill provides fairness and equity. It provides hard-working American families with the tax relief they deserve.

Those are some of the specifics of the bill. I think this is an excellent bill in fixing some of these key areas of the marriage penalty. I think we have outlined previously the reasons for doing it. It is not fair to tax people because they get married and make them pay a penalty for the price of being married.

More important, marriage is important. We should send a positive signal that this is a good thing. Stable families are important. Our approach also recognizes that every spouse has a great contribution that they make. At the same time our approach reduces and eliminates the marriage penalty for many filers, it sends an important signal to all of America that we recognize the institution of marriage and we intend to promote it as a fundamental building block of our society.

I am hopeful this bill is going to be considered on the floor with a reasoned debate and not be too burdened down with amendments that are not germane and that we will be able to provide this marriage penalty relief to the millions of Americans, around 25 million married couples, who are currently adversely affected by the Tax Code.

There is more to do. The marriage penalty is in 66 different places. We only get at a few of them, but we get at some important ones. Today's is an important step by the Finance Committee to report this bill out. I think it is a clear and an important step towards our ultimate goal of getting this through the Senate, the conference between the House and the Senate, and to the President where I urge his signature. We must pass this important bill.

I yield the floor and 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. BROWNBACK assumed the Chair.)

Mr. SESSIONS. 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. SESSIONS. Mr. President, I express my appreciation to the Chair for his important remarks on the details of the legislation that came out of the Senate Finance Committee today. That legislation takes a big step forward and basically eliminates the marriage penalty that exists in our tax law today.

Chairman ROTH has been a champion of improving our Tax Code. I am pleased to see that he has moved this legislation. It is something I know the Chair and I have advocated for a long time, as have many others in this body. We need to look at our policy in America and see if it is actually affirming the values we hold dear: Particularly, are we setting governmental policy in this country that damages families? Is that one of the reasons for the breakup of families in this country? I think it needs to be considered. I believe it is a matter of importance.

Good public policy is what we are about. We need to spend more time asking ourselves what is going to happen when we pass certain legislation. All of us agree that when you tax an item, a process, or an act, you get less of it. If you subsidize another act or process, you get more of it. That is just fundamental economics on which almost everybody would agree.

What we have in the marriage penalty is an amazing event. In this Government, we have created, according to the Congressional Budget Office, a tax burden of nearly $1,400 per married couple. If they are living separately, they will pay $1,400 on average less than if they are married. That is an amazing event. I happen to know someone who got divorced recently. When they divorced, they said their tax bill went down $1,600. Had they divorced in December instead of January, they would have had an extra $1,600 from that year's return. We have the incredible, amazing event in which Federal tax policy encourages family breakup. It provides a bonus—$1,600 a year—as long as they remain single, for example. That is the kind of policy that we have created here.

Likewise, people who marry are penalized. I know a young person that married recently. He and his wife both work. They believe it will cost them over $1,000 a year to get married. This is $100 a month we are talking about. We are talking about people being taxed an additional $100 a month for following through on an institution that this Nation traditionally—before we got into this matter—venerated, and that is marriage and family. So I think this is a big deal. It is a very big deal. It is bad public policy. It is wrong. It is unfair. We should not continue this policy and we need to end it now. I believe we are on the road to achieving that. I am excited about it. Some time ago, we realized that we

were not increasing the deductions for families who had children and that young families were struggling to raise children.

This tax bill doesn't deal with children, just marriage. We had a long struggle, but we finally passed a $500 per child tax credit for young families trying to raise kids. For two kids, that is $1,000 a year, and nearly $85 a month. Parents can buy shoes and clothes, take the kids to the movies, buy something after ball practice at McDonald's. That is real money to real American citizens. Now we are talking here about another $100 a month, on average, or $110, $120 a month that married people are having to pay for the privilege of getting married. That should not be. It is a punishing and unfair tax. Furthermore, it should not, in my view, be based on income. Just because you make a little more money than somebody else, why should you be penalized for getting married? That doesn't make sense to me. This is not, in my view, a tax reduction issue so much as it is a fairness issue. Let's eliminate this unfairness. I am excited about what is happening here. Families will be able to buy that new dress, buy tires for their car, or fix the muffler, or get a new set of shocks, things they may need on a monthly basis—things that families do on a regular basis.

Also, I want to point out that this penalty is particularly noticeable now that we have more married women working. The penalty is even worse when a married woman's income comes close to the amount of income of the husband. So the husband and wife marry and there is this unexpected tax. You get whacked, and you wonder whether it is worth both people working. It oftentimes hurts the woman more than the man. In this country we would like to see equal opportunity in salaries, that there not be a glass ceiling for women, and that they ought to be able to have the same salary opportunities. But the more likely, on a statistical basis, that the woman receives the same salary as a man, the more this penalty will fall on her. So I think it is clearly unfair to both men and women.

Mr. President, I want to say again that we are making a big step toward ending a penalty, a tax, a detriment, a burden on an institution that is critical to the salvation and strength of this country, which is marriage. We are taxing that, penalizing that, and we are discouraging marriage. We are subsidizing singleness and divorce, actually. That is not good public policy. I believe we can do better. Of course, it will have no impact on a single person. No burden will fall on them because of passing this bill. It will simply be leveling the playing field and making it a more fair system. I thank the Senator from Kansas, and I thank Senator ROTH and the others who have worked on this legislation. We are moving forward. It is time to pass this bill, to give some relief and eliminate this unfair tax on marriage.

I yield the floor.

ADDITIONAL STATEMENTS

MENTAL RETARDATION AWARENESS MONTH

• Mr. GRAMS. Mr. President, I rise today to honor ARC Minnesota, and the men and women who volunteer countless hours to improve the quality of life for children and adults with mental retardation and their families. March is officially this nation's ''Mental Retardation Awareness Month''—but the efforts of these individuals should be celebrated year-round.

As legislators at the federal level, our support tends to come in the form of funding. It would be an understatement to say that children and adults with mental retardation and their families are faced with unique challenges. Needs differ from family to family. For some, it may be specialized education needs, and for others health care access. And as a member of the Senate Budget Committee, I realize the vast array of programs we've created to address the broad spectrum of needs—all of which compete for tax dollars.

That is why I have strenuously supported initiatives which provide greater flexibility and control by individuals. Programs such as A+ accounts that help families meet unique educational needs that federal, state and local programs cannot. Legislation like the Patients' Bill of Rights Plus Act that expands medical savings accounts, ultimately providing more flexible health care access—particularly benefitting those that are uninsured.

Mr. President, while Mental Retardation Awareness Month is coming to a close, it doesn't mean that Congress cannot move forward with policies which provide unique solutions to the unique challenges faced by individuals with mental retardation and their families. I would urge my colleagues to join me in commemorating the work of the 1,000 chapters of the ARC, in Minnesota and across this nation, with their pledge to work towards this goal.•

DIABETES RESEARCH

• Mr. BAUCUS. Mr. President, I rise today to support increased research funding for diabetes, a devastating disease that afflicts 16 million Americans, one-third of whom do not even know that they have it.

Diabetes kills one American every three minutes, discriminating neither on the basis of age, race, or belief. It is a lifelong affliction, with severe consequences. This was made painfully clear to me by a meeting I recently had with a boy and his family from Montana.

Justin Windham, from Missoula, said to me: ''I want a cure for diabetes because I don't want to have any long term effects like: going blind, kidney problems, or losing my legs. Also I would like to be able to eat whatever my friends eat and not feel left out.''

Justin, and the 16 million other Americans with diabetes, should be able to live their lives without fear of medical complications or the pain of being ostracized. That is why Congress has a responsibility to fund diabetes research and prevention. I urge my colleagues to devote increased resources for research on diabetes, so that our scientists can find a cure.•

IN MEMORY OF ION RATIU

• Mr. ROTH. Mr. President, I rise today to honor the life and accomplishments of Ion Ratiu of Romania who passed away on the 16th of January.

I had the honor of developing a close friendship with Ion. He was an outstanding politician, a very successful businessman, a philanthropist and, above all, a freedom fighter and a leader devoted to deepening relations between Romania and the United States.

Born in Romania at the end of World War II, Ion Ratiu spent a good part of his life in the United Kingdom and the United States. Here in Washington he developed many friendships and many of us have benefited from the warm hospitality of his Georgetown home.

Those of us who had the pleasure of his friendship can only have been impressed by the tremendous personal energy he directed against the dictatorship that dominated his homeland until the Velvet Revolutions of 1989. Ion was himself an incarnation of many elements of democracy's powerful arsenal. He was a journalist reporting on Romania's tragedy. He was a protector and rescuer of its dissidents. He was the founder of the ''Free Romania Movement.'' He was the unyielding proponent of human rights in Romania.

In addition to tearing down Communism and building democracy in Romania, Ion Ratiu was also one who contributed to the foundation of deeper ties and links between Romania and the West, particularly the United States.

In London he led the British-Romanian Association for 20 years, and with his wife and sons established the Romanian Cultural Center. Here in Washington, Ion endowed the Ion Ratiu Chair at Georgetown University, a lighthouse for Romanian-American relations.

After the Romanian Revolution, Ion Ratiu was elected a member of national Parliament in Bucharest. He even was a strong contender for the Romanian presidency. Ion benefited from the respect of all his colleagues in the Romanian Parliament. He was appreciated for his commitment to democracy and unyielding efforts to earn for his country membership in the North Atlantic Treaty Organization. It was no surprise for me that Ion, a member of the opposition, led his parliament's delegation to the NATO Parliamentary Assembly.

The Romanian nation is mourning and so are Ion Ratiu's friends in the United States and the United Kingdom.

We will remember his for the warm enthusiasm and gentle manners he brought to every event. We will miss his soft and unique sense of humor.

And, we will always be grateful to him for keeping the torch of liberty, democracy, and freedom alive and vibrant. Ion always stayed true to his principles and beliefs and to his love for Romania.

Ion Ratiu is truly one of the heroes of not only Romania, but also the relationship between Romania and the United States.●

TRIBUTE TO STUART PRENTISS HERMAN

● Mrs. FEINSTEIN. Mr. President, I rise today in memory of Stuart Prentiss Herman, a prominent California attorney who passed away recently, in Los Angeles, at the young age of 57 after battling cancer.

Mr. Herman lived his life fighting injustice and discrimination wherever he found it. He was active in the civil rights movement of the 1960's, and began his legal career in 1968 as a trial attorney in the Civil Rights Division of the United States Department of Justice.

After his term as a federal attorney, Mr. Herman entered private practice. His legal work was devoted to labor and civil rights law, and he was highly respected throughout the country as a litigator, a mediator, and an arbitrator of complex and significant cases, particularly in the areas of racial discrimination and sexual harassment. In addition to his private practice, Mr. Herman was committed to providing legal services to the less privileged members of our society, and served on the Managing Committee of Bet Tzedek Legal Services, the Southern California Committee of the NAACP Legal Defense Fund and the Board of Directors of the Western Law Center for Disability Rights.

He was also committed to preserving the quality of our legal system, having served on the California State Bar Complainants' Grievance Panel and the Los Angeles Police Commission's discipline panels, and our judiciary, having served on the Los Angeles County Bar Association's Judicial Evaluations Committee and on the U.S. Court of Appeals' Ninth Circuit Task Force on Judicial Reporting.

Stuart Prentiss Herman was an exemplary attorney, having truly dedicated his life to the pursuit of justice for all Americans. I rise today in recognition of all that he accomplished during his lifetime, and in sadness that he passed away at such an early age.●

MAYOR THOMAS MENINO'S YOUTH COUNCIL

● Mr. KENNEDY. Mr. President, I had the privilege of meeting today with a wonderful group of courageous and dedicated young people who are members of Mayor Thomas Menino's Youth Council in Boston. This diverse group of junior and senior high school students is in town for their annual trip to Washington to discuss issues that affect today's youth. The group presented a letter signed by hundreds of Boston's young people, asking Congress to provide funding for youth summer jobs programs.

Mayor Menino's Youth Council was established in 1994 to give young people the opportunity to take an active role as advocates on issues that directly affect their lives. These dedicated volunteers from each of the neighborhoods in Boston have reached out to their community. They work closely with other organizations to hold monthly meetings and workshops, and they sponsor forums where young people can express their concerns and recommend solutions to elected officials.

This week these high school students are here to emphasize their support for increased funding for summer job programs. These programs provide valuable job experience for youths who otherwise might not have them. It helps them support their families and save money for college. Last summer, 500,000 young people were able to give back to their community, serving in such worthwhile summer programs as day camps, child care, care for the elderly, and cleaning city parks and recreation areas.

Studies show that early work experience raises lifetime earnings by ten percent. Clearly, our investment in these programs opens doors for the future by providing experience, connections in the community, and an increased prospects for their lifelong earning potential.

I commend the efforts of these young people to create jobs, and to prepare students for worthwhile careers and the important choices that lie ahead. I look forward to working with them to build on this effort and make it even more effective. I also look forward to seeing these young activists become the leaders who will make a difference whatever challenge they face. I hope that they will continue to inspire their peers and their representatives through their energy, dedication and passion on the issues that can make a difference in the lives of our nation's youth. I congratulate these future leaders, for they are truly shining examples to us all.●

TRIBUTE TO CARDINAL KUNG

● Mr. LIEBERMAN. Mr. President, I rise today to pay tribute to Cardinal Kung, who passed away on March 12 in Stamford, CT, at the age of 98. Cardinal Kung was a historic figure in the Roman Catholic Church and a symbol of strength and hope for all of us who care about religious freedom. In China, his native land, the Cardinal endured terrible persecution because of his unwillingness to surrender his religious beliefs. My state, Connecticut, had the great honor and privilege of welcoming him as a resident for the final years of his life.

Born in Shanghai in 1901, and ordained a priest in 1930, Cardinal Kung's heroic story began soon after the Communists took power in China. In 1949, he became the Bishop of Shanghai and, in 1950, the Apostolic Administrator of Soochow and Nanking. Resisting the new regime's attempt to control the Catholic Church, he refused to join the government-sanctioned Catholic Patriotic Association, which cut ties to the Vatican. Instead, Cardinal Kung remained loyal to the Pope and led the devoutly Catholic Legion of Mary, which the Communists declared to be counter-revolutionary.

After 5 years of tension, the Chinese Government in 1955 arrested Cardinal Kung and several hundred other people involved in the unofficial Catholic Church. Dragged into a stadium in Shanghai for a public confession, the Cardinal, with his hands tied behind his back, instead courageously shouted: ''long live Christ the King, long live the Pope.'' The security forces rushed him off the stage, and Cardinal Kung was held in detention for another 5 years. When he was finally brought to trial in 1960, the authorities convicted Cardinal Kung and sentenced him to life imprisonment for the so-called counter-revolutionary activity of pursuing his Catholic faith.

Cardinal Kung was a prisoner of conscience whose plight became known around the world. He suffered 30 years of isolating imprisonment, during which time he was denied visits from family and concerned representatives of the international community, and other forms of contact such as written correspondence. Despite this tortuous experience, he refused to renounce his beliefs or give in to his oppressors. In fact, when told that he could win his release by denouncing the Pope and cooperating with the government-sanctions Catholic Patriotic Association, he responded: ''I am a Roman Catholic Bishop. If I denounce the Holy Father, not only would I not be a Bishop, I would not even be a Catholic. You can cut off my head, but you can never take away my duties.'' The Vatican has recognized Cardinal Kung's extraordinary devotion and sacrifice to the Roman Catholic Church. In 1979, while he was still serving his life sentence, Pope John Paul II secretly elevated Kung to Cardinal, in pectore (in his heart), and the Pope announced this to the world in 1991.

In 1985, after sustained pressure from his family, human rights organizations, and foreign governments, the Chinese Government moved Cardinal Kung to house arrest, and in 1987 finally released him, though they notably did not exonerate him. He soon traveled to the United States for medical treatment and lived with his nephew, Joseph Kung, in Connecticut. In 1998, the Chinese Government refused to renew Cardinal Kung's passport, effectively exiling him, and the Cardinal never returned to his country.

Cardinal Kung's life demonstrates, I believe, the power of an individual's

faith and will to resist the repression of the state, and thus replenish the wellspring of human liberty for others. He refused to bend, to abandon his commitment to his Church, and his example inspired millions of his countrymen to hold firm in their beliefs and to their rights. When the Communists took power, there were an estimated 3 million Roman Catholics in China. According to current Chinese government statistics, there are now 4 million persons registered with the official Catholic Church. However, according to China's unofficial Catholic Church, for whom Cardinal Kung was the greatest symbol, the number of underground Catholics has swelled to as many as 9–10 million.

It is no secret that religious persecution in China, including of underground Catholics, continues. It is my hope that the spirit of Cardinal Kung will endure and continue to inspire others in China and around the world to follow his courageous example. And that one day there will be the complete religious freedom in China that Cardinal Kung lived, worked, and prayed for.●

AMADOR VALLEY HIGH SCHOOL IN NATIONAL COMPETITION ON U.S. CONSTITUTION

● Mrs. FEINSTEIN. Mr. President, on May 6–8, 2000, more than 1,200 students from across the United States will be in Washington, D.C. to compete in the national finals of the We the People. . . The Citizen and the Constitution program. I am very proud to announce that the class from Amador Valley High School in Pleasanton will represent the State of California. These young scholars have worked diligently to reach the national finals. Through their experience, they have gained a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The We the People. . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The primary goal of the program is to promote civic competence and responsibility among our nation's elementary and secondary students. Administered by the Center for Civic Education, the We the People. . . program has provided curricular material for more than 26 million students nationwide.

The three-day national competition is modeled after hearings in the U.S. Congress. The students testify as constitutional experts before a panel of judges representing several regions of the country and a variety of appropriate professional fields. Their testimony is followed by a period of questioning by a simulated Congressional committee. The judges probe students for their depth of understanding and ability to apply their constitutional knowledge.

The class from Amador Valley High School is currently conducting research and preparing for the upcoming national competition in Washington. I wish these young ''constitutional experts'' the best of luck at the We the People. . . national finals and continued success in their future endeavors.●

SIXTH ANNIVERSARY OF THE SHOOTING DEATH OF AARON HALBERSTAM

● Mr. MOYNIHAN. Mr. President, I rise today to extend my condolences to the family of Aaron ''Ari'' Halberstam on the sixth Hebrew calendar anniversary of his death. On March 1, 1994, the 15 year old was shot and fatally wounded, while driving in a van with fifteen other students, on the on-ramp of the Brooklyn Bridge returning home from visiting the late Lubavitcher spiritual leader Rabbi Menachem Mendel Schneerson.

Although the shooter, Rashid Baz, was convicted of murder and sentenced to life in prison, there remains a question of what motivated the attack. Many New Yorkers have joined Ari's mother, Mrs. Devorah Halberstam, in calling on the Federal Bureau of Investigation, FBI, to reclassify this hateful attack as an act of urban terrorism. Last May, at the request of the New York Congressional Delegation, the FBI and the United States Attorney's Office agreed to review the case for possible evidence of Federal crimes such as terrorism, civil rights violations, and firearms violations. This investigation is ongoing.

We look forward to the swift conclusion of the FBI and US Attorney's review in the hope it will bring peace of mind to the family who has suffered so greatly. Then, we shall hopefully, once and for all, learn what motivated Rashid Baz to commit such a senseless act of violence.●

GRAND RAPIDS STATE OF THE CITY

● Mr. LEVIN. Mr. President, Americans are fed up with the intolerable levels of gun violence in this country. This violence has seeped into our homes, schools, churches and community centers.

In cities and counties across the nation, people are calling for commonsense gun legislation. Mayor John Logie, of Grand Rapids, Michigan, dedicated his State of the City speech to the issue of gun violence and its traumatic effect on children. He asks us to take a new and different approach to the problem, an approach focused on protecting our children. Mayor Logie suggests that there is ''no greater cause behind which we can all join, than saving the lives of our young people.'' Major Logie is right: gun violence can be reduced. I hope this Congress can endorse his message and work to protect our children from senseless firearm injury and death.

I ask that the text of Mayor Logie's speech be printed in the RECORD.

The article follows:

STATE OF THE CITY

We are at the start of a new millennium, or at least the start of a new year, and thanks to the support of a majority of the voters in each of the 80 of the City's 100 precincts, for me the start of a new 4-year term in office, until December 31, 2003. Even though that sounds like a long time off, if it is anything like the last 8 years, it will disappear all too quickly.

Last year in this speech I was able to talk about the Common Good, about our accomplishments, and about the positive aspects of our future. Sometimes, however, a series of events occur, which make me feel that living in a community like this one, if it can be aroused and focused, it could provide leadership to this region, this State, perhaps even the country. So here is the topic I want to talk about today. On December 7th in Fort Gibson, Oklahoma, a 13-year-old seventh grader named Seth Trickey emptied a 9-millimeter semi-automatic pistol, resulting in four of his classmates being shot. Surrounded by 14 spent cartridges, he kept trying to pull the trigger on the empty handgun until the police arrived.

In Springfield, Oregon, 15-year-old Kip Kinkel gave a report in science class about how to make a bomb. Then in literature class he read from his journal about thinking about killings. No one did anything until he later shot and killed his parents and two classmates.

At Columbine High School, Eric Harris and Dylon Klebold, used a saw-off shotgun, a rifle, and a semi-automatic pistol, to slaughter 13 students and teachers. One of their classmates, Patrick Ireland, recently featured in Life magazine's Year in Pictures, was shot twice in the head and once in the foot. One bullet passed through the left hemisphere of his brain, which controls language, complex thinking, and the right side of the body, causing massive damage. It's still in his brain—too risky to remove, and he's considered lucky, because he's alive. Recently a home-made videotape was released in which Eric and Dylon talked about how they hoped one day Hollywood directors would fight for the right to tell their story, but they said they couldn't decide whether Steven Spielberg or Quentin Tarantino should direct the film. Their callousness is unbelievable! They talk openly on the tape about concocting their plan under the noses of unsuspecting parents and friends. They mention the time a clerk from Green Mountain Guns called Harris's home. His father answered. ''The clips are in,'' the clerk said. Wayne Harris told the clerk he hadn't ordered any clips for a gun, but never asked the clerk if he had the right phone number.

Barry Loukaitis, then 14, walked into his Moses Lake, Washington Junior High School, wearing a black trenchcoat and carrying a high-powered rifle. The coat also concealed two fully stocked ammunition belts around his chest and a hip holster carrying two low-caliber handguns, both owned by his parents. Loukaitis burst into his Algebra classroom and began spraying bullets. He shot first at a popular boy who had taunted him, and then two other students and a teacher. When it was over, using a line from a novel, he said, ''Sure beats Algebra, doesn't it?''. All but one of the students died.

In Bethel, Alaska, a 16-year-old used a 12-gauge shotgun to kill his principal and a classmate. In Pearl, Mississippi; West Paducah, Kentucky; Jonesboro, Arkansas; Springfield, Oregon; and Conyors, Georgia, this terrifying scene keeps reoccurring with startling similarity and frightening regularity. And of course, here in Michigan we have Nathaniel Abraham, a convicted murderer at

age 11, and, in West Michigan, maybe just missed something of this nature when Justin Walters pleaded no contest to ethnic intimidation charges after he and another boy in Holland were found to have allegedly compiled a hit list that targeted minority students at their school.

In 1996, handguns were used to murder only 2 people in New Zealand, only 15 in Japan, only 30 in Great Britain, and only 106 in our neighbor Canada. In that same year 9,390 handgun murders occurred in this country. In fact, that is only part of the approximately 33,000 firearm-related deaths in the United States—roughly the same number of Americans as were killed in the Korean War. Choose any 2 years in the 90's, and guns in the United States killed more people than in all the long years of the Vietnam War. Each week, more than 600 people in the United States die from gun-related incidents. Many of them are children. In 1997, half of the handgun homicides were kids under 19. Every day in America, 12 young people die of gunshot wounds. Even accidental shooting deaths take a hideous toll: The rate for accidental gun deaths for children under 15 in the United States is 9 times higher than the rate for the other 25 industrial nations combined.

Before we can talk about creating solutions, I want to suggest that we have to begin by taking a new and different approach. The typical rhetoric around the issue of so-called gun control almost always ends up with the people on the Right declaring that the Second Amendment to the Constitution's language about ''the right of the people to keep and bear arms not being infringed'' is an automatic license to own any firearm you want, protected from governmental intrusion. And the people on the Left answer by saying that what we have to do is outlaw guns entirely. But the reality is that there are some 240 million guns in this country, well over 90 million of them handguns, which are not just going to go away.

The missing link to much more effective regulation has to be keyed to our concern for our children. Has anyone missed the point of this speech so far? That while we continue to talk about this issue, to debate this issue, to fight over gun ownership rights, children are dying everywhere in America, including our own community. Whatever the Constitutional rights of adults are, we have always had a Constitutional basis to be more restrictive and more protective about our children. As Mayor and a practicing trial lawyer for more than 30 years, I suggest that this is a point of entry into better solutions. By focusing on protecting our children, we can avoid most, if not all of the most divisive legal issues.

But first we have to slow down the Michigan Legislature. Fifty-six weapons bills were introduced in Lansing in 1999. Let me describe only two of them. One dealt with carrying concealed weapons, or ''CCW.'' Here in Kent County, as in most of the densely populated counties in Michigan, our concealed weapons permit board is very conservative. Few permits are issued, and then only for a very real need. Other, more rural counties are sometimes more liberal in their approach. Somehow this difference between urban and rural counties has offended certain members of the Legislature because of its ''lack of uniformity.'' So a bill was rushed into both chambers to strip away that local discretion and make Michigan a ''shall issue'' state, which means that unless the applicant was nuts or a convicted felon, he gets a permit. Overnight, virtually any person wanting to carry a concealed weapon would be able to do so. Not one big-city mayor or police chief in Michigan supported this terrible idea. But if it hadn't been for Eric Harris and Dylon Klebold in Littleton, Colorado, the law would have been changed. Even this bill's most ardent supporters didn't have the stomach to pass this legislation after the slaughter at Columbine. But, be assured it will resurface and be tried again.

Then there is HB 4379, which would not only block lawsuits against the gun industry by state and local governments, but also private organizations and individuals; and more importantly to where I believe we have to go, it would explicitly block state government from requiring safety locks or warning labels on guns. This proposal had 58 sponsors in the House of Representatives, more than enough to assure passage in that chamber, unless they start receiving different messages from all of us. We must say ''no'' to more pro-gun manufacturer legislation.

Things are not any better in Washington. Last fall the majority Whip in the House of Representatives, Congressman TOM DELAY, was quoted as saying, ''This House is a pro-gun House.'' Last May the U.S. Senate passed a juvenile justice bill and added an amendment requiring trigger-locking devices to protect children. This was also the bill that by one vote, 51–50 with Vice President GORE casting the deciding vote, the Senate agreed to regulate sales at gun shows. Well, that piece of legislation is now languishing in the House-Senate Conference Committee, where no one shows the political will necessary to move it forward. Somehow we have to inspire these people to do the right thing. We must begin to demand a regulatory and statutory framework that protects our children—even from themselves.

Here are some of the issues that we can and should begin demanding receive serious consideration:

(1) Require background checks for all guns purchased at gun shows. All dealers should be federally licensed, requiring them to conduct a background check prior to selling a firearm. There are now more than 4,000 annual gun shows dedicated primarily to the sale or exchange of firearms. Our friends at The Grand Rapids Press supported this requirement in an editorial on September 29, 1999.

(2) Require trigger locks. Conservative Republican Governor Christine Todd Whitman, on October 13, 1999, made New Jersey the fourth state in the nation to prohibit the sale of any new handgun without a trigger lock. In 1998 New York City passed a local ordinance making sellers responsible for issuing trigger locks. When that didn't get the job done, on October 14, 1999, the city passed an ordinance punishing gun owners with a year in jail if they fail to use trigger locks. Chicago, San Francisco, and the State of Massachusetts all have similar requirements. According to a Wall Street Journal/NBC News poll last July, 94% of women and 81% of men support requiring that guns have safety triggers. If we can implement this rule without new state legislation, I will ask the City Commission to do so. If not, I will lobby for the necessary state law change to do so.

(3) California, in addition to outlawing ''Saturday Night Specials,'' has passed a law limiting sales of handguns to one per month. Republican Governor Bill Owens of Colorado has endorsed raising the legal age to buy a gun from 18 to 21. To keep firearms out of children's reach, he wants a law requiring safe storage. Finally, he would make ''straw purchases,'' the guys that buy in bulk for resale to anyone including particularly, teenagers, illegal.

(4) The domestic production of large-capacity ammunition clips, ones that carry more than 10 rounds, has already been banned. But a loophole as large as the cargo hold of a freighter still exists. The importation of these large-capacity ammo clips needs to be outlawed as well.

(5) Seventeen states have passed Child Access Prevention laws, so-called CAP laws. Florida, governed by Jeb Bush, was the first state to pass such a law and has seen unintentional shooting deaths drop by more than 50% in the first year. These laws would make a gun owner responsible if a child gains access to an improperly stored firearm and uses it to kill or injure others. Almost 60% of students in grades 6 through 12 have indicated that they know where to get a gun, and a third of them said that they could get one within an hour. The unlocked, loaded gun in the home should become a thing of the past.

(6) And finally, technology is almost available for so-called ''smart guns''—firearms equipped with an electronic device to prevent anyone but the owner from firing it. When you look at the billions of dollars that we spend annually to fight and attempt to conquer diseases, would it not be justified to fund and thereby advance the timetable for research on this smart gun technology to bring it to the marketplace sooner rather than later?

Whether or not we are in the 21st Century, we have certainly turned a numerical milestone. This year begins, for the first time, with a ''2.'' In my recent Third Inaugural Address, I had an opportunity to look back at the 19th Century's Last Will and Testament as it appeared in The Grand Rapids Herald, on December 31, 1900. The Editor was Arthur VandenBurg, who would later become our U.S. Senator. The Will bequeathed inventions, books and reading, an honest ballot box, the need for equal civil rights, care for the disadvantaged, and concerns about armaments. I made the observation that it appeared that 100 years later we were still struggling with many of the same issues.

Gun violence being perpetrated by children, or at them, was nowhere to be found in the years 1899 or 1900. It is a product of the age we now live in—perhaps just the last 25 years. I hope that what we have unfortunately found to be true about the social problems which are still with us from 100 years ago, would not be true for this issue 100 years from now. You know, one definition of insanity is doing the same thing over and over again, and expecting different results. We can, we should, and we must change our strategy toward guns and children to achieve a better outcome.

I can think of no greater cause behind which we all can join, than saving the lives of our young people. I have attended the funerals for two of my brother Jim's three children—one dead of natural causes, the other from a car accident. Burying children, having their lives abruptly cut off, is truly a tragedy.

Over the last 10 years, our community has grown in stature in this West Michigan region, in this State, and even beyond. Protecting our children is an issue that can and should transcend party politics and conservative and liberal ideologies. I am confident that we can make a difference. Let us commit to doing so.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 4:28 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3908. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes.

The message also announced that pursuant to section 4(b) of Public Law 94–201 (20 U.S.C. 2103(b)), and upon the recommendation of the Minority Leader, the Speaker has reappointed the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House: Mr. William L. Kinney of South Carolina.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. COMBEST, Mr. BARRETT of Nebraska, Mr. BOEHNER, Mr. EWING, Mr. POMBO, Mr. STENHOLM, Mr. CONDIT, Mr. PETERSON of Minnesota, and Mr. DOOLEY of California, as managers of the conference on the part of the House.

MEASURE REFERRED

The following bill was read the first and second time by unanimous consent and referred as indicated.

H.R. 3908. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes; to the Committee on Appropriations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2314. A bill for the relief of Elian Gonzalez and other family members.

S. 2323. A bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. WARNER for the Committee on Armed Services.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Lester L. Lyles, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael E. Zettler, 0000

The following named officer for appointment as Vice Chief of Staff, United States Air Force, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8034:

To be general

Lt. Gen. John W. Handy, 0000

The Following named officers for appointment to the grade indicated in the United States Air Force and for regular appointment (identified by an asterisk (*)) under title 10, U.S.C., sections 624, 628, and 531:

To be major

Terrance A. Harms, 0000
*Frederick E. Snyder, Jr. 0000
Krista K. Wenzel, 0000

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. James F. Barnette, 0000
Brig. Gen. Gilbert R. Dardis, 0000
Brig. Gen. David B. Poythress, 0000
Brig. Gen. Joseph K. Simeone, 0000
Brig. Gen. Richard E. Spooner, 0000
Brig. Gen. Steven W. Thu, 0000
Brig. Gen. Bruce F. Tuxill, 0000

To be brigadier general

Col. Shelby G. Bryant, 0000
Col. Kenneth R. Clark, 0000
Col. Gregory B. Gardner, 0000
Col. John B. Handy, 0000
Col. Jon D. Jacobs, 0000
Col. Clifton W. Leslie Jr., 0000
Col. John A. Love, 0000
Col. Douglas R. Moore, 0000
Col. Eugene A. Sevi, 0000
Col. David E.B. Strohm, 0000
Col. Harry M. Wyatt III, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under Title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Ronald E. Keys, 0000

The following named officers for appointment in the United States Air Frce to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Gary A. Ambrose, 0000
Brig. Gen. Brian A. Arnold, 0000
Brig. Gen. Thomas L. Baptiste, 0000
Brig. Gen. Leroy Barnidge Jr, 0000
Brig. Gen. John L. Barry, 0000
Brig. Gen. Walter E.L. Buchanan III, 0000
Brig. Gen. Richard W. Davis, 0000
Brig. Gen. Robert R. Dierker, 0000
Brig. Gen. Michael N. Farage, 0000
Brig. Gen. Jack R. Holbein Jr, 0000
Brig. Gen. Charles L. Johnson II, 0000
Brig. Gen. Theodore W. Lay II, 0000
Brig. Gen. Teddie M. McFarland, 0000
Brig. Gen. Michael C. McMahan, 0000
Brig. Gen. Timothy J. McMahon, 0000
Brig. Gen. Duncan J. McNabb, 0000
Brig. Gen. Howard J. Mitchell, 0000
Brig. Gen. Bentley B. Rayburn, 0000
Brig. Gen. John F. Regni, 0000
Brig. Gen. Victor E. Renuart Jr, 0000
Brig. Gen. Lee P. Rodgers, 0000
Brig. Gen. Glen D. Shaffer, 0000
Brig. Gen. Charles N. Simpson, 0000
Brig. Gen. James N. Soligan, 0000
Brig. Gen. Michael P. Wiedemer, 0000
Brig. Gen. Michael W. Wooley, 0000
Brig. Gen. Bruce A. Wright, 0000

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. David F. Wherley Jr., 0000

The following named Air National Guard of the United States officers for appointment to the grade indicated in the Reserve of the Air Force under title 10, U.S.C., sections 12203 and 12212:

To be colonel

James L. Abernathy, 0000
David S. Angle, 0000
David E. Avenell, 0000
Travis D. Balch, 0000
Joseph G. Balskus, 0000
Anthony B. Basile, 0000
Daniel W. Beck, 0000
Donald M. Boone, 0000
Richard S. Cain, 0000
Craig E. Campbell, 0000
Donald H. Chamberlain, 0000
Michael G. Colangelo, 0000
Arthur O. Compton, 0000
James D. Conrad, 0000
Douglas T. Cromack, 0000
Thomas L. Dodds, 0000
Patrick F. Dunn, 0000
Claude J. Eichelberger, 0000
William H. Etter, 0000
Dante M. Ferraro, Jr., 0000
Kathleen E. Fick, 0000
Ronald K. Girlinghouse, 0000
Thomas M. Greene, 0000
David J. Hatley, 0000
Thomas J. Haynes, 0000
Debora F. Herbert, 0000
Randall D. Herman, 0000
Allison A. Hickey, 0000
Robert A. Hickey, 0000
Randall E. Horn, 0000
William E. Hudson, 0000
Thomas Ingargiola, 0000
John C. Inglis, 0000
Richard W. Johnson, 0000
Verle L. Johnston Jr. 0000
Richard W. Kimbler, 0000
Debra N. Larrabee, 0000
Michael L. Leeper, 0000
Alan E. Lew, 0000
Connie S. Lintz, 0000
Salvatore J. Lombardi, 0000
Henry J. Maciog, 0000
Naomi D. Manadier, 0000
Gregory L. Marston, 0000
Eugene A. Martin, 0000
Thaddeus J. Martin, 0000
Craig M. McCormick, 0000
Dennis W. Menefee, 0000
Dennis J. Moore, 0000
Maria A. Morgan, 0000

Barbara J. Nelson, 0000
Robert B. Newman, Jr., 0000
Christopher M. Nixon, 0000
Donald D. Parden, 0000
Francis W. Pedrotty, 0000
Kathleen T. Perry, 0000
Thomas F. Prenger, 0000
John A. Ramsey, 0000
Marvin L. Riddle, 0000
Renny M. Rogers, 0000
Russell H. Sahr, 0000
Lois H. Schmidt, 0000
Timothy W. Scott, 0000
Jack F. Scroggs, 0000
Samuel S. Sivewright, 0000
John B. Soileau, Jr. 0000
Benjamin J. Spraggins, 0000
Jay T. Stevenson, 0000
David K. Tanaka, 0000
Timothy G. Tarris, 0000
Wayne L. Thomas, 0000
James K. Townsend, 0000
Terrance R. Tripp, 0000
Kay L. Troutt, 0000
Brian A. Truman, 0000
Curtis M. Whitaker, 0000
Mark A. White, 0000
Kennard R. Wiggins Jr., 0000
Brent E. Winget, 0000
Darryll D.M. Wong, 0000

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Robert E. Gaylord, 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. David E. Glines, 0000

The following named officers for appointment to the grade indicated in the United States Army in the Nurse Corps, Medical Service Corps, Medical Specialist Corps and Veterinary Corps under title 10, U.S.C., sections 624 and 3064:

To be colonel

Jaime Albornoz, 0000
Carlos M. Arroyo, 0000
Katherine A. Babb, 0000
John M. Beus, 0000
James A. Blagg, 0000
Larry G. Carpenter, 0000
David S. Carter, 0000
Michael B. Cates, 0000
Maureen Coleman, 0000
Brian J. Commons, 0000
Patricia A. Cordts, 0000
Michael D. Daley, 0000
William G. Davies, 0000
Stephen L. Denny, 0000
Sharon S. Deruvo, 0000
Mary R. Deutsch, 0000
Donna M. Diamond, 0000
Kathleen N. Dunemn, 0000
Princess L. Facen, 0000
Bradley D. Freeman, 0000
Timothy D. Gordon, 0000
Greg A. Griffin, 0000
David S. Heintz, 0000
Joseph C. Hightower, 0000
Nancy S. Hodge, 0000
Sally S. Hoedebecke, 0000
William J. Huleatt, Jr., 0000
Dorene Hurt, 0000
Leland L. Jurgensmeier, 0000
William S. Kirk, 0000
Brian E. Knapp, 0000
Jeffrey N. Legrande, 0000
Larry C. Lynch, 0000
Francis L. McVeigh, 0000
Elizabeth A. Milford, 0000
Judith J. Minderler, 0000
Brenda F. Mosley, 0000
Roger W. Olsen, 0000
Analiza Y. Padderatz, 0000
Robert M. Pontius, 0000
Nathaniel Powell, Jr., 0000
Ann B. Richardson, 0000
Douglas S. Rinehart, 0000
Margaret Rivera, 0000
Lynele Rockwell, 0000
Gemryl L. Samuels, 0000
Catherine M. Schempp, 0000
Scott R. Severin, 0000
Kathleen Y. Shackle, 0000
Ronald L. Shippee, 0000
Debra L. Spittler, 0000
Daniel A. Strickman, 0000
Robert J. Thompson, 0000
Wren H. Walters, Jr., 0000
Lisa D. Weatherington, 0000
Noel R. Webster, 0000
Betty J. Wiley, 0000
Timothy D. Williamson, 0000

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. William A. Cugno, 0000
Brig. Gen. Bradley D. Gambill, 0000
Brig. Gen. Marianne Mathewson-Chapman, 0000
Brig. Gen. Michael H. Taylor, 0000
Brig. Gen. Francis D. Vavala, 0000

To be brigadier general

Col. John A. Bathke, 0000
Col. Barbaranette T. Bolden, 0000
Col. Ronald S. Chastain, 0000
Col. Ronald G. Crowder, 0000
Col. Ricky D. Erlandson, 0000
Col. Dallas W. Fanning, 0000
Col. Donald J. Goldhorn, 0000
Col. Larry W. Haltom, 0000
Col. William E. Ingram, Jr., 0000
Col. John T. King, Jr., 0000
Col. Randall D. Mosley, 0000
Col. Richard C. Nash, 0000
Col. Phillip E. Oates, 0000
Col. Richard D. Read, 0000
Col. Andrew M. Schuster, 0000
Col. David A. Sprynczynatyk, 0000
Col. Ronald B. Stewart, 0000
Col. Warner I. Sumpter, 0000
Col. Clyde A. Vaughn, 0000

The following named officers for appointment to the grade indicated in the United States Army in the Judge Advocate General's Corps under title 10, U.S.C. sections 624 and 3064:

To be colonel

Lyle W. Cayce, 0000
Malinda E. Dunn, 0000
Anthony M. Helm, 0000
William M. Mayes, 0000
Michele M. Miller, 0000
Melvin G. Olmscheid, 0000
John F. Phelps, 0000
Fred T. Pribble, 0000
Steven T. Salata, 0000
Mortimer C. Shea, Jr., 0000
Paul L. Snyders, 0000
William A. Stranko II, 0000
Manuel E. Supervielle, 0000
Marc L. Warren, 0000
Roger D. Washington, 0000

The following named Army National Guard of the United States officers for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

To be colonel

James M. Dapore, 0000
Richard Parker, 0000
Michael J. Wilson, 0000

The following named officers for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 1552 and 12203:

To be colonel

James W. Hutts, 0000
Timothy J. Hyland, 0000
Bronislaw A. Zamojda, 0000

The following named officers for appointment to the grades indicated in the United States Army and for regular appointment in the Medical Service Corps (MS) and, Medical Corps (MC), as indicated, under title 10, U.S.C., sections 531, 624, and 3064:

To be lieutenant colonel

Paul R. Hulkovich, 0000

To be major

Michael A. Weber, 0000

The following named officers for appointment to the grade indicated in the United States Army in the Medical Corps under title 10, U.S.C., sections 624 and 3064:

To be major

Scott R. Antoine, 0000
Vincent G. Becker, 0000
Bal R. Bhullar, 0000
Jon M. Bruce, 0000
Sellas P. Coble, 0000
Thomas R. Coomes, 0000
Marc D. Davis, 0000
James M. Ditolla, 0000
Jason R. Dittrich, 0000
Charles R. Downey, Jr., 0000
Travis A. Dugan, 0000
Samuel J. Eallonardo III, 0000
Jonathan C. Eugenio, 0000
Todd A. Farrer, 0000
Edmund W. Higgins, 0000
Philip G. Hirshman, 0000
Cheuk Y. Hong, 0000
Elizabeth D. Kassapidis, 0000
David C. Kottra, 0000
Alexander A. Kucewicz, 0000
Alex Loberarodriguez, 0000
Matthew J. Martin, 0000
Vincent M. Messbarger, 0000
Todd A. Miller, 0000
Carolyn Y. Millerconley, 0000
Mary V. Mirto, 0000
Charles A. Mullins, 0000
John F. Nicholson, 0000
Shawn D. Parsley, 0000
Robert L. Richard, 0000
Paul E. Rieck, 0000
Brian A. Sauter, 0000
Frederick K. Swiger, 0000
Shawn A. Tassone, 0000
Albert W. Taylor, 0000
William Warlick, 0000
David C. Wells, 0000
Warren T. Withers, 0000
Patrick J. Woodman, 0000

The following named officers for regular appointment in the grades indicated in the United States Army Nurse Corps (AN), Medical Corps (MC), Dental Corps (DE), Medical Specialist Corps (SP), Veterinary Corps (VC), and Judge Advocate General's Corps (JA) under title 10, U.S.C., sections 531 and 3064:

To be colonel

Martha C. Lupo, 0000
Indira Wesley, 0000
John M. Wesley, 0000

To be lieutenant colonel

Karen L. Cozean, 0000
Michael E. Faran, 0000
Todd R. Granger, 0000
Warren S. Mathey, 0000
Christine M. Piper, 0000
Phillip R. Pittman, 0000
David Schuckenbrock, 0000
Calvin Y. Shiroma, 0000
Ray N. Taylor, 0000

To be major

Susan C. Altenburg, 0000

Morgan L. Bailey, 0000
Elizabeth A. Bowie, 0000
Wilfredo Cordero, 0000
Debra R. Cox, 0000
Sylvia R. Dennis, 0000
Margaret L. Dixon, 0000
JoAnn S. Doleman, 0000
Ann M. Everett, 0000
Dorothy F. Galberth, 0000
Christine D. Garner, 0000
Robert C. Gerlach, 0000
Benny F. Harrell, 0000
Walt Hinton, 0000
Emmons V. Holbrook, 0000
Barbara M. Keltz, 0000
Daniel O. Kennedy, 0000
Dorothy J. Legg, 0000
Patricia A. Merrill, 0000
Joseph M. Molloy, 0000
Debra A. Ramp, 0000
Doris A. Reeves, 0000
Lue D. Reeves, 0000
Catherine F. Ryan, 0000
Robert Savage, 0000
Adoracion G. Soria, 0000
Karen A. Spurgeon, 0000
Benjamin Stinson, 0000
Palacestine Tabson, 0000
Irene E. Williford, 0000

To be captain

Eric D. Aguila, 0000
Deborah Albrecht, 0000
Elena Antedomenico, 0000
Jennifer Bager, 0000
Troy R. Baker, 0000
Jeffrey A. Banks, 0000
Thad J. Barkdull, 0000
Patrick A. Barrett, 0000
Sanaz Bayati, 0000
Jeremy T. Beauchamp, 0000
Amit K. Bhavsar, 0000
Robert E. Blease, 0000
Andrew S. Bostaph, 0000
Jonathan K. Branch, 0000
Annamae Campbell, 0000
Daniel W. Carlson, 0000
Mark G. Carmichael, 0000
Ambrose M. Carroll, 0000
Michael E. Clark, 0000
Corinne M. Conroy, 0000
John H. Craddock, 0000
Lisa E. Crosby, 0000
Frederick Davidson, 0000
Danny R. Denkins, 0000
David H. Dennison, 0000
Ronald D. Desalles, 0000
Thomas E. Ellwood, 0000
Jody L. Ennis, 0000
Susan K. Escallier, 0000
Stephanie Foster, 0000
Travis C. Frazier, 0000
Dennis J. Geyer, 0000
Michael A. Gladu, 0000
Brian L. Gladwell, 0000
Blondell S. Glenn, 0000
James W. Graham, 0000
Sheri K. Green, 0000
William Grief, 0000
Britney Grimes, 0000
Michael Hamilton, 0000
Kwasi L. Hawks, 0000
Brian A. Hemann, 0000
Jeffrey Hirsch, 0000
Richard W. Hussey, 0000
Jerry K. Izu, 0000
Edgar Jimenez, 0000
David E. Johnson, 0000
Jeremy D. Johnson, 0000
Samuel L. Jones, 0000
Ryan J. Keneally, 0000
Julie S. Kerr, 0000
Julie M. Kissel, 0000
Stuart R. Koser, 0000
Michael L. Kramer, 0000
Michael Krasnokutsky, 0000
Gregory T. Lang, 0000
Jennifer L. Lay, 0000
John P. Lay, 0000
Walter S. Leitch, 0000
Andrew H. Lin, 0000
Brian F. Malloy, 0000
Jason D. Marquart, 0000
Laura N. Marquart, 0000
Scott F. McClellan, 0000
Karin L. McElroy, 0000
Jennifer H. Mcgee, 0000
Valencia B. Meza, 0000
Steven C. Miller, 0000
Beverly J. Morgan, 0000
Philip S. Mullenix, 0000
Sean W. Mulvaney, 0000
Kevin M. Nakamura, 0000
Kenneth J. Nelson, 0000
Duc H. Nguyen, 0000
John P. O'Brien, 0000
Jason A. Pates, 0000
Theresa A. Pechaty, 0000
Sylvia F. Perez, 0000
Jose Perezvelazquez, 0000
America Planas, 0000
Richard D. Reed, 0000
Carolyn Richardson, 0000
Eric R. Richter, 0000
Christopher Rivera, 0000
Terry W. Roberts, 0000
Kevin K. Robitaille, 0000
Matthew M. Ruest, 0000
Harlan I. Rumjahn, 0000
Maureen A. Salafai, 0000
John D. Schaber, 0000
Paula I. Schasberger, 0000
John K. Shin, 0000
James E. Simmons, 0000
Netta F. Stewart, 0000
Neil Stockmaster, 0000
Juanita Stokes, 0000
Burton L. Stover, 0000
Chris A. Strode, 0000
Drew A. Swank, 0000
Douglas M. Tilton, 0000
Evelyn Townsend, 0000
George Vonhilsheimer, 0000
Jean E. Wardrip, 0000
Christopher Warner, 0000
Sylvia V. Waters, 0000
Thomas M. Wertin, 0000
David A. Weston, 0000
Ronald L. White, 0000
Grace F. Wieting, 0000
Ronald V. Wilson, 0000
Gary H. Wynn, 0000
Charles L. Young, 0000

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 3069 and in accordance with Article II, Section 2 of the Constitution of the United States:

To be brigadier general, Nurse Corps

Col. William T. Bester, 0000

The following named officers for appointment to the grade indicated in the Reserve of the Army under title, 10 U.S.C., section 12203:

To be colonel

Thomas W. Acosta Jr., 0000
Steven Alan Adams, 0000
Augustus D. Aikens Jr., 0000
Jeffrey C. Akamatsu, 0000
William E. Aldridge, 0000
Robert F. Altherr Jr., 0000
Ronald D. Anderson, 0000
Steven D. Anderson, 0000
William V. Anderson, 0000
Michael D. Armour, 0000
Philip L. Arthur, 0000
Deborah A. Ashenhurst, 0000
Robbie L. Asher, 0000
John M. Atkins, 0000
Milton G. Avery, 0000
Robert A. Avery, 0000
William P. Babcock, 0000
Steven A. Backer, 0000
James D. H. Bacon, 0000
Gregory P. Bailey 0000
Bruce H. Baker Jr., 0000
Kenneth J. Baker, 0000
Albert Bardayan, 0000
Newton R. Bardwell III, 0000
Roosevelt Barfield, 0000
Lonnie L. Barham, 0000
Rodney J. Barham, 0000
Steven R. Barner, 0000
John I. Barnes III, 0000
Robert L. Barnes Jr., 0000
Daniel W. Barr, 0000
Richard A. Baylor, 0000
Robert A. Bean Jr., 0000
Mark D. Becher, 0000
Bruce E. Beck, 0000
Carl B. Beckmann Jr., 0000
Terrence W. Beltz, 0000
Dan A. Berkebile, 0000
Gerald R. Betty, 0000
Warren K. Beyer, 0000
William G Bickel, 0000
Courtland C. Bivens III, 0000
Robert D. Bloomquist, 0000
Terry L. Bortz, 0000
Phillip E. Bowen, 0000
John L. Brackin, 0000
Thomas M. Bradley, 0000
George R. Brady, 0000
Paul M. Brady, 0000
James A. Brattain, 0000
John R. Rault, 0000
Allen E. Brewer, 0000
Robert K. Brinson, 0000
Sans C. Broussard, 0000
Harold E. Brown, 0000
Charles R. Brule, Sr. 0000
Robert O. Brunson, 0000
John A. Bucy, 0000
Harold G. Bunch, 0000
Andrew C. Burton, 0000
Philip C. Caccese, 0000
Matthew P. Cacciatore, Jr., 0000
Ann Moore Campbell, 0000
Roland L. Candee, 0000
James J. Caporizo III, 0000
Ronald A. Cassaras, 0000
Charles R. Chadwick, 0000
Charles A. Chambers, IV, 0000
Elizabeth A Checchia, 0000
Peter Paul Herellia, 0000
James Young Chilton, 0000
Thomas R. Christensen, 0000
Robert M. Christian, 0000
John G. Christiansen, Jr., 0000
Bobby Guy Christopher, 0000
Danny Dean Clark, 0000
James E. Cobb, 0000
McKinley Collins, Jr., 0000
Thomas Patrick Collins, 0000
Dennis Conway, 0000
Lawrence D. Cooper, 0000
April M. Corniea, 0000
Calvin Edward Coufal, 0000
Terry Ray Council, 0000
Ardwood R. Courtney, Jr., 0000
Homer T. Cox III, 0000
Mark E. Craig, 0000
John V. Crandall, 0000
Stanley E. Crow, 0000
Rita K. Cucchiara, 0000
Thomas W. Current, 0000
Thomas E. Dacar, 0000
Willie D. Davenport, 0000
Jack L. Davis, 0000
John T. Davis, 0000
Milton P. Davis, 0000
John E. Davoren, 0000
Gary W. Dawson, 0000
Thomas Dawayne Dean, 0000
Philip M. Dehennis, 0000
Joseph P. Dejohn, 0000
Paul Morton Dekanel, 0000
Santiago Delvalle, 0000
Joseph G. Depaul, 0000
Carolyn J. Derby, 0000
Ronald Edgar Dewitt, 0000
Neil Dial, 0000
Richard W. Dillon, 0000

David T. Dorrough, 0000
Raymond S. Doyle, 0000
Gilford C. Dudley, Jr., 0000
John Frederick Dugger, 0000
James J. Dunphy, Jr., 0000
Warren L. Dupuis, 0000
Paul W. Dvorak, 0000
William Thomas Egan, 0000
Michael E. Eichinger, 0000
Gary F. Eischeid, 0000
Gary R. Engel, 0000
Ernest T. Erickson, 0000
Richard M. Etheridge, 0000
Arthur Dale Evans, 0000
Peter Frank Falco, 0000
Clarence Faubus, 0000
Charles B. Faulconer, Jr., 0000
Dan W. Faust III, 0000
Samuel L. Ferguson, 0000
Robert Michael Field, 0000
William H. Finck, 0000
Michael P. Finn, 0000
Robert L. Finn, 0000
Lynn E. Fite, 0000
Dennis R. Flanery, 0000
George M. Flattley, 0000
Dale P. Foster, 0000
Michael J. Foy III, 0000
Lloyd J. Freckleton, 0000
Clarence C. Freels, 0000
William Roland Frost, 0000
Cherie Annette Fuchs, 0000
Wesley J. Fudger, Jr., 0000
Joe R. Gaines, Jr., 0000
John Duane Gaines, 0000
Paul Vincent Gambino, 0000
Daniel Michael Ganci, 0000
Ernest L. Gandy, 0000
James P. Gardner, 0000
Dennis V. Garrison, Jr., 0000
Paul C. Genereux, Jr., 0000
Robert L. Giacumo, 0000
Jerry M. Gill, 0000
Paul D. Golden, 0000
David S. Gordon, 0000
John Leggett Graham, 0000
Frank Joseph Grass, 0000
Melvin Jake Graves, 0000
Billy R. Green, 0000
Linda Diane Green, 0000
Oscar Charles Greenleaf, 0000
David J. Griffith, 0000
John Lawrence Gronski, 0000
Lindsay H. Gudridge, 0000
Terry Glynn Hammett, 0000
Ralph Bryan Hanes, 0000
Philip Lawrence Hanrahan, 0000
Eric A. Hanson, 0000
Russell S. Hargis, 0000
Robert C. Hargreaves, 0000
Joe Lee Harkey, 0000
Daniel Joseph Harlan, 0000
Thomas Wayne Harrington, 0000
George Ray Harris, 0000
George W. Harris, 0000
Robert Alan Harris, 0000
Donnan R. Harrison III, 0000
Michael F. Hau, 0000
Spencer L. Hawley, 0000
David Raymond Hays, 0000
James D. Head, 0000
Mark S. Heffner, 0000
Gerald M. Heinle, 0000
John W. S. Heltzel, 0000
Richard Eugene Hens, 0000
John Raymond Henstrand, 0000
Patrick R. Heron, 0000
Michael J. Hersey, 0000
John B. Hershman, 0000
Ruby Lee Hobbs, 0000
Dudley B. Hodges III, 0000
Mary Josephine Hogan, 0000
Richard Edward Holland, 0000
Henry Vance Holt, 0000
Herbert Lewis Holtz, 0000
Thomas French Hopkins, 0000
Gary Wayne Hornback, 0000
David Eugene Hriczak, 0000
Charles H. Hunt, Jr., 0000
Peter V. Ingalsbe, 0000
Harold D. Ireland, 0000
Charles Nathan Jay, 0000
Larry D. Jayne, 0000
Roy Jack Jensen, 0000
Calvin S. Johnson, 0000
William G. Johnson, 0000
William J. Johnson, Jr, 0000
William Carlyle Johnston, 0000
Daniel Lee Joling, 0000
Christopher Reed Jones, 0000
David C. Jones, 0000
David R. Jones, Jr., 0000
Charles Alfred Justice, 0000
Edward T. Kamarad, 0000
Gregory Ray Keech, 0000
Michael Aaron Kelly, 0000
Jeffrey J. Kennedy, 0000
Stanley R. Keolanui, Jr., 0000
Richard Joseph Kiehart, 0000
Craig Stephen King, 0000
Randy Warren King, 0000
Bruce Eric Kramme, 0000
Doris Jean Kubik, 0000
John J. Kuhle, 0000
Susan E. Kuwana, 0000
Timothy M. Lambert, 0000
Gary S. Landrith, 0000
Joseph A. Laneski, 0000
Richard Frank Lange, 0000
Konrad B. Langlie, 0000
George D. Lanning, 0000
Lawrence M. Larsen, 0000
Thomas Lebovic, 0000
Ralph L. Ledgewood, 0000
Myron C. Lepp, 0000
Glenn Jeffrey Lesniak, 0000
James R. Lile, 0000
Stephen David Lindner, 0000
Thomas Richard Logeman, 0000
Ralph Daniel Long, 0000
Rodney W. Loos, 0000
Walter E. Lorcheim, 0000
Vernon Lee Lowrey, 0000
Gilbert Lozano Jr., 0000
Stephen L. Lynch, 0000
Cheryl Marie Machina, 0000
David Clarence Mackey, 0000
Michael J. Madison, 0000
Carlos A. Maldonado, 0000
Jeffery Eugene Marshall, 0000
Eugene C. Martin, 0000
Robert A. Martinez, 0000
Oliver J. Mason, Jr., 0000
Larry W. Massey, 0000
Bobby E. Mayfield, 0000
John M. McAuley, 0000
Kevin R. McBride, 0000
Henry C. McCann, 0000
Timothy G. McCarthy, 0000
Morris E. McCoskey, 0000
John William McCoy, Jr., 0000
James P. McDermott, 0000
Daniel J. McHale, 0000
Donald E. McLean, 0000
Nolan R. Meadows, 0000
Robert E. Meier, 0000
Robert James Meier, 0000
Terrence John Merkel, 0000
James Richard Messinger, 0000
Donald Dean Meyer, 0000
Neil E. Miles, 0000
Lonnie R. Miller, 0000
Scott D. Miller, Jr., 0000
James F. Minor, 0000
Peter Francis Mohan, 0000
William Monk III, 0000
Raymond B. Montgomery, 0000
Randall W. Moon, 0000
David Fidel Morado, 0000
Jane Phyllis Morey, 0000
Jill E. Morgenthaler, 0000
Glenn David Mudd, 0000
Richard O. Murphy, 0000
Margaret E. Myers, 0000
Charles R. Nearhood, 0000
Daniel J. Nelan, 0000
David B. Nelson, 0000
Stephen D. Nichols, 0000
Joseph Frank Noferi, 0000
Oliver L. Norrell III, 0000
Mark D. Nyvold, 0000
Paul F. O'Connell, 0000
Hershell W. O'Donnell, 0000
Walter Stephen O'Reilly, 0000
Victor M. Ortizmercado, 0000
Karlynn P. O'Shaughnessy, 0000
Henry J. Ostermann, 0000
James Edward Otto, 0000
Clarence H. Overbay III, 0000
Benjamin F. Overbey, 0000
Jan Guenther Papra, 0000
John Henry Paro, 0000
David M. Parquette, 0000
George J. Pecharka, Jr., 0000
Lter Stephen Pedigo, 0000
George A. B. Peirce, 0000
Alan R. Peterson, 0000
Karl F. Peterson, 0000
William H. Petty, 0000
Joseph Carl Phillips, 0000
Nickey Wayne Philpot, 0000
D. Darrell Eugene Pickett, 0000
Robert Kent Pinkerton, 0000
Robert L. Pitts, 0000
Carl Joe Posey, 0000
Rick Lynn Powell, 0000
James Frederick Preston, 0000
Louis P. Preziosi, 0000
John M. Prickett, 0000
Robert M. Puckett, 0000
Barney Pultz, 0000
Walter L. Pyron, 0000
Terry Lee Quarles, 0000
Paul J. Raffaeli, 0000
Thomas H. Redfern, 0000
Johnny H. Reeder, 0000
Eldon Philip Regua, 0000
Price Lewis Reinert, 0000
Robert Reinke, Jr., 0000
Joseph Warren Reiter, 0000
Barry L. Reynolds, 0000
John F. Reynolds, 0000
James Lance Richards, 0000
Douglas G. Richardson, 0000
Philip A. Richardson, 0000
Mark C. Ricketts, 0000
Raynor J. Ricks Jr., 0000
Kenneth Wayne Rigby, 0000
James Francis Riley, 0000
Isabelo Rivera, 0000
David Lee Roberts, 0000
Paul Edwin Roberts, 0000
David P. Robinson, 0000
Steven Ray Robinson, 0000
Frank Gerard Romano, 0000
Debra C. Rondem, 0000
Timothy L. Rootes, 0000
Lawrence Henry Ross, 0000
Thomas Warren Round, 0000
Joel Ross Rountree, 0000
David H. Russell, 0000
Michael H. Russell, 0000
Larry D. Rutherford, 0000
Loretta R. Ryan, 0000
Frank Albert Sampson, 0000
Stephen M. Sarcione, 0000
Steven D. Saunders, 0000
Joseph M. Scaturo, 0000
Otto Byron Schacht, 0000
Helen P. Schenck, 0000
Robert W. Scherer, 0000
Paul A. Schneider, 0000
Edward C. Schrader, 0000
Gordon W. Schukei, 0000
James D. Schultz Jr., 0000
Stephen Peter Schultz, 0000
John Thomas Schwenner, 0000
Mark W. Scott, 0000
Michael F. Scotto, 0000
Gale Hadley Sears, 0000
Bernard Seidl, 0000
Stephen Ridgely Seiter, 0000
Charles R. Seitz, 0000
Ronald George Senez, 0000

Kenneth J. Senkyr, 0000
Christopher T. Serpa, 0000
Walter S. Shanks, 0000
Hugh Dunham Shine, 0000
Kenneth R. Simmons Jr., 0000
James L. Simpson, 0000
Robert G. Skiles Jr., 0000
James A. Slagen, 0000
William A. Slotter, 0000
Carlon L. Smith, 0000
David B. Smith, 0000
David C. Smith, 0000
Edward H. Smith, 0000
John F. Smith, 0000
Kenneth Eugene Smith, 0000
Roy C. Smith, 0000
Sherwood J. Smith, 0000
Steven W. Smith, 0000
Karl P. Smulligan, 0000
Arnold H. Soeder, 0000
David L. Spencer, 0000
Terrance J. Spoon, 0000
David William Starr, 0000
Michael R. Staszak, 0000
Michael E. Stephany, 0000
James Melvin Stewart, 0000
Richard W. Stewart, 0000
John M. Stoen, 0000
Gregory Wayne Stokes, 0000
James C. Suttle Jr., 0000
Richard E. Swan, 0000
Thomas B. Sweeney, 0000
Derek C. Swope, 0000
Doris P. Tackett, 0000
Michael Graham Temme, 0000
Lance Morell Tharel, 0000
Randal Edward Thomas, 0000
Carey Garland Thompson, 0000
Frederick T. Thurston, 0000
Jack Thomas Tomarchio, 0000
Stephen Craig Truesdell, 0000
Verlyn E. Tucker, 0000
Robert J. Udland, 0000
Robert J. Vandermale, 0000
Jacob A. Vangoor, 0000
Larry D. Vanhorn, 0000
Gary Wallace Varney, 0000
Robert Willard Vaughan, 0000
Russell Owen Vernon, 0000
Bert F. Vieta, 0000
Pedro G. Villarreal, 0000
William G. Vincent, 0000
Jeffery R. Vollmer, 0000
Keith Richard Votava, 0000
William D. R. Waff, 0000
Charles M. Wagner, 0000
Gary F. Wainwright, 0000
Layne J. Walker, 0000
Martin H. Walker, 0000
Sally Wallace, 0000
Kendall Scott Wallin, 0000
Joseph W. Ward III, 0000
Kenneth Robert Warner, 0000
Herbert R. Waters III, 0000
Michael K. Webb, 0000
Roy Landrum Weeks Jr., 0000
Frederick H. Welch, 0000
James M. Wells, 0000
Michael J. Wersosky, 0000
Mary E. Lynch Westmoreland, 0000
Grant L. White, 0000
Francis B. Williams, 0000
Stanley O. Williams, 0000
Richard J. Willinger, 0000
Cecil Mason Willis, 0000
Joel William Wilson, 0000
Tony N. Wingo, 0000
Anthony E. Winstead, 0000
Larry V. Wise, 0000
Paul K. Wohl, 0000
Bruce M. Wood, 0000
Glenn R. Worthington, 0000
Barry Gene Wright, 0000
Kathy J. Wright, 0000
Neil Yamashiro, 0000
Earl M. Yerrick Jr., 0000
David Keith Young, 0000
Richard S. W. Young, 0000
Samuel R. Young, 0000
Vincent A. Zike Jr., 0000

The following named Army National Guard of the United States Officers for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

To be colonel

James G. Ainslie, 0000
Shawn W. Flora, 0000
Douglas McCready, 0000
Theresa M. Odekirk, 0000
Thomas M. Penton Jr., 0000

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., sections 531 and 624:

To be lieutenant colonel

Jane H. Edwards, 0000

The following named officers for appointment to the grade indicated in the United States Army and for Regular appointment in the Nurse Corps (AN), Medical Service Corps (MS), Medical Specialist Corps (SP) and Veterinary Corps (VC) (identified by an asterisk(*)) under title 10, U.S.C., sections 624, 531, and 3064:

To be lieutenant colonel

Jeffrey J. Adamovicz, 0000 MS
Roxanne Ahrman, 0000 AN
Matthew J. Anderson, 0000 AN
Randall G. Anderson, 0000 MS
Debra C. Aparicio, 0000 AN
Donald F. Archibald, 0000 MS
David R. Ardner, 0000 MS
Kimberly K. Armstrong, 0000 AN
Cheryl M. Bailly, 0000 AN
Francis W. Bannister, 0000 MS
Linda M. Bauer, 0000 AN
*Terry K. Besch, 0000 VC
Steven G. Bolint, 0000 MS
Lori L. Bond, 0000 AN
Crystal M. Briscoe, 0000 VC
Hortense R. Britt, 0000 AN
*Henrietta W. Brown, 0000 AN
David P. Budinger, 0000 MS
Kay D. Burkman, 0000 VC
*Spencer J. Campbell, 0000 MS
Brian T. Canfield, 0000 MS
*Charles E. Cannon, 0000 MS
*Calvin B. Carpenter, 0000 VC
*Margaret N. Carter, 0000 VC
Janice E. Carver, 0000 AN
Thomas H. Chapman, Jr., 0000 AN
Steven H. Chowen, 0000 MS
*James A. Church, 0000 AN
Edward T. Clayson, 0000 MS
*Russell E. Coleman, 0000 MS
John M. Collins, 0000 MS
John P. Collins, 0000 MS
Joyce Craig, 0000 AN
*Joseph F. Creedon, Jr., 0000 SP
Peter C. Dancy, Jr., 0000 MS
Sheryl L. Darrow, 0000 AN
Raymond A. Degenhardt, 0000 AN
*Donald W. Degroff, 0000 MS
Danny R. Deuter, 0000 MS
Cheryl D. Dicarlo, 0000 VC
George A. Dilly, 0000 SP
Laurie L. Duran, 0000 AN
Rhonda L. Earls, 0000 AN
Wanda I. Echevarria, 0000 AN
Samuel E. Eden, 0000 MS
Richard T. Edwards, 0000 MS
Brenda K. Ellison, 0000 SP
*Richard J. Elliston, 0000 MS
Steven D. Euhus, 0000 MS
*Ann M. Everett, 0000 AN
Sheri L. Ferguson, 0000 AN
Julie A. Finch, 0000 AN
Daniel J. Fisher, 0000 MS
Elaine D. Fleming, 0000 AN
Lorraine A. Fritz, 0000 AN
Mary S. Gambrel, 0000 AN
Alexander Gardner, III, 0000 MS
Mary E. Garr, 0000 MS
Kathryn M. Gaylord, 0000 AN
David G. Gilbertson, 0000 MS
Mark H. Glad, 0000 MS
Ricardo A. Glenn, 0000 MS
Robert E. Gray, 0000 MS
*Steven W. Grimes, 0000 AN
Christina M. Hackman, 0000 AN
*Karen A. Hagen, 0000 AN
Christine S. Halder, 0000 MS
Teresa I. Hall, 0000 AN
Rita K. Hannah, 0000 AN
Bryant E. Harp, Jr., 0000 MS
*Sally C. Harvey, 0000 MS
Bruce E. Haselden, 0000 MS
Bernard F. Hebron, 0000 MS
Heidi A. Heckel, 0000 SP
David Hernandez, 0000 AN
Claude Hines, Jr., 0000 MS
Mark E. Hodges, 0000 AN
Charlotte L. Hough, 0000 AN
Robert E. Housley, Jr., 0000 MS
Randolph. G. Howard, Jr., 0000 MS
Linda L. Hundley, 0000 AN
Donna L. Hunt, 0000 AN
Thomas C. Jackson, II, 0000 MS
Clifette Johnson, II, 0000 AN
Richard N. Johnson, 0000 MS
Daria D. Jones, 0000 AN
David D. Jones, 0000 MS
Sandra D. Jordan, 0000 AN
Van A. Joy, 0000 MS
Philip Kahue, 0000 MS
Jung S. Kim, 0000 AN
Joshua P. Kimball, 0000 MS
Michael S. Lagutchik, 0000 VC
Marsha A. Langlois, 0000 MS
*Terry J. Lantz, 0000 MS
*James L. Larabee, 0000 AN
William J. Layden, 0000 MS
John R. Lee, 0000 MS
Cathy E. Leppiaho, 0000 MS
Patricia M. Leroux, 0000 AN
Gloria R. Long, 0000 AN
LEslie S. Lund, 0000 AN
Lisa C. Macphee, 0000 MS
Leo H. Mahony, Jr., 0000 SP
Lance S. Maley, 0000 MS
Thirsa Martinez, 0000 MS
Bruce W. McVeigh, 0000 MS
John R. Mercier, 0000 MS
Talford V. Mindingall, 0000 MS
Ulises Miranda, III, 0000 MS
Rafael C. Montagno, 0000 MS
Octavio C. Montvazquez, 0000 MS
Connie J. Moore, 0000 AN
Josef H. Moore, 0000 SP
Janet Moser, 0000 VC
Shonna L. Mulkey, 0000 MS
Michael C. Mullins, 0000 MS
Davette L. Murray, 0000 MS
Susan M. Myers, 0000 AN
Jane E. Newman, 0000 AN
Douglas E. Newson, 0000 AN
*Vicki J. Nichols, 0000 AN
Kimberly A. Niko, 0000 AN
Mary C. Oberhart, 0000 AN
John F. Pare, 0000 AN
Jessie J. Payton, Jr., 0000 MS
Joseph A. Pecko, 0000 MS
Jerome Penner, III, 0000 MS
Suzanne R. Pieklik, 0000 AN
Fonzie J. Quancefitch, 0000 VC
*Doris A. Reeves, 0000 AN
*Lue D. Reeves, 0000 AN
Michael L. Reiss, 0000 MS
George C. Renison, 0000 VC
Karolyn Rice, 0000 MS
Maria D. Risaliti, 0000 AN
Christopher V. Roan, 0000 MS
George A. Roark, 0000 MS
Laura W. Rogers, 0000 AN
Miguel A. Rosado, 0000 AN
Denise M. Roskovensky, 0000 AN
Robbin V. Rowell, 0000 SP
Yolanda Ruizisales, 0000 AN
Michael P. Ryan, 0000 MS
Kristine A. Sapuntzoff, 0000 AN

Patrick D. Sargent, 0000 MS
Wayne R. Smetana, 0000 MS
Susan G. Smith, 0000 AN
Earle Smith, II, 0000 MS
Wade L. Smith, Jr., 0000 MS
Nancy E. Soltez, 0000 AN
Kerry L. Souza, 0000 AN
Emery Spaar, 0000 MS
Glenna M. Spears, 0000 AN
Debra A. Spencer, 0000 AN
Joyce D. Stanley, 0000 AN
Barry T. Steever, 0000 AN
Marc J. Stevens, 0000 MS
John R. Stewart, 0000 MS
Robinette J. Struttonamaker, 0000 SP
Stephanie M. Sweeny, 0000 AN
John R. Taber, 0000 VC
Regina L. Tellitocci, 0000 AN
Robert D. Tenhet, 0000 MS
John H. Trakowski, Jr., 0000 MS
Joe M. Truelove, 0000 MS
*Corina Van De Pol, 0000 MS
Lorna M. Vanderzanden, 0000 VC
Linda J. Vanweelden, 0000 AN
Keith R. Vesely, 0000 VC
Jimmy C. Villiard, 0000 VC
Robert W. Wallace, 0000 MS
Kevin M. Walsh, 0000 AN
Jasper W. Watkins, III, 0000 MS
Virgil G. Wiemers, 0000 AN
Patricia A. Wilhelm, 0000 AN
James A. Wilkes, 0000 MS
*Kathleen J. Wiltsie, 0000 AN
Kelly A. Wolgast, 0000 AN
John S. Wong, 0000 AN
John F. Zeto, 0000 MS

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Stan M. Aufderheide, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Michael T. Bourque, 0000

The following named officers for appointment to the grades indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Marian L. Celli, 0000
Elizabeth B. Gaskin, 0000
Jeanne Y. Ling, 0000

To be lieutenant commander

Miguel A. Franco, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

William R. Mahoney, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Stephen R. Silva, 0000

The following named officer for appointment to the grade indicated in the United States Naval Reserve under title 10, U.S.C., section 12203:

To be captain

Graeme Anthony Browne, 0000

The following named officers for regular appointment to the grades indicated in the United States Navy under title 10, U.S.C., section 531:

To be commander

John P. LaBanc, 0000

To be lieutenant commander

Dan C. Hunter, 0000
Jerry K. Stokes, 0000

To be lieutenant

John L. Grinold, 0000
James P. Ingram, 0000
George S. Lesiak, 0000
Edward P. Neville, 0000
Landon C. Smith, 0000
Michael R. Tasker, 0000

To be lieutenant (junior grade)

Craig D. Arendt, 0000
Robert E. Asmann, 0000
William B. Bangert, 0000
Christopher F. Beaubien, 0000
Kevin S. Brown, 0000
Jerry C. Crocker, 0000
Nicholas A. Czaruk, 0000
Gary L. Durden, 0000
Patrick W. Finney, 0000
Bret M. Grabbe, 0000
Robert C. Hicks, 0000
Kathryn E. Hitchcock, 0000
Adam R. Hudson III, 0000
Robert H. Keller, 0000
John R. Martin, 0000
Richard T. McCarty, 0000
Scott W. McGhee, 0000
Thomas D. McKay, 0000
Stephen E. Mongold, 0000
Todd D. Moore, 0000
Todd J. Nethercott, 0000
Matthew S. Pederson, 0000
Derek J. Purdy, 0000
Edward J. Robledo, 0000
Adam Schneider, 0000
Forrest S. Yount, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Robert F. Blythe, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

George P. Haig, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Melvin J. Hendricks, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Jon E. Lazar, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Lawrence R. Lintz, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

David E. Lowe, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Michael S. Nicklin, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Robert J. Werner, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be captain

Carl M. June, 0000

The following named officer for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

To be major

Joseph L. Baxter Jr., 0000

(The above nominations were reported with the recommendation that they be confirmed.)

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–8274. A communication from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Status for Certain Nationals of Nicaragua and Cuba'' (RIN1115–AF04), received March 28, 2000; to the Committee on the Judiciary.

EC–8275. A communication from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Status for Certain Nationals of Haiti'' (RIN1115–AF33), received March 28, 2000; to the Committee on the Judiciary.

EC–8276. A communication from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Eligibility Reporting Requirements'' (RIN2900–AJ09), received March 28, 2000; to the Committee on Veterans' Affairs.

EC–8277. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Parts 724 and 725; Trustees and Custodians of Pension Plans; Share Insurance and Appendix'', received March 28, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8278. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Immigrants and Nonimmigrants under the Immigration and Nationality Act, as Amended'', received March 28, 2000; to the Committee on Foreign Relations.

EC–8279. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received March 28, 2000; to the Committee on Governmental Affairs.

EC–8280. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 1999; to the Committee on Governmental Affairs.

EC–8281. A communication from the Chairman, Federal Prison Industries, Inc., Department of Justice, transmitting, pursuant to

law, the 1999 annual report; to the Committee on Governmental Affairs.

EC–8282. A communication from the Acting Administrator, Rural Utilities Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''7 CFR Part 1710, Subpart E: Load Forecasts'' (RIN0572–AB05), received March 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8283. A communication from the Acting Administrator, Rural Utilities Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''7 CFR Part 1721: Post-Loan Policies and Procedures for Insured Electric Loans, Advance of Funds'', received March 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8284. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Financial Assistance for Chesapeake Bay Stock Assessments to Encourage Research Projects for Improvement in the Stock Conditions of the Chesapeake Bay Fisheries'' (RIN0648–ZA81), received March 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8285. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Statistical Area 620 of the Gulf of Alaska'', received March 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8286. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The New Piper Aircraft, Inc. PA–31 Series Airplanes; Docket No. 99–CE–49 (3–23/3–27)'' (RIN2120–AA64) (2000–0178), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8287. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company 150, 152, 172, 177, 180, 182, 185, 188, 206, 207, 210 and 337 Series Airplanes; Docket No. 97–CE–114 (3–22/3–23)'' (RIN2120–AA64) (2000–0167), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8288. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fairchild Aircraft Corporation SA226 and SA227; Docket No. 99–CE–52 (3–20/3–23)'' (RIN2120–AA64) (2000–0171), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8289. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Inc. Models DHC–6–1, DHC–6–100, DHC–6–200, and DHC–6–300 Airplanes; Docket No. 99–CE–44 (3–20/3–23)'' (RIN2120–AA64) (2000–0170), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8290. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aerospatiale Model ATR42–200, ATR42–300, and ATR42–320 Series Airplanes; Docket No. 99–NM–94 (3–22/3–23)'' (RIN2120–AA64) (2000–0169), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8291. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Model BAe 146 and Avro 146–RJ Series; Docket No. 99–NM–347 (3–22/3–23)'' (RIN2120–AA64) (2000–0168), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8292. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A319, A320, A321, A330, and A340 Series Airplanes; Docket No. 99–NM–349 (3–23/3–27)'' (RIN2120–AA64) (2000–0178), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8293. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; AlliedSignal ALF502 and LF507 Series Turbofan Engines; Docket No. 96–ANE–36 (3–23/3–27)'' (RIN2120–AA64) (2000–0175), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8294. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GMBH Model MBB–BK 117 Helicopters; Docket No. 98–SW–77 (3–24/3–27)'' (RIN2120–AA64) (2000–0178), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8295. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF34 Series Turbofan Engines; Correction; Docket No. 99–NE–49 (3–23/3–27)'' (RIN2120–AA64) (2000–0177), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8296. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model SA330f, SA330G, SA330J, AS332C, AS332L, AS332L1, and AS332L2; Request for Comments; Docket No. 2000–SW–06 (3–24/3–27)'' (RIN2120–AA64) (2000–0174), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

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–450. A resolution adopted by the Council of the Borough of South River, Middlesex County, New Jersey relative to Medicare; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself, Mr. KYL, and Mr. GRASSLEY):

S. 2328. A bill to prevent identity fraud in consumer credit transactions and credit reports, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. LINCOLN (for herself and Mr. HUTCHINSON):

S. 2329. A bill to improve the administration of the Animal and Plant Health Inspection Service of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROTH (for himself, Mr. MURKOWSKI, Mr. ROBB, Mr. NICKLES, and Mr. MACK):

S. 2330. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; to the Committee on Finance.

By Mr. HOLLINGS:

S. 2331. A bill to direct the Secretary of the Interior to recalculate the franchise fee owed by Forth Sumter Tours, Inc., a concessioner providing services to Fort Sumter National Monument, South Carolina; to the Committee on Energy and Natural Resources.

By Mr. GRAMS:

S. 2332. A bill to amend the Agricultural Market Transition Act to permit a producer to lock in a loan deficiency payment rate for a portion of a crop; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REED (for himself and Mr. BINGAMAN):

S. 2333. A bill to amend the Federal Food, Drug, and Cosmetic Act to grant the food and Drug Administration the authority to regulate the manufacture, sale, and distribution of tobacco and other products containing nicotine, tar, additives, and other potentially harmful constituents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. L. CHAFEE (for himself and Mr. JEFFORDS):

S. 2334. A bill to amend the Internal Revenue Code of 1986 to extend expensing of environmental remediation costs for an additional 6 years and to include sites in metropolis statistical areas; to the Committee on Finance.

Mr. L. CHAFEE:

S. 2335. A bill to authorize the Secretary of the Army to carry out a program to provide assistance in the remediation and restoration of brownfields, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (for himself, Mr. CRAIG, Mr. SCHUMER, and Mrs. MURRAY):

S. 2336. A bill to authorize funding for networking and information technology research and development at the Department of Energy for fiscal years 2001 through 2005, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 2337. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. KENNEDY, Mr. DURBIN, Mr. LAUTENBERG, Mr. REED, Mr. TORRICELLI, Mr. LEVIN, Mr. ROBB, Mr. MOYNIHAN, Mrs. BOXER, Mr. DODD, and Mr. DASCHLE):

S. 2338. A bill to enhance the enforcement of gun violence laws; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. BOXER (for herself, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Ms. COLLINS, Mr. DASCHLE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. INOUYE, Mr. KERRY, Mr. KENNEDY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mr. MOYNIHAN, Mrs. MURRAY, Mr. ROBB, Mr. REED, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN):

3. Res. 279. A resolution expressing the sense of the Senate that the United States Senate Committee on Foreign Relations should hold hearings and the Senate should act on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); to the Committee on Foreign Relations.

By Mr. WELLSTONE:

S. Res. 280. A resolution expressing the sense of the Senate with respect to United States relations with the Russian Federation in view of the situation in Chechnya; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. KYL, and Mr. GRASSLEY):

S. 2328. A bill to prevent identity fraud in consumer credit transactions and credit reports, and for other purposes; to the Committee on Banking, Housing and Urban Affairs.

IDENTITY THEFT PREVENTION ACT OF 2000

Mrs. FEINSTEIN. Mr. President, I rise to send to the desk a bill cosponsored by Senator KYL of Arizona and Senator GRASSLEY of Iowa for reference to committee.

The bill is entitled the ''Identity Theft Prevention Act of 2000.''

The crime of identity theft has become one of the major law enforcement challenges of the new economy because vast quantities of sensitive personal information are now vulnerable to criminal interception and misuse.

What is identity theft? Identity theft occurs when one person uses another person's Social Security number, birth date, driver's license number, or other identifying information to obtain credit cards, car loans, phone plans, or other services in the potential victim's name. Of course, the victim does not know the theft has happened until he or she receives bills for items he or she didn't buy; plans for which he or she didn't contract, and so on.

Identity thieves get personal information in a myriad of ways. They steal wallets and purses containing identification cards. They use personal information found on the Internet. They steal mail, including preapproved credit offers and credit statements. They fraudulently obtain credit reports or they get someone else's personnel records at work.

All indications are that there is an alarming growth of this highly invasive crime. I believe the time has come to do something about it. A national credit bureau has reported that the total number of identity theft inquiries to its Theft Victim Assistance Department grew from 35,000 theft inquiries in 1992 to over one-half million in 1997. That is over a 1,400-percent increase. It is national. It touches every State and it impacts every area of our citizenry.

The United States Postal Inspection Service reports that 50,000 people a year have become victims of identity theft since it first began collecting information on identity theft in the mid-1990s. In total, the Treasury Department estimates that identity theft annually causes between $2 and $3 billion in losses from credit cards alone.

The legislation I introduce today, along with Senators KYL and GRASSLEY, tackles this issue. It makes it harder for criminals to access another person's private information, it gives consumers more tools to uncover fraudulent activity conducted in their name, and it expands the authority of the Social Security Administration to prosecute identity theft.

The Identity Theft Prevention Act makes it harder for criminals to steal personal information. First, it closes a loophole in the Fair Credit Reporting Act that permits personal identifying information such as Social Security numbers, one's mother's maiden name, and birth date to be distributed without restriction to marketers. This sensitive information would be treated under this bill like any other part of the credit report, with its disclosure restricted to businesses needing the data for extensions of credit, employment applications, insurance applications, or other permissible purposes.

This bill codifies, also, the practice of placing fraud alerts on a consumer's credit file and gives the Federal Trade Commission the authority to impose fines against credit issuers that ignore the alert. Too many credit issuers are presently ignoring fraud alerts to the detriment of identity theft victims.

Additionally, the bill requires credit bureaus to investigate discrepancies between their records and the address, birth date, and other personal information submitted as a part of an individual's application for credit, so that telltale signs of fraudulent applications such as incorrect addresses are immediately flagged.

The bill improves how credit card companies monitor requests for new credit cards or changes of address. For example, it requires that credit card holders always be notified at their original address when a duplicate card is sent to a new address.

This legislation also gives consumers more access to the personal information collected about them, which is a critical tool in combating identity theft. Currently, six States—Colorado, Georgia, Massachusetts, Maryland, Vermont, and New Jersey—have statutes that entitle consumers to one free personal credit report annually. This act makes this a national requirement. Every consumer across this Nation would have access to a free credit report. In addition, consumers could review the personal information collected about them by individual reference services for a reasonable fee. With greater access to their own personal information, consumers can proactively check their records for evidence of identity theft and uncover other errors.

We have worked with the staff of the Federal Trade Commission in preparing this legislation. I believe the staff of the FTC is supportive of this bill. This bill is also supported by the Consumer Federation of America.

We try to empower victims in this bill. This legislation calls for measures to help identity theft victims recover from the crime. In cases of identity theft, all too often victims get treated as if they were the criminals. Victims receive hostile notices from creditors who mistakenly believe they have not paid their bills. Victims' access to credit is jeopardized, and they can spend years trying to restore their good name.

This legislation calls upon the credit industry to assist victims in notifying credit issuers of fraudulent charges by developing a single model credit reporting form. However, should the credit industry fail to implement these measures, the Federal Trade Commission would then be authorized to take action.

Maureen Mitchell, an identity theft victim, recently described why this assistance is needed at a hearing before the Judiciary Committee Subcommittee on Terrorism, Technology, and Government Information, a subcommittee on which I am ranking member. She said:

> I have logged over 400 hours of time trying to clear my name and restore my good credit. Words are unable to adequately express the gamut of emotions that I feel as a victim.

Another victim wrote to me:

> I have spent an ungodly number of hours trying to correct the damage that has been done by the individual who stole my identity. Professionally, as a teacher and a tutor, my hours are worth $35. I have been robbed of $5,250 in time. I have been humiliated in my local stores because checks have been rejected at the checkout. I am emotionally drained. I am a victim and Congress needs to recognize me as such.

We try in this bill to do that.

This legislation targets the theft and misuse of another person's Social Security number, a major cause of identity theft. While the Social Security Administration has the ability to impose civil penalties for misusing a Social Security number to falsely obtain government benefits, it has no authority over other offenses involving the misuse of Social Security numbers. This bill gives them that authority. The

Identity Theft Prevention Act authorizes the Social Security Administration to impose civil monetary penalties against any individual who:

(1) knowingly uses another's Social Security number on the basis of false information provided by them or another person;

(2) falsely represents a number to be a Social Security number when it is not;

That means, makes up a number, which people do.

(3) alters a Social Security card; or

(4) compels the disclosure of a Social Security card in violation of the law.

I think these provisions enable the Social Security Administration to throw its full weight into the investigation and civil prosecution of identity theft involving Social Security numbers.

In conclusion, I hope my colleagues find this bill worthy and pass it. This bill implements a number of practical, concrete measures to close down the flow of private information to individuals with criminal intent. In this new technology-driven economy, consumers don't need to be left vulnerable. They shouldn't be left without recourse to predators who are out to steal their good name.

I think we have a very practical solution. It is well thought out. It is well drafted. It has been worked out with the staff of the FTC. My hope is, when it goes to the Banking Committee, that committee would take a good look at it and pass it. This is an increasing problem. There is no reason to believe it will stop. Without Congress providing basic protections to individuals who are the victims, it will continue to grow.

By Mrs. LINCOLN (for herself and Mr. HUTCHINSON):

S. 2329. A bill to improve the administration of the Animal and Plant Health Inspection Service of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

LEGISLATION TO IMPROVE THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Mrs. LINCOLN. Mr. President, the Wildlife Services Division of the United States Department of Agriculture needs assistance in expediting proper bird management activities. I am here today to introduce legislation that accomplishes this goal.

Proper migratory bird management is important to the state of Arkansas for a number of reasons. We are deemed ''The Natural State'' due to the numerous outdoor recreational opportunities that exist in the state. Fishing, hunting, and bird watching opportunities abound throughout Arkansas. Maintaining proper populations of wildlife, especially migratory birds, is essential for sustaining a balanced environment.

In Arkansas, aquaculture production has taken great strides in recent years. The catfish industry in the state has grown rapidly and Arkansas currently ranks second nationally in acreage and production of catfish. The baitfish industry is not far behind, selling more than 15 million pounds of fish annually, with a cash value in excess of $43 million. I have been a great supporter of this industry since my days in the House of Representatives and I am concerned about the impact the double breasted cormorant is having on this industry. In the words of one of my constituents, ''The double-crested cormorant has become a natural disaster!'' I am pleased that the Fish and Wildlife Service has agreed to develop a national management plan for the double breasted cormorant. I am hopeful that an effective management program will be the result of these efforts.

One of my first priorities since coming to Congress in 1992 has been to work to make government more efficient and effective. To specifically address what I see as an inequity among government agencies regarding this issue, I am introducing a bill today that gives Wildlife Service employees as much authority to manage and take migratory birds as any U.S. Fish and Wildlife Service employee. After all, Wildlife Services biologists are professional wildlife managers providing the front line of defense against such problems. With this legislation I would like to recognize the excellent job that Wildlife Services has done and is doing for bird management.

Currently, USDA-Wildlife Services is required to apply for and receive a permit from the U.S. Fish and Wildlife Service before they can proceed with any bird collection or management activities. This process is redundant and unnecessary. Oftentimes, Wildlife Services finds that by the time a permit arrives, the birds for which the permit was applied for are already gone. I hope that this legislation will lead to a more streamlined effort for management purposes and I urge both agencies, USDA and the Fish and Wildlife Service, to work together to accomplish this goal.

I would like to thank my colleague from Arkansas, Senator TIM HUTCHINSON, for joining me in this effort and look forward to working with my colleagues to ensure that government is operating efficiently.

By Mr. ROTH (for himself, Mr. MURKOWSKI, Mr. ROBB, Mr. NICKLES, and Mr. MACK):

S. 2330. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication service; to the Committee on Finance.

LEGISLATION TO REPEAL THE TELEPHONE EXCISE TAX

• Mr. ROTH. Mr. President, I rise today—along with Senator BREAUX and others—to introduce a bill to repeal the telephone excise tax. It is a tax that is outdated, unfair, and complex for both consumers to understand and for the collectors to administer. It cannot be justified on any tax policy grounds.

The federal government has had the American consumer on ''hold'' for too long when it comes to this tax. The telephone excise tax has been around for over 102 years. In fact, it was first imposed in 1898—just 22 years after the telephone itself was invented. So quickly was it imposed that it almost seems that Uncle Sam was there to collect it before Alexander Graham Bell could put down the receiver from the first call. In fact, the tax is so old that Bell himself would have paid it!

This tax on talking—as it is known—currently stands at 3%. Today, about 94% of all American families have telephone service. That means that virtually every family in the United States must tack an additional 3% on to their monthly phone bill. The federal tax applies to local phone service; it applies to long distance service; and it even applies in some cases to the extra amounts paid for state and local taxes. It is estimated that this tax costs the American public more than $5 billion per year.

The telephone excise tax is a classic story of a tax that has been severed from its original justifications, but lives on solely to collect money.

In truth, the federal phone tax has had more legislative lives than a cat. When the tax was originally imposed, Teddy Roosevelt was leading the Rough Riders up San Juan Hill. At that time, it was billed as a luxury tax, as only a small portion of the American public even had telephones. The tax was repealed in the early 20th century but then was reinstated at the beginning of World War I. It was repealed and reinstated a few more times until 1941, when it was made permanent to raise money for World War II. In the mid-60s, Congress scheduled the elimination of the phone tax, which had reached levels of 10 and 25 percent. But once again, the demands of war intervened, as the elimination of the tax was delayed to help pay for Vietnam. In 1973, the phone tax began to phase-out, but one year before it was about to be eliminated, it rose up yet again—this time justified by the rationale of deficit reduction—and has remained with us ever since.

This tax is a pure money grab by the federal government—it does not pass any of the traditional criteria used for evaluating tax policy. First, this phone tax is outmoded. Once upon a time, it could have been argued that telephone service was a luxury item and that only the rich would be affected. As we all know, there is nothing further from the truth today.

Second, the federal phone tax is unfair. Because this tax is a flat 3%, it applies disproportionately to low and middle income people. For example, studies show that an American family making less than $50,000 per year spends at least 2% of its income on telephone service. A family earning less than $10,000 per year spends over 9% of its income on telephone service. Imposing a tax on those families for a

service that is a necessity in a modern society is simply not fair.

Third, the federal phone tax is complex. Once upon a time, phone service was simple—there was one company who provided it. It was an easy tax to administer. Now, however, phone service is intertwined with data services and Internet access, and it brings about a whole new set of complexities. For instance, a common way to provide high speed Internet access is through a digital subscriber line. This DSL line allows a user to have simultaneous access to the Internet and to telephone communications. How should it be taxed? Should the tax be apportioned? Should the whole line be tax free? And what will we do when cable, wireless, and satellite companies provide voice and data communications over the same system? The burdensome complexity of today will only become more difficult tomorrow.

As these questions are answered, we run the risk of distorting the market by favoring certain technologies. There are already numerous exceptions and carve-outs to the phone tax. For instance, private communications services are exempt from the tax. That allows large, sophisticated companies to establish communications networks and avoid paying any federal phone tax. It goes without saying that American families do not have that same option.

With new technology, we also may exacerbate the inequities of the tax and contribute to the digital divide. For example, consider two families that decide it's time to connect their homes to the Internet. The first family installs another phone line for regular Internet access. The second family decides to buy a more expensive, dedicated high speed line for Internet access. The first family definitely gets hit with the phone tax, while the second family may end up paying no tax at all on their connection. I can't see any policy rationale for that result.

Speaking of complexity, let me ask if anyone has taken a look at their most recent phone bill. It is a labyrinth of taxes and fees piled one on top of another. We may not be able to figure out what all the fees are for; but we do know that they add a big chunk to our phone bill. According to a recent study, the mean tax rate across the country on telecommunications is slightly over 18%. That is about a 6% rise in the last 10 years. In my little state of Delaware, the average tax rate on telecommunications now stands at 12%. I can't control the state and local taxes that have been imposed, but I can do my part with respect to the federal taxes. I seek to remove this burden from the citizens of my state—and all Americans across the country.

The technological changes in America have increased productivity and revolutionized our economy. As members of Congress, we need to make sure that our tax policies do not stifle that economic expansion. We should not adhere to policies that are a relic from a different time. In 1987, even before the deregulation of the telecommunications market, the Treasury Department concluded that there were ''no strong arguments in favor of the communications excise tax.''

In today's economy, the arguments for repeal are even stronger. Earlier this year, the National Governors Association issued a report concluding that ''policymakers need to create a telecommunications tax structure that more accurately reflects the new economic realities of the market and to ensure that current state tax policy does not inhibit growth in the telecommunications industry.'' Moreover, the Advisory Commission on Electronic Commerce, which Congress established to study the issue of Internet taxation, appears to have reached near unanimous agreement that the phone excise tax should be repealed.

Mr. President, it is time to end the federal phone tax. For too long while America has been listening to a dial tone, Washington has been hearing a dollar tone. This tax is outmoded. It has been here since Alexander Graham Bell himself was alive. It is unfair. We are today taxing a poor family with a tax that was originally meant for luxury items. And it is complex. Only a communications engineer can today understand the myriad of taxes levied on a common phone bill and only the federal government has the wherewithal to keep track of who and what will be taxed. Mr. President, it is time we hung up the phone tax once and for all. I urge my colleagues to join me in supporting its repeal.●

● Mr. ROBB. Mr. President, I rise today to introduce legislation with several of my colleagues on the Finance Committee to repeal the telephone excise tax that originated during the Spanish American War. Fiscal discipline in the past seven years has put us in a position that we could not have imagined even a few short years ago. We now have opportunities to strengthen Social Security and Medicare, pay down our burgeoning national debt and make investments that keep our economy rolling. Along the way, we will have opportunities to correct inequities in the Tax Code. Currently, all users of telephone services pay a 3% excise tax on their use. Repealing this tax will make phone service and internet access more affordable for hard-working families. In order to decrease the expanding digital divide, we must eliminate policies that discourage families from connecting to the internet. While I continue to believe that the best use of our growing surplus is to pay down the debt and strengthen Social Security and Medicare, I am pleased that we are entering a period where we can consider legislation that will sustain our high technology growth at the same time that we are shrinking the digital divide.●

● Mr. BREAUX. Mr. President, I am pleased to cosponsor with my distinguished colleague, Senator ROTH, a bill that will repeal the federal excise on telephone service. This tax is outdated, highly regressive and has lasted entirely too long.

The ''tax on talking'' was originally levied as a luxury tax to fund the Spanish-American War. At the time, only a small number of wealthy individuals had access to telephone service. Telephones are no longer luxuries that only the very wealthy can afford. They are basic fixtures in every American household. And with the creation of the Internet, telephone service has become the lifeline of the new economy. This expansion of telephone service and its many uses has revealed the regressive nature of the ''tax on talking.'' Today, it is low-income families who are hit the hardest by this excise tax, since they pay a higher percentage of their income on telephone service than higher income families.

Mr. President, with the almost universal subscription to telephone service, the repeal of this telephone tax would provide tax relief to virtually every family in the United States. I urge my colleagues to cosponsor this important piece of legislation. It is time we ended over 100 years of Americans paying this regressive and unnecessary tax on telephone service.●

By Mr. HOLLINGS:

S. 2331. A bill to direct the Secretary of the Interior to recalculate the franchise fee owned by Fort Sumter Tours, Inc., a concessioner providing services to Fort Sumter National Monument, South Carolina; to the Committee on Energy and Natural Resources.

FORT SUMTER NATIONAL MONUMENT CONCESSIONS

● Mr. HOLLINGS. Mr. President, I rise today to introduce legislation in an attempt to settle a long-standing dispute between the National Park Service (NPS) and Fort Sumter Tours, Inc. (FST) regarding the calculation of FST's Concessioner Franchise Fees.

Fort Sumter National Monument was established by Congress in 1948 and is located in the harbor of Charleston, South Carolina. Congress directed that the National Park Service (NPS) ''Shall maintain and preserve it [the fort] for the benefit and enjoyment of the people of the United States.'' (16 USC 450ee et. seq.)

Since 1962, the private concessioner, Fort Sumter Tours, Inc. (FST), has provided visitors with service to this national monument. In 1985, FST was asked by NPS to acquire a new landside docking facility and invest in a new boat that would cost FST over $1 million. In exchange for these investments, an agreement was reached between FST and the NPS to provide a fifteen-year contract, with a franchise fee set by the NPS at 4.25 percent of gross receipts.

By statutory law all park concessionaires are required to pay a franchise fee based upon a percentage of

their gross receipts. In 1992 the NPS unilaterally attempted to increase FST's franchise fee from 4.25 percent to 12 percent and a dispute has existed ever since. This increase was based upon a Franchise Fee Analysis (FFA) prepared by the NPS, which FST claims to be inconsistent with Park Service guidelines existing at that time. I believe if errors have been made they need to be corrected.

While the Courts have ruled that the NPS has the authority to raise the franchise fee, that is not the actual dispute. The actual dispute is whether the NPS calculated the increase in these fees appropriately. This legislation provides for arbitration between FST and the NPS to settle a dispute that has lasted for almost eight years. By the NPS's own account, FST has been a valuable service benefiting thousands and thousands of visitors to Fort Sumter National Monument. It is time for the NPS and FST to settle their differences and move forward.

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

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

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

SECTION 1. RECALCULATION OF FRANCHISE FEE.

(a) DEFINITIONS.—In this section:

(1) FRANCHISEE.—The term ''franchisee'' means Fort Sumter Tours, Inc., a concessioner providing service to Fort Sumter National Monument, South Carolina.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) RECALCULATION OF FRANCHISE FEE.—Not later than 30 days after the date of enactment of this Act, the Secretary shall—

(1) recalculate the amount (if any) of the franchise fee owed by the franchisee; and

(2) notify the franchisee of the recalculated amount.

(c) ARBITRATION.—

(1) IN GENERAL.—If the amount of the franchise fee as recalculated under subsection (a) is not acceptable to the franchisee—

(A) the franchisee, not later than 5 days after receipt of notification under subsection (b)(2), shall so notify the Secretary; and

(B) the amount of the franchise fee owed shall be determined through binding arbitration that provides for a trial-type hearing that—

(i) includes the opportunity to call and cross-examine witnesses; and

(ii) is subject to supervision by the United States District Court for the District of Columbia in accordance with the title 9, United States Code.

(2) SELECTION OF ARBITRATOR OR ARBITRATION PANEL.—

(A) AGREEMENT ON ARBITRATOR.—For a period of not more than 30 days after the franchisee gives notification under paragraph (1)(A), the Secretary and the franchisee shall attempt to agree on the selection of an arbitrator to conduct the arbitration.

(B) PANEL.—If at any time the Secretary or the franchisee declares that the parties are unable to agree on an arbitrator—

(i) the Secretary and the franchisee shall each select an arbitrator;

(ii) not later than 10 days after 2 arbitrators are selected under clause (i), the 2 arbitrators shall select a third arbitrator; and

(iii) the 3 arbitrators shall conduct the arbitration.

(3) COMMENCEMENT AND COMPLETION.—An arbitration proceeding under paragraph (1)—

(A) shall commence not later than 30 days after the date on which an arbitrator or arbitration panel is selected under paragraph (2); and

(B) shall be completed with a decision rendered not later than 240 days after that date.

(4) APPLICABLE LAW.—

(A) RELEVANT TIME PERIOD.—The law applicable to the recalculation of the franchise fee under this subsection shall be the law applicable to franchise fee determinations in effect at the beginning of the period for which the franchise fee is payable.

(B) PREVIOUS DECISIONS.—No previous judicial decision regarding the franchise fee dispute that is the subject of arbitration under this subsection may be introduced in evidence or considered by the arbitrator or arbitration panel for any purpose.

(5) FEES AND COSTS.—If the franchisee is the prevailing party in binding arbitration, the arbitrator or arbitration panel shall award the franchisee reasonable attorney's fees and costs for all proceedings involving the disputed franchise fee consistent with—

(A) section 504 of title 5, United States Code; and

(B) section 2412 of title 28, United States Code.

(d) BIDS AND PROPOSALS.—Until such date as any arbitration under this Act is completed and is no longer subject to appeal, the Secretary—

(1) shall not solicit or accept a bid or proposal for any contract for passenger service to Fort Sumter National Monument; and

(2) shall offer to the franchisee annual extensions of the concessions contract in effect on the date of enactment of this Act.●

By Mr. GRAMS:

S. 2332. A bill to amend the Agricultural Market Transition Act to permit a producer to lock in a loan deficiency payment rate for a portion of a crop; to the Committee on Agriculture, Nutrition, and Forestry.

THE LOAN DEFICIENCY PAYMENT FLEXIBILITY ACT

● Mr. GRAMS. Mr. President, I rise today to introduce the Loan Deficiency Payment Flexibility Act. The idea for this legislation came from Peter Kalenberg, a producer from Stewart, MN, and is an example of how a good idea can be transformed into sound public policy. It is supported by such organizations as the Minnesota Corn Growers, the Minnesota Farm Bureau Federation, and the Minnesota Wheat Growers Association. These and many other groups have recognized the need for this legislation.

As you know, Loan Deficiency Payments, otherwise known as LDPs, were a key component of the 1996 Farm bill and have helped cushion the blow of low commodity prices and restricted demand. However, producers in Minnesota and other northern states have questioned the fairness of how the LDP is administered. States farther south are able to begin harvest before farmers in states such as Minnesota and are therefore able to ''lock in'' a more favorable LDP. This has the potential of impacting market signals and driving down the futures price before harvest has begun in northern states.

Mr. President, by taking the approach I am about to outline, I have ensured that regions of the country that are currently able to utilize an earlier LDP are not placed at a disadvantage. The components of this legislation are simple, yet provide a common-sense approach to a problem faced by producers in states such as Minnesota.

My ''Loan Deficiency Payment Flexibility Act'' would correct this inequity by directing the Secretary of Agriculture to announce that harvest has begun on a particular commodity (i.e. corn or soybeans) and that producers throughout the United States may now utilize the Loan Deficiency Payment. Essentially my bill does two things:

It establishes an earlier, more flexible starting date when all producers would have the option of ''locking in'' that day's LDP. They would be able to do so once throughout the duration of the harvest season.

Allows a producer to lock-in an LDP for up to 85% of his or her actual yield. Because the LDP is ''locked in'' on paper, no payments are actually made until the crop is harvested and we avoid the problems posed by the old deficiency payment system due to unanticipated high or low yields.

Although there is no guarantee that the LDP will be better in the early summer versus the fall, my legislation will afford farmers the opportunity to evaluate the markets and base their decision on what best fits their management plan.

I urge my colleagues to cosponsor and support this legislation.●

By Mr. REED (for himself and Mr. BINGAMAN):

S. 2333. A bill to amend the Federal Food, Drug, and Cosmetic Act to grant the Food and Drug Administration the authority to regulate the manufacture, sale, and distribution of tobacco and other products containing nicotine, tar, additives, and other potentially harmful constituents and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

TOBACCO REGULATORY FAIRNESS ACT OF 2000

● Mr. REED. Mr. President, I rise today to introduce legislation with my distinguished colleague, Senator BINGAMAN, that we hope will mark the beginning of a dialogue on an issue that has tremendous implications for our nation's public health, and more specifically, the health and well-being of our children. Today, we are introducing the ''Tobacco Regulatory Fairness Act of 2000''.

The goal of this legislation is quite simple—to grant the Food and Drug Administration (FDA) the authority it needs to regulate the manufacture, labeling, advertising, distribution and sale of tobacco products.

A week ago, the Supreme Court ruled 5 to 4 that the FDA does not have the authority to regulate tobacco products, thus nullifying regulations promulgated by the agency in August 1996.

While a slim majority of the court found that the agency lacked the jurisdiction necessary to act on this class of products, the Justices in the majority and minority both opinions acknowledged the clear threat unregulated tobacco products poses to public health. In the majority opinion, Justice Sandra Day O'Connor stated that tobacco was ''perhaps the single most significant threat to public health in the United States.'' Similarly, Justice Stephen G. Breyer, a former professor of mine at Harvard University School of Law, pointed out in the dissenting opinion that FDA's ability to regulate tobacco products clearly fit into its basic authority, ''the overall protection of the public health.''

Although the court upheld the 1998 ruling by the United States Court of Appeals for the Fourth Circuit, the decision does not dispute, and, in fact, it reaffirms that the FDA is the most appropriate agency to regulate tobacco products, given the general scope of its authority and its emphasis on protecting the public health. Now, it is a matter of Congress taking action to clearly give the FDA the long overdue authority it requires.

So today, I introduce this legislation as a challenge to my colleagues to do what is right—to debate and pass legislation that will once and for all give FDA the tools it needs to enact regulations that will help to protect children and others from the dangers of tobacco.

After the long and protracted debate in the Senate two years ago on the McCain tobacco bill, I am sure that most of my colleagues are familiar with the numerous statistics that are often cited in relation to the dangers of smoking and its devastating impact on society in terms of health care costs, lost productivity, disability, and loss of life. However, I believe these figures bear repeating. It is estimated that today, some 50 million Americans are addicted to tobacco, and one out of every three long-term users will die from a disease related to their tobacco use.

The cost of tobacco use not only results in lives lost, but also has a considerable toll on health care expenses. It is estimated that the health care costs associated with treating tobacco-related disease totals over $80 billion a year—with almost half being paid for by taxpayer financed health care programs.

We also know that tobacco addiction is clearly a problem that starts with children: almost 90 percent of adult smokers started using tobacco at or before age 18. Each year, one million children become regular smokers—and one-third of them will die prematurely of lung cancer, emphysema, and similar tobacco caused diseases. Unless current trends are reversed, five million kids under 18 alive today will die from tobacco related diseases.

In Rhode Island, while overall cigarette use is declining slightly, it has increased by more than 25 percent among high-schoolers. Currently, over one-third of New England high school students under age 18 use tobacco products. In Rhode Island, over one third of high school students smoke.

Indeed, tobacco use continues to permeate the ranks of the young. For decades, the tobacco industry has ingeniously promoted its products. It has done so with total disregard for the health of its customers. It has relied upon cool, youthful images to sell its products. The tobacco industry has taken an addiction that prematurely kills and dressed it up as a glamorous symbol of success and sex appeal.

By providing the FDA with the appropriate and unambiguous authority, we can be assured that these products comply with minimum health and safety standards. Tobacco should be regulated in the same way every other product we consume is regulated.

I will concede that there are some formidable challenges ahead—but these challenges are not insurmountable. During the 1998 debate on the McCain tobacco bill, a majority of my colleagues on both sides of the aisle agreed our country needed a national tobacco control policy. While we may not have succeeded then, we cannot and must not allow the progress the FDA has made in limiting minors' access to tobacco be lost.

We all know that tobacco is a substance that not only reduces the quality of one's life in the short term, but with lifelong use results in untimely death. We have an opportunity this year to make a real difference. Through the legislation I am introducing today, I call my colleagues to action in the ongoing fight to protect the long term health of the children of this country.

I urge my colleagues to join me in this commitment to enacting legislation granting FDA the authority to regulate tobacco products.

Mr. President, I ask unanimous consent to have the text of the bill be printed in the RECORD.

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

S. 2333

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 ''Tobacco Regulatory Fairness Act of 2000''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Cigarette smoking and tobacco use cause approximately 450,000 deaths each year in the United States.

(2) Cigarette smoking accounts for approximately $65,000,000,000 in lost productivity and health care costs.

(3) In spite of the well-established dangers of cigarette smoking and tobacco use, there is no Federal agency that has any authority to regulate the manufacture, sale, distribution, and use of tobacco products.

(4) The tobacco industry spends approximately $4,000,000,000 each year to promote tobacco products.

(5) Each day 3,000 children try cigarettes for the first time, many of whom become lifelong addicted smokers.

(6) There is no minimum age requirement in Federal law that an individual must reach to legally buy cigarettes and other tobacco products.

(7) The Food and Drug Administration is the most qualified Federal agency to regulate tobacco products.

(8) It is inconsistent for the Food and Drug Administration to regulate the manufacture, sale, and distribution of other nicotine-containing products used as substitutes for cigarette smoking and tobacco use and not be able to regulate tobacco products in a comparable manner.

SEC. 3. DEFINITIONS.

Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

''(kk) The term 'tobacco product' means cigarettes, cigars, little cigars, pipe tobacco, smokeless tobacco, snuff, and chewing tobacco.

''(ll) The term 'tobacco additive' means any substance the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any tobacco product.

''(mm) The term 'constituent' means any element of cigarette mainstream or sidestream smoke which is present in quantities which represent a potential health hazard or where the health effect is unknown.

''(nn) The term 'tar' means mainstream total articulate matter minus nicotine and water.''.

SEC. 4. ENFORCEMENT.

Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended—

(1) in subsections (a), (b), (c), (g), and (k), by striking ''or cosmetic'' and inserting ''cosmetic, or tobacco product''; and

(2) by adding at the end the following:

''(u) The manufacture, sale, distribution, and advertising of tobacco products in violation of regulations promulgated by the Secretary pursuant to chapter X.''.

SEC. 5. REGULATION OF TOBACCO PRODUCTS.

The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by adding at the end the following:

''CHAPTER X—TOBACCO PRODUCTS

''SEC. 1000. REGULATION OF TOBACCO PRODUCTS.

''(a) REGULATIONS.—Not later than 1 year after the date on which the Secretary receives the recommendations described in section 1003(f), the Secretary shall promulgate regulations governing the manufacture, sale, and distribution of tobacco products in accordance with the provisions of the chapter.

''(b) FOOD AND DRUG ADMINISTRATION.—Regulations promulgated under subsection (a) shall designate the Food and Drug Administration as the Federal agency that regulates the manufacture, distribution, and sale of tobacco products.

''(c) LIMITATION.—Regulations promulgated under subsection (a) may not prohibit the manufacture, distribution, or sale of a tobacco product solely on the basis that such product causes a disease.

''(d) SALE OR DISTRIBUTION.—Under regulations promulgated under subsection (a) it shall be unlawful to—

''(1) sell a tobacco product to an individual under the age of 18 years;

''(2) sell a tobacco product to an individual if such tobacco product is intended for use by an individual under the age of 18 years; and

''(3) sell or distribute a tobacco product if the label of such product does not display the following statement: 'Federal Law Prohibits Sale To Minors'.

''(e) MANUFACTURING.—Regulations promulgated under subsection (a) governing the manufacture of tobacco products shall—

''(1) require that all additives used in the manufacture of tobacco products are safe; and

''(2) classify as a drug any nicotine-containing product that does not meet the definition of a tobacco product.

''SEC. 1001. ADULTERATED TOBACCO PRODUCTS.

''(a) IN GENERAL.—A tobacco product shall be deemed to be adulterated—

''(1) if such product consists in whole or in part of any filthy, putrid, or decomposed substance, or is otherwise contaminated by any poisonous or deleterious substance that may render such product injurious to health;

''(2) if such product has been prepared, packed, or held under insanitary conditions in which such product may have been contaminated with filth, or in which such product may have been rendered injurious to health; and

''(3) if the container for such product is composed, in whole or in part, of any poisonous or deleterious substance that may render the contents of such product injurious to health.

''(b) REGULATIONS.—The Secretary may by regulation prescribe good manufacturing practices for tobacco products. Such regulations may be modeled after current good manufacturing practice regulations for other products regulated under this Act.

''SEC. 1002. MISBRANDED TOBACCO PRODUCTS.

''A tobacco product shall be deemed to be misbranded—

''(1) if the labeling of such product is false or misleading in any particular;

''(2) if in package form unless such product bears a label containing—

''(A) the name and place of business of the tobacco product manufacturer, packer, or distributor; and

''(B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count,

except that under subparagraph (B) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations promulgated by the Secretary;

''(3) if any word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements or designs in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

''(4) if such product has an established name, unless its label bears, to the exclusion of any other nonproprietary name, its established name is prominently printed in type as required by the Secretary by regulation;

''(5) if the Secretary has issued regulations requiring that the labeling of such product bear adequate directions for use, or adequate warnings against use by children, that are necessary for the protection of users unless the labeling of such product conforms in all respects to such regulations; and

''(6) if such product was manufactured, prepared, propagated, or processed in an establishment not duly registered as required under section 1004.

''SEC. 1003. ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—There is established in the Food and Drug Administration a Tobacco and Nicotine Products Advisory Committee (hereafter referred to as the 'advisory committee').

''(b) PURPOSE.—The advisory committee shall assist the Secretary in developing the regulations described in section 1000.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—Not later than 60 days after the date of enactment of this chapter, the Secretary shall appoint to the advisory committee 10 individuals who are qualified by training and experience to evaluate and make recommendations regarding regulations governing the manufacture, distribution, sale, labeling and advertising of tobacco products.

''(2) EXPERTS.—The members described under paragraph (1), not including the chairperson of such advisory committee, shall consist of—

''(A) one expert in the field of nicotine addiction;

''(B) one expert in the field of pharmacology;

''(C) one expert in the field of food and drug law;

''(D) one expert in the field of public education;

''(E) one expert in the field of toxicology;

''(F) two experts representing the interests of family medicine, internal medicine, or pediatrics; and

''(G) two consumer representatives from the public health community.

''(3) EX OFFICIO.—The advisory committee shall have the following as ex officio members:

''(A) The Director of the National Cancer Institute.

''(B) The Director of the National Heart, Lung, and Blood Institute.

''(C) The Director of National Institute on Drug Abuse.

''(D) The Director of the Centers for Disease Control and Prevention.

''(E) The Surgeon General of the Public Health Service.

''(4) CHAIRPERSON.—The chairperson of the advisory committee shall be appointed by the Secretary with the advice and consent of the Commissioner of Food and Drugs.

''(d) FUNCTION.—The advisory committee shall—

''(1) review the available scientific evidence on the effects of tobacco products on human health;

''(2) review the manufacturing process of tobacco products, including the use of additives, sprayed on chemicals, product development, and product manipulation;

''(3) review the role of nicotine as part of the smoking habit, including its addictive properties and health effects; and

''(4) review current Federal, State, and local laws governing the manufacture, distribution, sale, labeling and advertising of tobacco products.

''(e) AUTHORITY.—The advisory committee may hold hearings and receive testimony and evidence as the committee determines to be appropriate.

''(f) RECOMMENDATIONS.—Not later than 1 year after the Secretary has appointed all members to the advisory committee, such committee shall prepare and submit recommendations regarding regulations to be promulgated under section 1000 to the Secretary.

''SEC. 1004. REGISTRATION.

''Not later than 120 days after the date of enactment of this chapter, any manufacturer directly or indirectly engaged in the manufacture, distribution, or sale of tobacco products shall register with the Secretary the name and place of business of such manufacturer.

''SEC. 1005. ADVERTISING.

''(a) REGULATIONS.—The Federal Trade Commission, after consultation with the Secretary and upon receipt of approval by the Secretary, shall promulgate regulations governing the advertising of all tobacco products.

''(b) LABELS.—The Federal Trade Commission, after consultation with the Secretary and upon receipt of approval by the Secretary, may promulgate regulations that—

''(1) modify the warning labels required by the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331 et seq.) and the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4401 et seq.) if the modification in the content of the label does not weaken the health message contained in the label and is in the best interests of the public health as determined by the Secretary; and

''(2) increase the size and placement of such required labels.''.

SEC. 6. CONFORMING AMENDMENTS.

(a) RECORDS.—Section 703 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 373) is amended—

(1) by striking ''or cosmetics'' each place it appears and inserting ''cosmetics, or tobacco products''; and

(2) by striking ''or cosmetic'' each place it appears and inserting ''cosmetic, or tobacco product''.

(b) FACTORY INSPECTIONS.—Section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374) is amended—

(1) in subsection (a)(1)—

(A) by striking ''or cosmetics'' each place it appears and inserting ''cosmetics, or tobacco products''; and

(B) by striking ''or restricted devices'' each place it appears and inserting ''restricted devices, or tobacco products''; and

(2) in subsection (b), by striking ''or cosmetic'' and inserting ''cosmetic, or tobacco product''.●

● Mr. BINGAMAN. Mr. President, today I am very proud to be here with my friend and colleague, Senator Jack REED, to introduce the Tobacco Regulation Fairness Act of 2000.

I urge all of my colleagues in the Senate to join this effort, for it is time for Congress to take action. We must ensure that the Food and Drug Administration can regulate the manufacture, labeling, advertising, distribution and sale of tobacco products.

While many are disappointed with last week's Supreme Court ruling on FDA regulation of tobacco products, the ruling reflects reality. Congress has not acted to give FDA the authority it needs to regulate tobacco products. The Supreme Court's decision underscores this fact and heightens the need for Congress to pass meaningful and comprehensive legislation to ensure FDA authority over tobacco products.

This legislation is the key to preventing tobacco use by teenagers and adolescents and to preventing the sales of tobacco products to children. If we can prevent kids from smoking, we can head off a tremendous amount of human disease and suffering, medical costs, and loss of life. While even tobacco companies say that they are against kids smoking, we must look at the facts. According to the American Cancer Society, in the course of this Congress, almost 600,000 children will try tobacco products for the first time. Of those, nearly 200,000 will become addicted to nicotine. Additionally, over more than 90,000 people will die from tobacco related cancers.

In 1997, a study by the Center for Disease Control showed that children and adolescents were able to buy tobacco products 67 percent of the times they

tried. The CDC found that most young smokers were able to buy their own cigarettes and were seldom asked for identification. While strides have been made in the past 2 years, it is imperative that change continue. The bottom line is that the Supreme Court made its decision and Congress must act so that we can continue to make inroads into youth smoking prevention.

Mr. President, this legislation designates the Food and Drug Administration as the Federal agency that regulates the manufacture, distribution and sale of tobacco products. This Act will serve to provide the Secretary of Health and Human Services with the authority to promulgate regulations governing the manufacture, sale and distribution of tobacco products. Additionally, the legislation also establishes a federal minimum age of sale of tobacco products of 18 and require the label to state ''Federal Law Prohibits Sale to Minors.''

Mr. President, in 1989 and again in 1992, I introduced a bill to require the Food and Drug Administration to regulate the manufacture and sale of tobacco products. ''The Tobacco Health and Safety Act of 1992'' had a companion bill with Representative Michael Synar in the House. These bills were very similar legislative attempts to regulate tobacco by bringing it under the jurisdiction of the Federal Food and Drug Administration.

I believed then and I believe now that the FDA is the appropriate regulatory entity to address this vital issue. To do anything else is unacceptable. It is time to give the FDA the full authority to regulate the manufacture, sale, labeling, advertising, and promotion of tobacco products.

The bill we introduce today is a fair and equitable approach to the issue. It represents a strong commitment to health promotion and disease prevention. I urge my colleagues to support this bill and work with us to act upon this as a public health issue before we adjourn this year.●

By Mr. L. CHAFEE (for himself and Mr. JEFFORDS):

S. 2334. A bill to amend the Internal Revenue Code of 1986 to extend expensing of environmental remediation costs for an additional 6 years and to include sites in metropolitan statistical areas.

LEGISLATION TO EXTEND EXPENSING OF ENVIRONMENTAL REMEDIATION COSTS

By Mr. L. CHAFEE:

S. 2335. A bill to authorize the Secretary of the Army to carry out a program to provide assistance in the remediation and restoration of brownfields, and for other purposes; to the Committee on Environment and Public Works.

STATE AND LOCAL BROWNFIELDS REVITALIZATION ACT OF 2000

● Mr. L. CHAFEE. Mr. President, today I am introducing a pair of bills to enhance the pace and effectiveness of brownfields redevelopment throughout the country. The first bill, entitled the ''State and Local Brownfields Revitalization Act of 2000'', will authorize the U.S. Army Corps of Engineers to remediate and restore brownfield sites owned by state and local governments. The second bill, S. 2334, which I introduce with Senator JEFFORDS, will expand coverage of the federal brownfields tax incentive and extend it for an additional six years. I also am adding my name as a co-sponsor to the ''Small Business Brownfields Redevelopment Act of 1999'', S. 1408, authored by Senator JEFFORDS. Along with these initiatives, I am announcing my intention to develop broader legislation to remove barriers to the redevelopment and restoration of brownfields.

Brownfields are abandoned, idled, or under-used commercial or industrial properties at which development or expansion is hindered by the presence, or potential presence of hazardous substantives. Countless numbers of brownfield sites blight our communities, pose health and environmental hazards, erode our cities' tax base, and contribute to urban sprawl. In fact, in 210 cities surveyed by the U.S. Conference of Mayors, an estimated 21,000 brownfields sites covering more than 81,000 acres were identified. But, we stand to reap enormous economic, environmental, and social benefits with the successful redevelopment of brownfield sites. The redevelopment of brownfields capitalizes on existing infrastructure, creates a robust tax base for local governments, attracts new businesses and jobs, mitigates urban sprawl, and reduces the environmental and health risks to communities.

Yet, many of these contaminated sites sit abandoned because of the presence of hazardous substances. Developers that would otherwise restore these properties choose not to for fear of becoming tangled in liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, commonly referred to as Superfund. I believe it is critical that Congress take action to ensure that the federal government provides funding and incentives to recycle our nation's contaminated land, remove barriers to development, and ally perceived fears associated with Superfund liability. The bills I am introducing today are a step toward resolving those concerns.

Let me take a moment to take a moment to explain each one.

The first bill I am introducing today is the ''State and Local Brownfields Revitalization Act of 2000.'' This legislation would authorize the U.S. Army Corps of Engineers to establish and implement a program to assist state, regional, and local governments in the remediation and restoration of brownfields sites tied to the quality, conservation, and sustainable use of the nation's waterways and watershed ecosystems.

Additionally, this bill would provide authority to the Corps to conduct site characterization and planning, site design and construction, environmental restoration, and preparation for site development on brownfields sites owned by state, regional, or local governments. When selecting these projects, the Corps must consider whether the project would improve public health and safety, encourage sustainable economic and environmental redevelopment in areas serviced by existing infrasture, and help cure or expand parks, greenways, or other recreational property.

Activities by the Corps would be contingent upon a 35 percent match in cash or in-kind contribution by the state, regional, or local government. The bill limits the Corps to spending $3,250,000 on an individual site. However, the Secretary of the Army could increase the cap to $5,000,000 if he determines that the size of the site or the level of contamination warrants additional funds. To carry out the provisions of this Act, the bill authorizes annual appropriations of $100 million for fiscal years 2001 through 2005.

I believe this bill would make a significant, positive contribution to the revitalization of our communities. Recently, I toured two sites along the banks of the Woonasquatucket River in Providence. At the turn of the century these sites housed a woollen mill and a lace and braid factory. They have been abandoned, but debris and contamination soils remain. They also threaten the river and the children that inevitably explore these abandoned properties. City officials and local residents have a wonderful vision for the cleanup of these sites that would create a bike path and a park along the Woonasquatucket River. This effort is integral to the success of the Woonasquatucket River Greenway Project, a public-private initiative to increase recreational and green space in low-income neighborhoods, thereby promoting economic reinvestment in the area.

Despite selection of this project as a federal Brownfields Showcase Community and contributions totaling over $1 million by the City and State, the community is unable to complete remediation activities. And, because the area is intended for use as a local park and will not generate an income stream, the community cannot utilize a loan. In the meantime, the area remains an eyesore. This bill would revitalize the neighborhoods surrounding the Woonasquatucket River, as well as many other projects around the country.

The Army Corps of Engineers is not new to brownfields redevelopment. The Corps currently conducts pre-remedial activities at brownfields sites for EPA on a fee-for-service basis. However, current law precludes it from carrying out the necessary cleanup activities. In addition, the Corps is limited to conducting activities for which EPA will provide reimbursement. I believe that EPA's brownfields budget is inadequate

to complete the task at hand. My bill will address these deficiencies and spur revitalization at many sites.

The second bill (S. 2334), which I am introducing with Senator JEFFORDS addresses two key deficiencies in current law. It would expand the definition of a targeted area to include any brownfield site located within a metropolitan statistical area making the current tax incentives more useful; and extending it for an additional six years.

Under current law, parties that remediate brownfields sites in targeted areas are eligible to expense, or deduct, the costs of environmental restoration in the year the costs are incurred. A targeted area is any population census tract with a poverty rate of more than 20 percent, any empowerment zone or enterprise community, or any site deemed to an EPA pilot project before February 1, 1997. This tax incentive is scheduled to expire at the end of 2001.

The vast underutilization of the existing tax incentive highlights the need for a re-examination of the goals we are pursuing. As chairman of the Environment and Public Works Subcommittee on Superfund, Waste Control, and Risk Assessment, I have heard complaints that parties eager to utilize the existing federal tax incentive have not done so for one of two reasons. The first reason is the limitation on the areas covered by the incentive. Unless the project constitutes an early EPA pilot project or lies within an impoverished community, the tax incentive does not apply. In addition, the tax incentive expires frequently, which creates uncertainty.

Let me provide an example. Let us assume that a party is willing to purchase contaminated land and clean it up in order to redevelop the property. However, a party may be unable to make the acquisition and complete the remediation within one calendar year. Uncertain as to whether the tax incentive will be reinstated in the next year may discourage the party from taking on the risk. To address this issue, the bill extends the tax incentive until the end of calendar year 2007. I believe that this will provide certainty to those who see the wisdom in redeveloping these untapped properties of value.

In addition, I am pleased to add my name as co-sponsor to the Small Business Brownfield Redevelopment Act of 1999 (S. 1408) offered by Senators JEFFORDS, MOYNIHAN, SCHUMER, LAUTENBERG, LIEBERMAN, and LEAHY. This bill is an important component of my vision for brownfields redevelopment throughout the nation. S. 1408 provides $50 million to the Small Business Administration to finance projects that assist qualified small businesses, or prospective small business owners, in carrying out site assessment and cleanup activities at brownfields sites. I believe that this bill will assist small businesses in Rhode Island and the country cleanup brownfield sites.

In conclusion, I would like to emphasize that brownfields are a critical national issue, because abandoned or underused properties dot every community, large and small. The bills I have introduced and co-sponsored today are critical components of the bigger picture, but we can do more. To complement these initiatives, I am announcing today that I intend to work on legislation to provide funding through the U.S. Environmental Protection Agency for assessment and cleanup of brownfields, and clarify liability to encourage the transfer of property. I would also like to provide assurances that while we work to facilitate state cleanup programs, EPA will take action at a brownfields site when necessary to protect human health and the environment.

As I have studied CERCLA and Rhode Island's Superfund sites, I have heard from many people of all political stripes that brownfields legislation can be achieved on a bipartisan basis. They have urged us to address the issues as soon as possible. I have visited brownfields sites in Rhode Island and have seen the potential that exists to revitalize our communities if we can provide sufficient funding, clarify liability issues, and remove other barriers to redevelopment. I am hopeful that if we work in a bipartisan manner, we will be successful in passing brownfields legislation that the President can sign this year.●

By Mr. BINGAMAN (for himself, Mr. CRAIG, Mr. SCHUMER, and Mrs. MURRAY):

S. 2336. A bill to authorize funding for networking and information technology research and development at the Department of Energy for fiscal years 2001 through 2005, and for other purposes; to the Committee on Energy and Natural Resources.

NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT OF ENERGY MISSIONS ACT

● Mr. BINGAMAN. Mr. President, today I am pleased to introduce the ''Networking and Information Technology Research and Development for Department of Energy Missions Act,'' which is cosponsored by Senators CRAIG, SCHUMER, and MURRAY.

This bipartisan bill is in recognition of the critical contributions and future potential of computing programs within the Department of Energy's Office of Science. These programs have played a key role in the development of high performance computing, networking, and information technology. Some of their notable accomplishments have included: the establishment of the first national supercomputer center, the development of mathematical algorithm libraries for high performance computing, the development of a critical interface and other software packages to support high speed parallel interconnection of supercomputers, and the development of a fundamental component of how information is routed on the internet. Recent recognition of the scientists supported by this program have included: the 1998 Fernbach award; the 1998 Gordon Bell prize; awards for the best overall paper as well and the best of show award at the Supercomputing 1998 conference; the best paper and a number of special awards at the Supercomputing 1999 conference, the Maxwell prize in applied mathematics, and the 2000 Norbert Wiener Prize in applied mathematics.

The future potential of these programs is immense and not limited to the computation, networking, and information sciences. There is also great potential for helping not only the mission needs of the Department of Energy but also the broader scientific community and the public through increased understanding of biological systems, energy and environmental systems, chemical, physical, and plasma systems, and high energy and nuclear systems. This understanding is key to our more efficient and environmentally friendly production and utilization of energy and material goods.

The notable features of the bill include: an authorization for increased funding similar in scope to what is proposed in the House of Representatives for the National Science Foundation computational efforts; an open competition for funding; a collaborative program between DOE program offices; building partnerships between laboratories, universities, and industry; a focus on solutions to networking and information technology problems that are critical to the achieving DOE missions; and management of funding provided to NNSA laboratories administered by the sponsoring program of the Department. This last provision is consistent with the legislation which created the NNSA in that it maintains accountability for new money authorized by this bill in DOE civilian programs so that such funding will remain within the purview of civilian programs under the oversight of the authorizing committee for this legislation, while maintaining the principle that funding at laboratories under the purview of the NNSA be consistent with their general programmatic missions.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2336

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 ''Networking and Information Technology Research and Development for Department of Energy Missions Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Department of Energy, especially in its Office of Science research programs, has played a key role in the development of high performance computing, networking and information technology. Important contributions by the Department include pioneering the concept of remote, interactive

access to supercomputers; developing the first interactive operating system for supercomputers; establishing the first national supercomputer center; laying the mathematical foundations for high performance computing with numerical linear algebra libraries now used by thousands of researchers worldwide; leading the transition to massively parallel supercomputing by developing software for parallel virtual machines; and contributing to the development of the Internet with software that is now used in the TCP/IP system responsible for routing information packages to their correct destinations.

(2) The Department of Energy's contributions to networking and information technology have played a key role in the Department's ability to accomplish its statutory missions in the past, in particular through the development of remote access to its facilities. Continued accomplishments in these areas will be needed to continue to carry out these missions in the future.

(3) The Department of Energy, through its portfolio of unique facilities for scientific research including high energy and nuclear physics laboratories, neutron source and synchrotron facilities, and computing and communications facilities such as the National Energy Research Scientific Computing Center and Energy Sciences Network, has a unique and vital role in advancing the scientific research, networking and information technology infrastructure for the nation.

(4) The challenge of remote creation of, access to, visualization of, and simulation with petabyte-scale (1,000,000 gigabyte) data sets generated by experiments at DOE scientific facilities is common to a number of different scientific disciplines. Effective treatment of these problems will likely require collaborative efforts between the university, national laboratory and industrial sectors and involve close interactions of the broader scientific community with computational, networking and information scientists.

(5) The solution of contemporary challenges facing the Department of Energy in developing and using high-performance computing, networking, communications, and information technologies will be of immense value to the entire nation. Potential benefits include: effective earth, climate, and energy systems modeling; understanding aging and fatigue effects in materials crucial to energy systems; promoting energy-efficient chemical production through rational catalyst design; predicting the structure and functions of the proteins coded by DNA and their response to chemical and radiation damage; designing more efficient combustion systems; and understanding turbulent flow in plasmas in energy and advanced materials applications.

SEC. 3. DEPARTMENT OF ENERGY PROGRAMS.

(a) HIGH-PERFORMANCE COMPUTING ACT PROGRAM.—Section 203(a) of the High-Performance Computing Act of 1991 (15 U.S.C. 5523(a)) is amended—

(1) in paragraph (3), by striking ''and'';

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding after paragraph (4) the following:

''(5) conduct an integrated program of research, development, and provision of facilities to develop and deploy to scientific and technical users the high-performance computing and collaboration tools needed to fulfill the statutory missions of the Department of Energy.''.

(b) COMPUTATION, NETWORKING AND INFORMATION TECHNOLOGY COLLABORATIVE PROGRAM.—Within the funds authorized under this Act, the Secretary shall provide up to $25,000,000 in each fiscal year for a program of collaborative projects involving remote access to high-performance computing assets or remote experimentation over network facilities. The program shall give priority to cross-disciplinary projects that involve more than one office within the Office of Science of the Department of Energy or that couple the Office of Science with Departmental energy technology offices.

(c) PROGRAM LINE AUTHORITY.—To the extent consistent with their national security mission, laboratories administered by the National Nuclear Security Administration may compete for funding authorized in this Act to the same extent and on the same terms as other Department of Energy offices and laboratories. Such funding at laboratories administered by the National Nuclear Security Administration shall be under the direct programmatic control of the sponsoring program for the funding in the Department of Energy.

(d) MERIT REVIEW.—All grants, contracts, cooperative agreements, or other financial assistance awarded under programs authorized in this Act shall be made only after being subject to independent merit review by the Department of Energy.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Energy for the purposes of carrying out section 203 of the High-Performance Computing Act of 1991 (15 U.S.C. 5523) and this Act $190,000,000 for fiscal year 2001; $250,000,000 for fiscal year 2002; $285,000,000 for fiscal year 2003; $300,000,000 for fiscal year 2004; and $300,000,000 for fiscal year 2005.●

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

S. 2337. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Finance.

THE FAIR CARE FOR THE UNINSURED ACT

● Mr. SANTORUM. Mr. President, I rise to join my friend and colleague, Senator JON KYL of Arizona, in introducing the Fair Care for the Uninsured Act of 2000, legislation aimed at ensuring that all Americans, regardless of income, have a basic level of resources to purchase health insurance.

As we all know, the growing ranks of uninsured Americans—currently 44 million and increasing at a rate of 100,000 per month—remains a major national problem that must be addressed as Congress considers improvements to our healthcare delivery system. The uninsured are three times as likely not to receive needed medical care, at least twice as more likely to need hospitalization for avoidable conditions like pneumonia and diabetes, and four times more likely to rely on an emergency room or have no regular source of care than Americans who are privately insured.

The Fair Care for the Uninsured Act represents a major step toward helping the uninsured obtain health coverage through the creation of a new tax credit for the purchase of private health insurance, a concept which enjoys bipartisan support.

This legislation directly addresses one of the main barriers which now inhibits access to health insurance for millions of Americans: discrimination in the tax code. Most Americans obtain health insurance through their place of work, and for good reason: workers receive their employer's contribution toward health insurance completely free from federal taxation (including payroll taxes). This is effectively a $120 billion per year federal subsidy for employer-provided health insurance. By contrast, individuals who purchase their own health insurance get virtually no tax relief. They must buy insurance with after-tax dollars, forcing many to earn twice as much income before taxes in order to purchase the same insurance. This hidden health tax penalty effectively punishes people who try to buy their insurance outside the workplace.

The Fair Care for the Uninsured Act would remedy this situation by creating a parallel system for working families who do not have access to health insurance through the workplace. Specifically, this legislation creates a refundable tax credit of $1,000 per adult and up to $3,000 per family (indexed for inflation), for the purchase of private health insurance; would be available to individuals and families who don't have access to coverage through the workplace or a federal government program; enables individuals to use their credit to shop for a basic plan that best suits their needs which would be portable from job to job; and allows individuals to buy more generous coverage with after-tax dollars. And of course the states could supplement the credit.

This legislation complements a bipartisan consensus which is emerging around this means for addressing the serious problem of uninsured Americans: Instead of creating new government entitlements to medical services, tax credits provide public financing to help uninsured Americans buy private health insurance. Representative DICK ARMEY has been a leader in this field for some time now, having introduced last year similar legislation in the House of Representatives. And just recently, Senators JEFFORDS and BREAUX introduced their own version of health insurance tax credit proposal here in the Senate. I applaud their efforts for advancing this important public policy initiative.

A tax credit for the purchase of insurance would make it possible for many more people to obtain insurance, thereby helping to lower the total cost of insurance. In reducing the amount of uncompensated care that is offset through cost shifting to private insurance plans, and in substantially increasing the insurance base, a health insurance tax credit will help relieve some of the spiraling costs of our health care delivery system. It would also encourage insurance companies to write policies geared to the size of the credit, thus offering more options and making it possible for low income families to obtain coverage without paying much more than the available credits.

It is time that we reduced the tax bias against families who do not have access to coverage through their place of work or existing government programs, and to encourage the creation of an effective market for family-selected and family-owned plans, where Americans have more choice and control over their health care dollars. The Fair Care for the Uninsured Act would create tax fairness where currently none exists by requiring that all Americans receive the same tax encouragement to purchase health insurance, regardless of employment.

It is my hope that my colleagues will join me in endorsing this approach to provide people who purchase health insurance on their own similar tax treatment as those who have access to insurance through their employer.●

By Mr. SCHUMER (for himself, Mr. KENNEDY, Mr. DURBIN, Mr. LAUTENBERG, Mr. REED, Mr. TORRICELLI, Mr. LEVIN, Mr. ROBB, Mr. MOYNIHAN, Mrs. BOXER, Mr. DODD, and Mr. DASCHLE):

S. 2338. A bill to enhance the enforcement of gun violence laws; to the Committee on the Judiciary.

THE EFFECTIVE NATIONAL FIREARMS OBJECTIVES FOR RESPONSIBLE, COMMONSENSE ENFORCEMENT (ENFORCE) ACT

● Mr. SCHUMER. Mr. President, I rise today to introduce on behalf of myself and Senators KENNEDY, DURBIN, LAUTENBERG, REED, TORRICELLI, LEVIN, ROBB, MOYNIHAN, BOXER, DODD, and Mr. DASCHLE, the Effective National Firearms Objectives For Responsible, Commonsense Enforcement Act. This bill, I believe, bridges the gap between those who reflexively support the gun lobby and those who strongly support gun control.

The ENFORCE Act is the culmination of years of research into gun tracing and gun trafficking. It is the next phase in stopping gun violence. It is a bill and an approach to gun crime that works smarter and works harder.

This bill works smarter by ridding us of many of the laws that have shielded illegal gun traffickers and dirty gun dealers from prosecution. It uses the latest in gun tracing data and ballistics technology to make it possible for law enforcement to zero in on the bad apples, throw the book at them, and leave the rest alone. It works harder by finally giving ATF the street agents they need to crack down on high crime gun dealers and to prosecute more gun crimes.

Let me outline a few provisions in this legislation. First, this bill will fund 500 new ATF agents and inspectors to crack down on dirty gun dealers. These new agents will target high-crime gun dealers who supply firearms to criminals and juveniles and crack down on violent gun criminals and illegal gun traffickers at gun shows, gun stores, and on the streets.

ENFORCE will also give ATF the authority to investigate high crime-gun stores. Under current law, the ATF is only allowed to conduct one unannounced inspection of a licensed dealer a year. The bill would allow the ATF to conduct four compliance inspections annually of licensed firearms dealers, importers, and manufacturers.

In addition, this legislation will authorize funds to hire an additional 1,000 local, state and federal prosecutors to expand the Project Exile program in high gun-crime areas. In cases where federal law enforcement authorities defer to state prosecutors, this funding would ensure that state prosecutors have sufficient resources. Furthermore, ENFORCE authorizes funding for federal prosecutors and gun enforcement teams to coordinate efforts with local law enforcement and to determine where federal prosecution is warranted.

ENFORCE will also create a comprehensive ballistics DNA testing network. The Act would triple current funding for ballistics testing programs to support the deployment of 150 ballistics imaging units, helping to link bullets and shell casings to the crime-guns they were fired from.

ENFORCE will expand to 50 cities and counties the Youth Crime Gun Interdiction Initiative (YCGII), which would dramatically increase tracing of crime guns to find sources. Participating cities and counties' law enforcement agencies would submit and share identifying information about crime guns and conduct law enforcement investigations regarding illegal youth users of firearms and illegal traffickers of firearms to youth. The Secretary of the Treasury would provide an annual report on the types and sources of recovered crime guns and the number of investigations associated with YCGII.

The bill would also fund $10 million for smart gun technology research and development. New state-of-the-art innovations could limit a gun's use to its owner or other authorized users—and could therefore prevent accidental shooting deaths of children, detect gun theft, and stop criminals from seizing and using the guns of police officers against them.

ENFORCE is a comprehensive package of measures that will strengthen the enforcement of existing gun laws and target high crime-gun dealers to reduce gun violence and to keep firearms out of the hands of children and criminals. The gun lobby has been calling for more enforcement. This is as tough and effective an enforcement bill as ever drafted. Gun rights and gun control supporters ought to step up to the plate and pass it.●

ADDITIONAL COSPONSORS

S. 309

At the request of Mr. MCCAIN, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 309, a bill to amend the Internal Revenue Code of 1986 to provide that a member of the uniformed services shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 784

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 1017

At the request of Mr. MACK, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1020

At the request of Mr. SMITH of New Hampshire, his name was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1215

At the request of Mr. DODD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1215, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish headstones or markers for marked graves of, or to otherwise commemorate, certain individuals.

S. 1399

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1399, a bill to amend title 38, United States Code, to provide that pay adjustments for nurses and certain other healthcare professionals employed by the Department of Veterans Affairs shall be made in the manner applicable to Federal employees generally and to revise the authority for the Secretary of Veterans Affairs to make further locality pay adjustments for those professionals.

S. 1408

At the request of Mr. JEFFORDS, the name of the Senator from Rhode Island (Mr. L. CHAFEE,) was added as a cosponsor of S. 1408, a bill to amend the Small Business Investment Act of 1958 to promote the cleanup of abandoned, idled, or underused commercial or industrial facilities, the expansion or redevelopment of which are complicated by real

or perceived environmental contamination, and for other purposes.

S. 1498

At the request of Mr. BURNS, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1498, a bill to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

S. 1608

At the request of Mr. CRAIG, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1608, a bill to provide annual payments to the States and counties from National Forest System lands managed by the Forest Service, and the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands managed predominately by the Bureau of Land Management, for use by the counties in which the lands are situated for the benefit of the public schools, roads, emergency and other public purposes; to encourage and provide new mechanism for cooperation between counties and the Forest Service and the Bureau of Land Management to make necessary investments in federal lands, and reaffirm the positive connection between Federal Lands counties and Federal Lands; and for other purposes.

S. 1762

At the request of Mrs. LINCOLN, the names of the Senator from Iowa (Mr. HARKIN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Louisiana (Mr. BREAUX), and the Senator from South Carolina (Mr. HOLLINGS) 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. 1806

At the request of Mr. BINGAMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1806, a bill to authorize the payment of a gratuity to certain members of the Armed Forces who served at Bataan and Corregidor during World War II, or the surviving spouses of such members, and for other purposes.

S. 1883

At the request of Mr. BINGAMAN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1883, a bill to amend title 5, United States Code, to eliminate an inequity on the applicability of early retirement eligibility requirements to military reserve technicians.

S. 1932

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 1932, a bill to amend the Ricky Ray Hemophilia Relief Fund Act of 1998 to revise and extend certain provisions.

S. 1969

At the request of Mr. CRAIG, the name of the Senator from Oregon (Mr. SMITH of Oregon) was added as a cosponsor of S. 1969, a bill to provide for improved management of, and increases accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, and for other purposes.

S. 1975

At the request of Mr. MACK, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1975, a bill to amend the Internal Revenue Code of 1986 to modify the tax on generation-skipping transfers to eliminate certain traps for the unwary and otherwise improve the fairness of such tax.

S. 2005

At the request of Mr. BURNS, the names of the Senator from Utah (Mr. HATCH), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 2005, a bill to repeal the modification of the installment method.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2058

At the request of Mr. GRAHAM, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2058, a bill to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals.

S. 2087

At the request of Mr. WARNER, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 2087, a bill to amend title 10, United States Code, to improve access to benefits under the TRICARE program; to extend and improve certain demonstration programs under the Defense Health Program; and for other purposes.

S. 2097

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2097, a bill to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, and for other purposes.

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 2097, supra.

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 2097, supra.

At the request of Mr. ROBB, his name was added as a cosponsor of S. 2097, supra.

At the request of Mr. HATCH, his name was added as a cosponsor of S. 2097, supra.

S. 2123

At the request of Ms. LANDRIEU, the names of the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Mississippi (Mr. COCHRAN), and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of S. 2123, a bill to provide Outer Continental Shelf Impact assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes.

S. 2158

At the request of Mr. MURKOWSKI, the names of the Senator from Oklahoma (Mr. NICKLES) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 2158, a bill to amend the Harmonized Tariff Schedule of the United States to eliminate the duty on certain steam or other vapor generating boilers used in nuclear facilities.

S. 2234

At the request of Mr. ROBB, his name was added as a cosponsor of S. 2234, a bill to designate certain facilities of the United States Postal Service.

S. 2235

At the request of Ms. COLLINS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2235, a bill to amend the Public Health Act to revise the performance standards and certification process for organ procurement organizations.

S. 2246

At the request of Mr. BOND, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2246, a bill to amend the Internal Revenue Code of 1986 to clarify that certain small businesses are permitted to use the cash method of accounting even if they use merchandise or inventory.

S. 2255

At the request of Mr. MCCAIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2255, a bill to amend the Internet Tax Freedom Act to extend the moratorium through calendar year 2006.

S. 2277

At the request of Mr. ROTH, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 2277, a bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China.

S. 2285

At the request of Mr. LOTT, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 2285, a bill instituting a Federal fuels tax holiday.

S. 2291

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2291, a bill to provide assistance for efforts to improve conservation of, recreation in, erosion control of, and maintenance of fish and wildlife habitat of the Missouri River in the State of South Dakota, and for other purposes.

S. 2293

At the request of Mr. SANTORUM, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

S. 2299

At the request of Mr. L. CHAFEE, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 2299, a bill to amend title XIX of the Social Security Act to continue State Medicaid disproportionate share hospital (DSH) allotments for fiscal year 2001 at the levels for fiscal year 2000.

S. 2300

At the request of Mr. THOMAS, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 2300, a bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

S. RES. 90

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 90, a resolution designating the 30th day of April 2000 as ''Dia de los Ninos: Celebrating Young Americans,'' and for other purposes.

S. RES. 271

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S.Res. 271, a resolution regarding the human rights situation in the People's Republic of China.

SENATE RESOLUTION 279—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SENATE COMMITTEE ON FOREIGN RELATIONS SHOULD HOLD HEARINGS AND THE SENATE SHOULD ACT ON THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Mrs. BOXER (for herself, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Ms. COLLINS, Mr. DASCHLE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. INOUYE, Mr. KERRY, Mr. KENNEDY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mr. MOYNIHAN, Mrs. MURRAY, Mr. ROBB, Mr. REED, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 279

Whereas the United States has shown leadership in promoting human rights, including the rights of women and girls, and was instrumental in the development of international human rights treaties and norms, including the International Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW);

Whereas the Senate has already agreed to the ratification of several important human rights treaties, including the Genocide Convention, the Convention Against Torture, the International Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Racial Discrimination;

Whereas CEDAW establishes a worldwide commitment to combat discrimination against women and girls;

Whereas 165 countries of the world have ratified or acceded to CEDAW and the United States is among a small minority of countries, including Afghanistan, North Korea, Iran, and Sudan, which have not;

Whereas CEDAW is helping combat violence and discrimination against women and girls around the world;

Whereas CEDAW has had a significant and positive impact on legal developments in countries as diverse as Uganda, Colombia, Brazil, and South Africa, including, on citizenship rights in Botswana and Japan, inheritance rights in Tanzania, property rights and political participation in Costa Rica;

Whereas the Administration has proposed a small number of reservations, understandings, and declarations to ensure that U.S. ratification fully complies with all constitutional requirements, including states' and individuals' rights;

Whereas the legislatures of California, Iowa, Massachusetts, New Hampshire, New York, North Carolina, South Dakota, and Vermont have endorsed U.S. ratification of CEDAW;

Whereas more than one hundred U.S.-based, civic, legal, religious, education, and environmental organizations, including many major national membership organizations, support U.S. ratification of CEDAW;

Whereas ratification of CEDAW would allow the United States to nominate a representative to the CEDAW oversight committee; and

Whereas 2000 is the 21st anniversary of the adoption of CEDAW by the United Nations General Assembly: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Senate Foreign Relations Committee should hold hearings on the convention on the Elimination of All Forms of Discrimnation Against Women (CEDAW); and

(2) the Senate should act on CEDAW by July 19, 2000, the 20th anniversary of the signing of the convention by the United States.

SENATE RESOLUTION 280—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO UNITED STATES RELATIONS WITH THE RUSSIAN FEDERATION IN VIEW OF THE SITUATION IN CHECHNYA

Mr. WELLSTONE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 280

Whereas the Senate of the United States unanimously passed Senate Resolution 262 on February 24, 2000, condemning the indiscriminate use of force by the Government of the Russian Federation against the people of Chechnya, encouraging peace negotiations between the Government of the Russian Federation and the leadership of the Chechen Government, and urging the Government of the Russian Federation to immediately grant international organizations full and unimpeded access into Chechnya in order to provide humanitarian assistance and investigate alleged atrocities and war crimes;

Whereas the Committee of Foreign Relations of the Senate received credible evidence and testimony reporting grave human rights violations on both sides of the war in Chechnya;

Whereas the Committee on Foreign Relations of the Senate received credible evidence and testimony that Russian forces in Chechnya caused the deaths of countless thousands of innocent civilians and the displacement of well over 250,000 innocents; forcibly relocated refugee populations; and committed widespread atrocities including summary executions, arbitrary detentions, torture, and rape;

Whereas the Government of the Russian Federation continues its military campaign in Chechnya through the use of indiscriminate force, causing further dislocation of people from their homes, the deaths of unarmed civilians and widespread suffering;

Whereas this war contributes to ethnic hatred and religious intolerance within the Russian Federation, and could divert muchneeded international development assistance, undercut the ability of the international community to trust the Russian Federation as a signatory to international agreements, generate political instability within the Russian Federation, and be a continuing threat to the peace in the region; and

Whereas the Senate again expresses its deep concern over the war and humanitarian tragedy in Chechnya, and its desire for a peaceful and durable settlement to the conflict: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the lack of vigorous and sustained action of most Western governments, including that of the United States, to respond to the conflict in Chechnya could be too easily interpreted by the Government of the Russian Federation as indifference to it and thus allow that government to intensify and expand its military campaign there, further contributing to the suffering of the Chechen people;

(2) the President of the Russian Federation, Vladimir Putin, is responsible for the conduct of Russian troops in and around Chechnya and has an obligation to ensure compliance with international humanitarian law and human rights norms, including the obligation to prevent present and future atrocities there, and to investigate fully atrocities already committed, and to initiate, where appropriate, prosecutions against those accused;

(3) the Government of the Russian Federation and the leadership of the Chechen Government should immediately cease military operations in Chechnya and seek a negotiated settlement to the conflict there;

(4) the President of the Russian Federation should—

(A) act immediately to end human rights violations by Russian soldiers in Chechnya;

(B) allow immediate, full, and unimpeded access into and around Chechnya international monitors to assess and report on the situation there and to investigate alleged atrocities and war crimes;

(C) allow international humanitarian agencies immediate, full, and unimpeded access to Chechen civilians, including those in refugee, detention, and ''filtration'' camps, or any other facility where citizens of Chechnya are detained; and

(D) investigate fully atrocities committed in Chechnya, including those alleged in Alkhan-Yurt and Grozny, and initiate, where appropriate, prosecutions against those accused;

(5) the President of the United States of America should—

(A) affirm respect for human rights, democratic rule of law, and international accountability as a foundation of United States foreign policy;

(B) affirm respect for human rights, democratic rule of law, and international accountability as a condition for continued United States-Russian cooperation;

(C) conduct a full and comprehensive review of United States foreign policy toward the Russian Federation with respect to its conduct in Chechnya, and its implications for United States-Russian relations;

(D) promote peace negotiations between the Government of the Russian Federation and the leadership of the Chechen Government through third-party mediation by the OSCE Assistance Group in Chechnya, the United Nations, or other appropriate parties;

(E) publicly and openly support societal forces in the Russian Federation working to preserve democracy there, including empowering human rights activists and promoting programs designed to strengthen the independent media, trade unions, political parties, and other institutions of a democratic civil society there; and

(F) take further, more tangible steps to demonstrate to the Government of the Russian Federation that the United States strongly condemns its conduct in Chechnya and its unwillingness to find a just political solution to the conflict there, including—

(i) sponsoring a Resolution at the 56th annual meeting of the United Nations Human Rights Commission in Geneva, Switzerland, expressing the Commission's serious concern about reports of very grave violations of human rights and humanitarian law in Chechnya, and including provisions, such as the establishment of a Commission of Inquiry, to investigate accusations of violations of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, and other international humanitarian law;

(ii) supporting the appointment of a United Nations Special Rapporteur for Chechnya; and

(iii) placing the war in Chechnya at the top of the agenda of all high-level diplomatic meetings involving the United States and the Russian Federation; and

(6) the President of the United States should not reverse actions taken under paragraph (5)(f) until the Government of the Russian Federation has—

(A) acted forcefully and effectively to end human rights violations by Russian soldiers in Chechnya;

(B) provided full and unimpeded access into and around Chechnya to international monitors to assess and report on the situation there and to investigate alleged atrocities and war crimes;

(C) granted international humanitarian agencies full and unimpeded access to Chechen civilians, including those in refugee, detention, and ''filtration'' camps, or any other facility where citizens of Chechnya are detained; and

(D) begun to investigate fully atrocities committed in Chechnya, including those alleged in Alkhan-Yurt and Grozny, and initiated, where appropriate, prosecutions against those accused.

Mr. WELLSTONE. Mr. President, I rise today to draw attention to the continuing war in Chechnya and to remind the international community that our lack of vigorous and sustained action to respond to the conflict there could be too easily interpreted by the Russian Government as indifference to it. We must act to again remind the newly elected President of the Russian Federation, Vladimir Putin, that he is responsible for the conduct of Russian troops in and around Chechnya and has an obligation to ensure compliance with international humanitarian law and human rights norms; and we must act to urge the Government of the Russian Federation and the leadership of the Chechen Government to immediately cease military operations in Chechnya and to seek a negotiated just settlement to the conflict there.

Today I am offering a Resolution which urges the Administration to sponsor a Resolution condemning the Russian Federation's conduct in Chechnya at the annual United Nations Human Rights Commission meeting that is currently underway in Geneva, Switzerland, to support the appointment of a U.N. Special Rapporteur for Chechnya, and to place the war in Chechnya at the top of the agenda of all high-level diplomatic meetings involving the United States and the Russian Federation. The United States must publicly and actively affirm respect for human rights, democratic rule of law and international accountability as a foundation of United States policy and not simply pay them lip service.

Sunday night we watched as acting President Vladimir Putin was elected President of the Russian Federation. As the President of a fully sovereign state I do not question President Putin's authority to combat what it perceives as terrorism on its own soil and to ensure the integrity of its borders, nor do I dismiss credible reports of grave violations of human rights on both sides of this war. I do, however, condemn the continuing indiscriminate use of force by the Russian military in Chechnya and the blatant disregard it continues to show for international humanitarian law there.

Last month the Senate Foreign Relations Committee heard evidence and testimony reporting that Russian forces in Chechnya have caused the deaths of countless thousands of innocent civilians and the displacement of well over 250,000 innocents; forcibly relocated refugee populations; and committed widespread atrocities including summary executions, arbitrary detentions, torture, and rape. While they claim to have begun to open up access to the region, the Russian government continues to effectively deny international organizations full and unimpeded access into Chechnya to assess and report on the situation there, to investigate alleged atrocities and war crimes, and to provide humanitarian relief.

I am not alone in my concern about the situation in Chechnya. Last November both the House and Senate passed resolutions expressing grave concern regarding the armed conflict in the North Caucasus region of the Russian Federation and condemning the violence in Chechnya. On February 24 of this year, the Senate unanimously agreed to Senate Resolution 262, calling for a peaceful resolution to the conflict in Chechnya, and Senate Resolution 261, regarding the detention of the journalist Andrei Babitsky. Finally, just a few weeks ago on March 9, Senate Resolution 269, regarding relations with the Russian Federation given its conduct in Chechnya, was referred to the Senate Foreign Relations Committee.

We have all read editorials on Chechnya in the news media written by our own colleagues, witnessed a joint conference on Chechnya by the Commonwealth of Independent States Inter-parliamentary Assembly and the European Parliament, heard claims by a leading Russian human rights activist who is also a member of the Russian Parliament offering fierce criticism of the Russian government's efforts in Chechnya, and listened as just this past week at the annual meeting of the U.N. Human Rights Commission meeting in Geneva, Secretary Albright objected to the indiscriminate use of force against civilians in Chechnya and proclaimed that allegations of Russian human rights violations are serious and must be addressed urgently. In a phone call to congratulate President Putin on his victory in the Presidential election, President Clinton expressed his hope that Mr. Putin would carry out impartial and transparent investigations of reported human rights violations in Chechnya and provide prompt and full access for international organizations and the press. But, Mr. President, even after all this commentary, and numerous meetings designed to press the Russians to change course, the situation has changed hardly at all.

I fully support Secretary Albright's decision to address the allegations of gross human rights abuses by Russian soldiers in Chechnya in her address to the U.N. Commission on Human Rights, and the President's raising this issue again in his phone call to President Putin, but the grave situation in Chechnya demands that we do more. The annual meeting of the U.N. Commission on Human Rights provides a

major forum for addressing human rights concerns and for expressing international commentary on the human rights performance of all nations. The Government of the Russian Federation must be held accountable for its conduct in Chechnya and should be forced to defend itself against allegations of grave human rights violations there, in the full light of public scrutiny.

The administration should bring a resolution expressing the Commission's serious concern about reports of gross human rights abuses and other violations of humanitarian law in Chechnya, including provisions urging the establishment of a Commission of Inquiry to investigate violations of the Geneva Convention and other international humanitarian law. It must also support the appointment of a United Nations Special Rapporteur for Chechnya to assess and report on the situation there, and place the war in Chechnya at the top of the agenda of all high-level diplomatic meetings involving the United States and the Russian Federation.

Mr. President, it is high time the United States expressed its commitment to human rights, democratic rule of law, and international accountability through concrete action. We must send a message to the Russian Federation, as well as the international community, that respect for these important principles will be a condition for continued cooperation with the United States. We must demand concrete action by the Government of the Russian Federation to end human rights violations by Russian soldiers in Chechnya, to investigate, where appropriate, those accused of violations, and to ease the suffering of civilians there. We must not be diverted by verbal commitments by the Russian leadership that never come to fruition. We need to exercise our leadership now. The international community and the people of Chechnya deserve no less.

AMENDMENTS SUBMITTED

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000

BAUCUS (AND OTHERS) AMENDMENTS NOS. 2892–2893

(Ordered to lie on the table.)

Mr. BAUCUS (for himself, Mr. LEAHY, and Mr. ROBB) submitted two amendments intended to be proposed by them to the bill (S. 2097) to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, and for other purposes; as follows:

AMENDMENT NO. 2892

On page 25, line 10, insert after ''local television stations'' the following: '', and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 30, strike line 9 and insert the following: ''means by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 33, between lines 23 and 24, insert the following:

(B) ADDITIONAL PRIORITY.—Among projects receiving a priority under subparagraph (A), the Board should also give an additional priority to projects which also provide related signals (including high-speed Internet access and National Weather Service broadcasts).

On page 33, line 24, strike ''(B)'' and insert ''(C)''.

AMENDMENT NO. 2893

On page 25, strike line 10 and all that follows through page 33, line 25, and insert the following:

signals of local television stations, and related signals (including high-speed Internet access and National Weather Service broadcasts), for households located in unserved areas and underserved areas.

SEC. 3. LOCAL TELEVISION LOAN GUARANTEE BOARD.

(a) ESTABLISHMENT.—There is established the LOCAL Television Loan Guarantee Board (in this Act referred to as the ''Board'').

(b) MEMBERS.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall consist of the following members:

(A) The Secretary of the Treasury, or the designee of the Secretary.

(B) The Chairman of the Board of Governors of the Federal Reserve System, or the designee of the Chairman.

(C) The Secretary of Agriculture, or the designee of the Secretary.

(2) REQUIREMENT AS TO DESIGNEES.—An individual may not be designated a member of the Board under paragraph (1) unless the individual is an officer of the United States pursuant to an appointment by the President, by and with the advice and consent of the Senate.

(c) FUNCTIONS OF THE BOARD.—

(1) IN GENERAL.—The Board shall determine whether or not to approve loan guarantees under this Act. The Board shall make such determinations consistent with the purpose of this Act and in accordance with this subsection and section 4 of this Act.

(2) CONSULTATION AUTHORIZED.—

(A) IN GENERAL.—In carrying out its functions under this Act, the Board shall consult with such departments and agencies of the Federal Government as the Board considers appropriate, including the Department of Commerce, the Department of Agriculture, the Department of the Treasury, the Department of Justice, the Department of the Interior, the Board of Governors of the Federal Reserve System, the Federal Communications Commission, the Federal Trade Commission, and the National Aeronautics and Space Administration.

(B) RESPONSE.—A department or agency consulted by the Board under subparagraph (A) shall provide the Board such expertise and assistance as the Board requires to carry out its functions under this Act.

(3) APPROVAL BY MAJORITY VOTE.—The determination of the Board to approve a loan guarantee under this Act shall be by a vote of a majority of the Board.

SEC. 4. APPROVAL OF LOAN GUARANTEES.

(a) AUTHORITY TO APPROVE LOAN GUARANTEES.—Subject to the provisions of this section and consistent with the purpose of this Act, the Board may approve loan guarantees under this Act.

(b) REGULATIONS.—

(1) REQUIREMENTS.—The Administrator (as defined in section 5 of this Act), under the direction of and for approval by the Board, shall prescribe regulations to implement the provisions of this Act and shall do so not later than 120 days after funds authorized to be appropriated under section 10 of this Act have been appropriated in a bill signed into law.

(2) ELEMENTS.—The regulations prescribed under paragraph (1) shall—

(A) set forth the form of any application to be submitted to the Board under this Act;

(B) set forth time periods for the review and consideration by the Board of applications to be submitted to the Board under this Act, and for any other action to be taken by the Board with respect to such applications;

(C) provide appropriate safeguards against the evasion of the provisions of this Act;

(D) set forth the circumstances in which an applicant, together with any affiliate of an applicant, shall be treated as an applicant for a loan guarantee under this Act;

(E) include requirements that appropriate parties submit to the Board any documents and assurances that are required for the administration of the provisions of this Act; and

(F) include such other provisions consistent with the purpose of this Act as the Board considers appropriate.

(3) CONSTRUCTION.—(A) Nothing in this Act shall be construed to prohibit the Board from requiring, to the extent and under circumstances considered appropriate by the Board, that affiliates of an applicant be subject to certain obligations of the applicant as a condition to the approval or maintenance of a loan guarantee under this Act.

(B) If any provision of this Act or the application of such provision to any person or entity or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of this Act, or the application of such provision to such person or entity or circumstance other than those as to which it is held invalid, shall not be affected thereby.

(c) AUTHORITY LIMITED BY APPROPRIATIONS ACTS.—The Board may approve loan guarantees under this Act only to the extent provided for in advance in appropriations Acts. The Board may delegate to the Administrator (as defined in section 5 of this Act) the authority to approve loan guarantees of up to $20,000,000. To the extent the Administrator is delegated such authority, the Administrator shall comply with the terms of this Act applicable to the Board.

(d) REQUIREMENTS AND CRITERIA APPLICABLE TO APPROVAL.—

(1) IN GENERAL.—The Board shall utilize the underwriting criteria developed under subsection (g), and any relevant information provided by the departments and agencies with which the Board consults under section 3, to determine which loans may be eligible for a loan guarantee under this Act.

(2) PREREQUISITES.—In addition to meeting the underwriting criteria under paragraph (1), a loan may not be guaranteed under this Act unless—

(A) the loan is made to finance the acquisition, improvement, enhancement, construction, deployment, launch, or rehabilitation of the means by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service broadcasts), will be delivered to an unserved area or underserved area;

(B) the proceeds of the loan will not be used for operating expenses;

(C) the proposed project, as determined by the Board in consultation with the National Telecommunications and Information Administration, is not likely to have a substantial adverse impact on competition that outweighs the benefits of improving access to

the signals of a local television station in an unserved area or underserved area;

(D) the loan is provided by an insured depository institution (as that term is defined in section 3 of the Federal Deposit Insurance Act) that is acceptable to the Board, and has terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

(E) repayment of the loan is required to be made within a term of the lesser of—

(i) 25 years from the date of the execution of the loan; or

(ii) the economically useful life, as determined by the Board or in consultation with persons or entities deemed appropriate by the Board, of the primary assets to be used in the delivery of the signals concerned; and

(F) the loan meets any additional criteria developed under subsection (g).

(3) PROTECTION OF UNITED STATES FINANCIAL INTERESTS.—The Board may not approve the guarantee of a loan under this Act unless—

(A) the Board has been given documentation, assurances, and access to information, persons, and entities necessary, as determined by the Board, to address issues relevant to the review of the loan by the Board for purposes of this Act; and

(B) the Board makes a determination in writing that—

(i) to the best of its knowledge upon due inquiry, the assets, facilities, or equipment covered by the loan will be utilized economically and efficiently;

(ii) the terms, conditions, security, and schedule and amount of repayments of principal and the payment of interest with respect to the loan protect the financial interests of the United States and are reasonable;

(iii) to the extent possible, the value of collateral provided by an applicant is at least equal to the unpaid balance of the loan amount covered by the loan guarantee (the ''Amount'' for purposes of this clause); and if the value of collateral provided by an applicant is less than the Amount, the additional required collateral is provided by any affiliate of the applicant; and if the combined value of collateral provided by an applicant and any affiliate is not at least equal to the Amount, the collateral from such affiliate represents all of such affiliate's assets;

(iv) all necessary and required regulatory and other approvals, spectrum rights, and delivery permissions have been received for the loan, the project under the loan, and the Other Debt, if any, under subsection (f)(2)(B);

(v) the loan would not be available on reasonable terms and conditions without a loan guarantee under this Act; and

(vi) repayment of the loan can reasonably be expected.

(e) CONSIDERATIONS.—

(1) TYPE OF MARKET.—

(A) PRIORITY CONSIDERATIONS.—To the maximum extent practicable, the Board shall give priority in the approval of loan guarantees under this Act in the following order: First, to projects that will serve the greatest number of households in unserved areas; and second, to projects that will serve the greatest number of households in underserved areas. In each instance, the Board shall consider the project's estimated cost per household to be served.

(B) ADDITIONAL PRIORITY.—Among projects receiving a priority under subparagraph (A), the Board should also give an additional priority to projects which also provide related signals (including high-speed Internet access and National Weather Service broadcasts).

(C) PROHIBITION.—The Board may not approve a loan guarantee under this Act for a

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LEAHY (AND BAUCUS) AMENDMENTS NOS. 2894–2895

(Ordered to lie on the table.)

Mr. LEAHY (for himself and Mr. BAUCUS) submitted two amendments intended to be proposed by them to the bill, S. 2097, supra; as follows:

AMENDMENT NO. 2894

On page 25, line 10, insert after ''local television stations'' the following: '', and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 30, strike line 9 and insert the following: ''means (including spectrum rights) by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 33, between lines 23 and 24, insert the following:

(B) ADDITIONAL PRIORITY.—Among projects receiving a priority under subparagraph (A), the Board should also give an additional priority to projects which also provide related signals (including high-speed Internet access and National Weather Service broadcasts).

On page 33, line 24, strike ''(B)'' and insert ''(C)''.

AMENDMENT NO. 2895

On page 25, strike line 10 and all that follows through page 33, line 25, and insert the following:

signals of local television stations, and related signals (including high-speed Internet access and National Weather Service broadcasts), for households located in unserved areas and underserved areas.

SEC. 3. LOCAL TELEVISION LOAN GUARANTEE BOARD.

(a) ESTABLISHMENT.—There is established the LOCAL Television Loan Guarantee Board (in this Act referred to as the ''Board'').

(b) MEMBERS.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall consist of the following members:

(A) The Secretary of the Treasury, or the designee of the Secretary.

(B) The Chairman of the Board of Governors of the Federal Reserve System, or the designee of the Chairman.

(C) The Secretary of Agriculture, or the designee of the Secretary.

(2) REQUIREMENT AS TO DESIGNEES.—An individual may not be designated a member of the Board under paragraph (1) unless the individual is an officer of the United States pursuant to an appointment by the President, by and with the advice and consent of the Senate.

(c) FUNCTIONS OF THE BOARD.—

(1) IN GENERAL.—The Board shall determine whether or not to approve loan guarantees under this Act. The Board shall make such determinations consistent with the purpose of this Act and in accordance with this subsection and section 4 of this Act.

(2) CONSULTATION AUTHORIZED.—

(A) IN GENERAL.—In carrying out its functions under this Act, the Board shall consult with such departments and agencies of the Federal Government as the Board considers appropriate, including the Department of Commerce, the Department of Agriculture, the Department of the Treasury, the Department of Justice, the Department of the Interior, the Board of Governors of the Federal Reserve System, the Federal Communications Commission, the Federal Trade Commission, and the National Aeronautics and Space Administration.

(B) RESPONSE.—A department or agency consulted by the Board under subparagraph (A) shall provide the Board such expertise and assistance as the Board requires to carry out its functions under this Act.

(3) APPROVAL BY MAJORITY VOTE.—The determination of the Board to approve a loan guarantee under this Act shall be by a vote of a majority of the Board.

SEC. 4. APPROVAL OF LOAN GUARANTEES.

(a) AUTHORITY TO APPROVE LOAN GUARANTEES.—Subject to the provisions of this section and consistent with the purpose of this Act, the Board may approve loan guarantees under this Act.

(b) REGULATIONS.—

(1) REQUIREMENTS.—The Administrator (as defined in section 5 of this Act), under the direction of and for approval by the Board, shall prescribe regulations to implement the provisions of this Act and shall do so not later than 120 days after funds authorized to be appropriated under section 10 of this Act have been appropriated in a bill signed into law.

(2) ELEMENTS.—The regulations prescribed under paragraph (1) shall—

(A) set forth the form of any application to be submitted to the Board under this Act;

(B) set forth time periods for the review and consideration by the Board of applications to be submitted to the Board under this Act, and for any other action to be taken by the Board with respect to such applications;

(C) provide appropriate safeguards against the evasion of the provisions of this Act;

(D) set forth the circumstances in which an applicant, together with any affiliate of an applicant, shall be treated as an applicant for a loan guarantee under this Act;

(E) include requirements that appropriate parties submit to the Board any documents and assurances that are required for the administration of the provisions of this Act; and

(F) include such other provisions consistent with the purpose of this Act as the Board considers appropriate.

(3) CONSTRUCTION.—(A) Nothing in this Act shall be construed to prohibit the Board from requiring, to the extent and under circumstances considered appropriate by the Board, that affiliates of an applicant be subject to certain obligations of the applicant as a condition to the approval or maintenance of a loan guarantee under this Act.

(B) If any provision of this Act or the application of such provision to any person or entity or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of this Act, or the application of such provision to such person or entity or circumstance other than those as to which it is held invalid, shall not be affected thereby.

(c) AUTHORITY LIMITED BY APPROPRIATIONS ACTS.—The Board may approve loan guarantees under this Act only to the extent provided for in advance in appropriations Acts. The Board may delegate to the Administrator (as defined in section 5 of this Act) the authority to approve loan guarantees of up to $20,000,000. To the extent the Administrator is delegated such authority, the Administrator shall comply with the terms of this Act applicable to the Board.

(d) REQUIREMENTS AND CRITERIA APPLICABLE TO APPROVAL.—

(1) IN GENERAL.—The Board shall utilize the underwriting criteria developed under subsection (g), and any relevant information provided by the departments and agencies with which the Board consults under section 3, to determine which loans may be eligible for a loan guarantee under this Act.

(2) PREREQUISITES.—In addition to meeting the underwriting criteria under paragraph (1), a loan may not be guaranteed under this Act unless—

(A) the loan is made to finance the acquisition, improvement, enhancement, construction, deployment, launch, or rehabilitation of the means (including spectrum rights) by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service broadcasts), will be delivered to an unserved area or underserved area;

(B) the proceeds of the loan will not be used for operating expenses;

(C) the proposed project, as determined by the Board in consultation with the National Telecommunications and Information Administration, is not likely to have a substantial adverse impact on competition that outweighs the benefits of improving access to the signals of a local television station in an unserved area or underserved area;

(D) the loan is provided by an insured depository institution (as that term is defined in section 3 of the Federal Deposit Insurance Act) that is acceptable to the Board, and has terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

(E) repayment of the loan is required to be made within a term of the lesser of—

(i) 25 years from the date of the execution of the loan; or

(ii) the economically useful life, as determined by the Board or in consultation with persons or entities deemed appropriate by the Board, of the primary assets to be used in the delivery of the signals concerned; and

(F) the loan meets any additional criteria developed under subsection (g).

(3) PROTECTION OF UNITED STATES FINANCIAL INTERESTS.—The Board may not approve the guarantee of a loan under this Act unless—

(A) the Board has been given documentation, assurances, and access to information, persons, and entities necessary, as determined by the Board, to address issues relevant to the review of the loan by the Board for purposes of this Act; and

(B) the Board makes a determination in writing that—

(i) to the best of its knowledge upon due inquiry, the assets, facilities, or equipment covered by the loan will be utilized economically and efficiently;

(ii) the terms, conditions, security, and schedule and amount of repayments of principal and the payment of interest with respect to the loan protect the financial interests of the United States and are reasonable;

(iii) to the extent possible, the value of collateral provided by an applicant is at least equal to the unpaid balance of the loan amount covered by the loan guarantee (the ''Amount'' for purposes of this clause); and if the value of collateral provided by an applicant is less than the Amount, the additional required collateral is provided by any affiliate of the applicant; and if the combined value of collateral provided by an applicant and any affiliate is not at least equal to the Amount, the collateral from such affiliate represents all of such affiliate's assets;

(iv) all necessary and required regulatory and other approvals, spectrum rights, and delivery permissions have been received for the loan, the project under the loan, and the Other Debt, if any, under subsection (f)(2)(B);

(v) the loan would not be available on reasonable terms and conditions without a loan guarantee under this Act; and

(vi) repayment of the loan can reasonably be expected.

(e) CONSIDERATIONS.—

(1) TYPE OF MARKET.—

(A) PRIORITY CONSIDERATIONS.—To the maximum extent practicable, the Board shall give priority in the approval of loan guarantees under this Act in the following order: First, to projects that will serve the greatest number of households in unserved areas; and second, to projects that will serve the greatest number of households in underserved areas. In each instance, the Board shall consider the project's estimated cost per household to be served.

(B) ADDITIONAL PRIORITY.—Among projects receiving a priority under subparagraph (A), the Board should also give an additional priority to projects which also provide related signals (including high-speed Internet access and National Weather Service broadcasts).

(C) PROHIBITION.—The Board may not approve a loan guarantee under this Act for a

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BUNNING AMENDMENT NO. 2896

Mr. BUNNING proposed an amendment to the bill, S. 2097, supra; as follows:

On page 33, between lines 11 and 12, insert the following:

(4) REQUIREMENT RELATING TO APPLICANT RECEIVING ENTIRE GUARANTEE AMOUNT.—The entire amount of the guarantee available under subsection (f) may not be provided for the guarantee of a single loan unless the applicant for the loan agrees to provide in each unserved area and underserved area of each State the signals of all local television stations broadcast in such State.

GRAMM AMENDMENT NO. 2897

Mr. GRAMM proposed an amendment to the bill, S. 2097, supra; as follows:

On page 30, strike line 22 and all that follows through page 31, line 3, and insert the following:

''(D)(i) the loan (including Other Debt, as defined in subsection (f)(2)(B))—

''(I) is provided by any entity engaged in the business of commercial lending—

''(aa) if the loan is made in accordance with loan-to-one-borrower and affiliate transaction restrictions to which the entity is subject under applicable law; or

''(bb) if subclause (aa) does not apply, the loan is made only to a borrower that is not an affiliate of the entity and only if the amount of the loan and all outstanding loans by that entity to that borrower and any of its affiliates does not exceed 10 percent of the net equity of the entity; or

''(II) is provided by a nonprofit corporation engaged primarily in commercial lending, if the Board determines that the nonprofit corporation has one or more issues of outstanding long term debt that is rated within the highest 3 rating categories of a nationally recognized statistical rating organization, and that such rating will not decline upon the nonprofit corporation's approval and funding of the loan;

''(ii)(I) no loan (including Other Debt as defined in subsection (f)(2)(B)) may be made by a governmental entity or affiliate thereof, or a Government-sponsored enterprise as defined in section 1404(e)(1)(A) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) or any affiliate thereof;

''(II) any loan (including Other Debt as defined in subsection (f)(2)(B)) must have terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

''(III) if a nonprofit corporation fails to maintain the debt rating required by subclause (i)(II), the subject loan shall be sold to another entity described in clause (i) through an arm's length transaction, and the Board shall by regulation specify forms of acceptable documentation evidencing the maintenance of such debt rating;

''(IV) for purposes of subclause (i)(I)(bb), the term 'net equity' means the value of the issued and outstanding voting and nonvoting interests of the entity, less the total liabilities of the entity, as recorded under generally accepted accounting principles for the fiscal quarter ended immediately prior to the date on which the subject loan is approved;''.

JOHNSON AMENDMENT NO. 2898

Mr. JOHNSON proposed an amendment to amendment No. 2897 proposed by Mr. GRAMM to the bill, S. 2097, supra; as follows:

In lieu of the language proposed to be inserted, insert the following:

''(D) the loan is provided by an insured depository institution (as defined in section 3 of the F.D.I. Act) that is acceptable to the Board, or any lender that (i) has not fewer than one issue of outstanding debt that is rated within the highest three rating categories of a nationally recognized statistical rating agency; or (ii) has provided financing to entities with outstanding debt from the Rural Utilities Service and which possess, in the judgment of the Board, the expertise, capacity and capital strength to provide financing pursuant to this Act and has terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

THE GAS TAX REPEAL ACT

KENNEDY (AND OTHERS) AMENDMENT NO. 2899

(Ordered to lie on the table.)

Mr. KENNEDY (for himself, Mr. DASCHLE, Mr. AKAKA, Mrs. BOXER, Mr. DURBIN, Mr. SARBANES, Mr. WELLSTONE, Mr. REED, Ms. MIKULSKI, and Mr. ROBB) submitted an amendment intended to be proposed by them to the bill (S. 2285) instituting a Federal fuels tax holiday; as follows:

At the appropriate place, insert the following:

TITLE II—

SEC. 201. SHORT TITLE.

This title may be cited as the ''Minimum Wage Increase Act of 2000''.

SEC. 202. MINIMUM WAGE.

Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.15 an hour beginning September 1, 1997,

''(B) $5.65 an hour during the year beginning April 1, 2000, and

''(C) $6.15 an hour beginning April 1, 2001;''.

SEC. 203. MINIMUM WAGE IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) IN GENERAL.—Subject to subsection (b), the provisions of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) shall apply to the Commonwealth of the Northern Mariana Islands.

(b) TRANSITION.—

(1) IN GENERAL.—Notwithstanding subsection (a), the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C.

206(a)(1)) shall be $3.55 an hour beginning on the date that is 30 days after the date of enactment of this section.

(2) INCREASES IN MINIMUM WAGE.—

(A) IN GENERAL.—On the date that is 6 months after the date of enactment of this Act, and every 6 months thereafter, the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be increased by $0.50 per hour (or such a lesser amount as may be necessary to equal the minimum wage under such section) until such time as the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under this subsection is equal to the minimum wage set forth in section 6(a)(1) of such Act for the date involved.

(B) FURTHER INCREASES.—With respect to dates beginning after the minimum wage applicable to the Commonwealth of the Northern Mariana Islands is equal to the minimum wage set forth in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)), as provided in subparagraph (A), such applicable minimum wage shall be immediately increased so as to remain equal to the minimum wage set forth in section 6(a)(1) of such Act for the date involved.

THE LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000

BAUCUS (AND OTHERS) AMENDMENT NO. 2900

Mr. BAUCUS (for himself, Mr. LEAHY, Mr. ROBB, Mr. KENNEDY, Mr. STEVENS, Mr. WELLSTONE, Mr. BURNS, Mr. MURKOWSKI, Mrs. LINCOLN, and Mr. INOUYE) proposed an amendment to the bill, S. 2097, supra; as follows:

On page 25, line 10, insert after ''local television stations'' the following: '', and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 30, strike line 9 and insert the following: ''means by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service broadcasts),''.

On page 33, between lines 23 and 24, insert the following:

(B) ADDITIONAL CONSIDERATIONS.—To the maximum extent practicable the Board should give additional consideration to projects which also provide related signals (including high-speed Internet access and National Weather Service broadcasts).

On page 33, line 24, strike ''(B)'' and insert ''(C)''.

BREAUX AMENDMENT NO. 2901

Mr. BREAUX proposed an amendment to the bill, S. 2097, supra; as follows:

At the appropriate place insert the following:

Section 4(d)(2)(a) of S. 2097 is amended by striking the word ''launch,''.

S. 2097 is amended by inserting the following Section 5A:

''SEC. 5A. APPROVAL AND ADMINISTRATION OF LOAN GUARANTEES RELATING TO LAUNCH VEHICLES.

''(a) AUTHORITY TO APPROVE LOAN GUARANTEES RELATING TO LAUNCH VEHICLES.—To further the purposes of this Act including to reduce costs necessary to facilitate access to local television broadcast signals in unserved and underserved areas, without unnecessarily creating a new administrative apparatus, the Secretary of Transportation is authorized, subject to the provisions of this Section, to approve loans guarantees relating to space launch vehicles. For this purpose, the credit assistance program established in Section 1503 of Chapter 1 of Subtitle E of the Transportation Equity Act for the 21st Century, Pub. L. No. 105–178, is expanded to include projects for the design, development, and construction of space transportation systems and infrastructure, including launch and reentry vehicles subject to the licensing requirements of Section 70104 of Title 49, United States Code.

''(b) FUNDING.—To fund the cost to the Government of loan guarantees provided under this Section for space transportation systems and infrastructure projects, there is authorized to be appropriated $250 million for Fiscal Year 2001, and such other sums as may be necessary for each of Fiscal Years 2002 through 2005. From funds made available under this subsection, the Secretary of Transportation, for the administration of the program, may use not more than $2 million for each of Fiscal Years 2001 through 2005. For each of Fiscal Years 2001 through 2005, principal amount of Federal credit instruments made available for space transportation systems and infrastructure projects shall be limited to the same amounts set forth in Section 1503 of Chapter 1 of Subtitle E of the Transportation Equity Act for the 21st Century, Pub. L. No. 105–178.

''(c) REGULATORY AUTHORITY.—To carry out the provisions of this Section, the Secretary shall, within 120 days after enactment of this Act, adopt such regulations as he reasonably deems necessary. Such regulations shall not be inconsistent with the provisions of Section 5 of S. 2097, the ''Launching Our Communities' Access to Local Television Act of 2000.''

GRAMM (FOR HATCH) AMENDMENT NO. 2902

Mr. GRAMM (for Mr. HATCH) proposed an amendment to the bill, S. 2097, supra; as follows:

On page 49, strike lines 1 through 13 and insert the following:

SEC. 8. DEFINITIONS.

On page 50, line 23, strike ''10.'' and insert ''9.''

JOHNSON (AND OTHERS) AMENDMENT NO. 2903

Mr. JOHNSON (for himself, Mr. GRAMM, Mr. THOMAS, Mr. GRAMS, and Mr. BURNS) proposed an amendment to the bill, S. 2097, supra; as follows:

On page 30, strike line 22 and all that follows through page 31, line 3, and insert the following:

''(D)(i) the loan (including Other Debt, as defined in subsection (f)(2)(B))—

''(I) is provided by any entity engaged in the business of commercial lending—

''(aa) if the loan is made in accordance with loan-to-one-borrower and affiliate transaction restrictions to which the entity is subject under applicable law; or

''(bb) if subclause (aa) does not apply, the loan is made only to a borrower that is not an affiliate of the entity and only if the amount of the loan and all outstanding loans by that entity to that borrower and any of its affiliates does not exceed 10 percent of the net equity of the entity; or

''(II) is provided by a nonprofit corporation, including the National Rural Utilities Cooperative Finance Corporation, engaged primarily in commercial lending, if the Board determines that such nonprofit corporation has one or more issues of outstanding long term debt that is rated within the highest 3 rating categories of a nationally recognized statistical rating organization, and, if the Board determines that the making of the loan by such nonprofit corporation will cause a decline in the debt rating mentioned above, the Board at its discretion may disapprove the loan guarantee on this basis;

''(ii)(I) no loan (including Other Debt as defined in subsection (f)(2)(B)) may be made for purposes of this Act by a governmental entity or affiliate thereof, or by the Federal Agricultural Mortgage Corporation, or any institution supervised by the Office of Federal Housing Enterprise Oversight, the Federal Housing Finance Board, or any affiliate of such entities;

''(II) any loan (including Other Debt as defined in subsection (f)(2)(B)) must have terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

''(III) for purposes of subclause (i)(I)(bb), the term 'net equity' means the value of the total assets of the entity, less the total liabilities of the entity, as recorded under generally accepted accounting principles for the fiscal quarter ended immediately prior to the date on which the subject loan is approved;''.

ESTUARY HABITAT RESTORATION PARTNERSHIP ACT OF 1999

SMITH AMENDMENT NO. 2904

Mr. SMITH of New Hampshire proposed an amendment to the bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Estuary Habitat and Chesapeake Bay Restoration Act of 2000''.

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

Sec. 1. Short title; table of contents.

TITLE I—ESTUARY HABITAT RESTORATION

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Purposes.
Sec. 104. Definitions.
Sec. 105. Establishment of Collaborative Council.
Sec. 106. Duties of Collaborative Council.
Sec. 107. Cost sharing of estuary habitat restoration projects.
Sec. 108. Monitoring and maintenance of estuary habitat restoration projects.
Sec. 109. Cooperative agreements; memoranda of understanding.
Sec. 110. Distribution of appropriations for estuary habitat restoration activities.
Sec. 111. Authorization of appropriations.
Sec. 112. National estuary program.
Sec. 113. General provisions.

TITLE II—CHESAPEAKE BAY RESTORATION

Sec. 201. Short title.
Sec. 202. Findings and purposes.
Sec. 203. Chesapeake Bay restoration.

TITLE III—LONG ISLAND SOUND

Sec. 301. Reauthorization.

TITLE I—ESTUARY HABITAT RESTORATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Estuary Habitat Restoration Partnership Act of 2000''.

SEC. 102. FINDINGS.

Congress finds that—

(1) estuaries provide some of the most ecologically and economically productive habitat for an extensive variety of plants, fish, wildlife, and waterfowl;

(2) the estuaries and coastal regions of the United States are home to one-half the population of the United States and provide essential habitat for 75 percent of the commercial fish and 80 to 90 percent of the recreational fish catches of the United States;

(3) estuaries are gravely threatened by habitat alteration and loss from pollution, development, and overuse;

(4) successful restoration of estuaries demands the coordination of Federal, State, and local estuary habitat restoration programs; and

(5) the Federal, State, local, and private cooperation in estuary habitat restoration activities in existence on the date of enactment of this Act should be strengthened and new public and public-private estuary habitat restoration partnerships established.

SEC. 103. PURPOSES.

The purposes of this Act are—

(1) to establish a voluntary program to restore 1,000,000 acres of estuary habitat by 2010;

(2) to ensure coordination of Federal, State, and community estuary habitat restoration programs, plans, and studies;

(3) to establish effective estuary habitat restoration partnerships among public agencies at all levels of government and between the public and private sectors;

(4) to promote efficient financing of estuary habitat restoration activities; and

(5) to develop and enhance monitoring and research capabilities, through use of the environmental technology innovation program associated with the National Estuarine Research Reserve System (established by section 315 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1461)), to ensure that restoration efforts are based on sound scientific understanding and innovative technologies.

SEC. 104. DEFINITIONS.

In this title:

(1) COLLABORATIVE COUNCIL.—The term ''Collaborative Council'' means the interagency council established by section 105.

(2) DEGRADED ESTUARY HABITAT.—The term ''degraded estuary habitat'' means estuary habitat where natural ecological functions have been impaired and normal beneficial uses have been reduced.

(3) ESTUARY.—The term ''estuary'' means—

(A) a body of water in which fresh water from a river or stream meets and mixes with salt water from the ocean, including the area located in the Great Lakes Biogeographic Region and designated as a National Estuarine Research Reserve under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) as of the date of enactment of this Act; and

(B) the physical, biological, and chemical elements associated with such a body of water.

(4) ESTUARY HABITAT.—

(A) IN GENERAL.—The term ''estuary habitat'' means the complex of physical and hydrologic features and living organisms within estuaries and associated ecosystems.

(B) INCLUSIONS.—The term ''estuary habitat'' includes salt and fresh water coastal marshes, coastal forested wetlands and other coastal wetlands, maritime forests, coastal grasslands, tidal flats, natural shoreline areas, shellfish beds, sea grass meadows, kelp beds, river deltas, and river and stream banks under tidal influence.

(5) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term ''estuary habitat restoration activity'' means an activity that results in improving degraded estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' includes—

(i) the reestablishment of physical features and biological and hydrologic functions;

(ii) except as provided in subparagraph (C)(ii), the cleanup of contamination related to the restoration of estuary habitat;

(iii) the control of non-native and invasive species;

(iv) the reintroduction of native species through planting or natural succession; and

(v) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' does not include—

(i) an act that constitutes mitigation for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) an act that constitutes restitution for natural resource damages required under any Federal or State law.

(6) ESTUARY HABITAT RESTORATION PROJECT.—The term ''estuary habitat restoration project'' means an estuary habitat restoration activity under consideration or selected by the Collaborative Council, in accordance with this title, to receive financial, technical, or another form of assistance.

(7) ESTUARY HABITAT RESTORATION STRATEGY.—The term ''estuary habitat restoration strategy'' means the estuary habitat restoration strategy developed under section 106(a).

(8) FEDERAL ESTUARY MANAGEMENT OR HABITAT RESTORATION PLAN.—The term ''Federal estuary management or habitat restoration plan'' means any Federal plan for restoration of degraded estuary habitat that—

(A) was developed by a public body with the substantial participation of appropriate public and private stakeholders; and

(B) reflects a community-based planning process.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, or a designee.

(10) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere of the Department of Commerce, or a designee.

SEC. 105. ESTABLISHMENT OF COLLABORATIVE COUNCIL.

(a) COLLABORATIVE COUNCIL.—There is established an interagency council to be known as the ''Estuary Habitat Restoration Collaborative Council''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Collaborative Council shall be composed of the Secretary, the Under Secretary, the Administrator of the Environmental Protection Agency, and the Secretary of the Interior (acting through the Director of the United States Fish and Wildlife Service), or their designees.

(2) CHAIRPERSON; LEAD AGENCY.—The Secretary, or designee, shall chair the Collaborative Council, and the Department of the Army shall serve as the lead agency.

(c) CONVENING OF COLLABORATIVE COUNCIL.—The Secretary shall—

(1) convene the first meeting of the Collaborative Council not later than 30 days after the date of enactment of this Act; and

(2) convene additional meetings as often as appropriate to ensure that this title is fully carried out, but not less often than quarterly.

(d) COLLABORATIVE COUNCIL PROCEDURES.—

(1) QUORUM.—Three members of the Collaborative Council shall constitute a quorum.

(2) VOTING AND MEETING PROCEDURES.—The Collaborative Council shall establish procedures for voting and the conduct of meetings by the Council.

SEC. 106. DUTIES OF COLLABORATIVE COUNCIL.

(a) ESTUARY HABITAT RESTORATION STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Collaborative Council, in consultation with non-Federal participants, including nonprofit sectors, as appropriate, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to the selection and prioritization of estuary habitat restoration projects and the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(2) INTEGRATION OF PREVIOUSLY AUTHORIZED ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing the estuary habitat restoration strategy, the Collaborative Council shall—

(A) conduct a review of—

(i) Federal estuary management or habitat restoration plans; and

(ii) Federal programs established under other law that provide funding for estuary habitat restoration activities;

(B) develop a set of proposals for—

(i) using programs established under this Act or any other Act to maximize the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects; and

(ii) using Federal resources to encourage increased private sector involvement in estuary habitat restoration activities; and

(C) ensure that the estuary habitat restoration strategy is developed and will be implemented in a manner that is consistent with the findings and requirements of Federal estuary management or habitat restoration plans.

(3) ELEMENTS TO BE CONSIDERED.—Consistent with the requirements of this section, the Collaborative Council, in the development of the estuary habitat restoration strategy, shall consider—

(A) the contributions of estuary habitat to—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed;

(ii) fish and shellfish, including commercial and sport fisheries;

(iii) surface and ground water quality and quantity, and flood control;

(iv) outdoor recreation; and

(v) other areas of concern that the Collaborative Council determines to be appropriate for consideration;

(B) the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat; and

(C) the most appropriate method for selecting a balance of smaller and larger estuary habitat restoration projects.

(4) ADVICE.—The Collaborative Council shall seek advice in restoration of estuary habitat from experts in the private and nonprofit sectors to assist in the development of an estuary habitat restoration strategy.

(5) PUBLIC REVIEW AND COMMENT.—Before adopting a final estuary habitat restoration strategy, the Collaborative Council shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(b) PROJECT APPLICATIONS.—

(1) IN GENERAL.—An application for an estuary habitat restoration project shall originate from a non-Federal organization and shall require, when appropriate, the approval of State or local agencies.

(2) FACTORS TO BE TAKEN INTO ACCOUNT.—In determining the eligibility of an estuary habitat restoration project for financial assistance under this title, the Collaborative Council shall consider the following:

(A) Whether the proposed estuary habitat restoration project meets the criteria specified in the estuary habitat restoration strategy.

(B) The technical merit and feasibility of the proposed estuary habitat restoration project.

(C) Whether the non-Federal persons proposing the estuary habitat restoration project provide satisfactory assurances that they will have adequate personnel, funding, and authority to carry out and properly maintain the estuary habitat restoration project.

(D) Whether, in the State in which a proposed estuary habitat restoration project is to be carried out, there is a State dedicated source of funding for programs to acquire or restore estuary habitat, natural areas, and open spaces.

(E) Whether the proposed estuary habitat restoration project will encourage the increased coordination and cooperation of Federal, State, and local government agencies.

(F) The amount of private funds or in-kind contributions for the estuary habitat restoration project.

(G) Whether the proposed habitat restoration project includes a monitoring plan to ensure that short-term and long-term restoration goals are achieved.

(H) Other factors that the Collaborative Council determines to be reasonable and necessary for consideration.

(3) PRIORITY ESTUARY HABITAT RESTORATION PROJECTS.—An estuary habitat restoration project shall be given a higher priority in receipt of funding under this title if, in addition to meeting the selection criteria specified in this section—

(A) the estuary habitat restoration project is part of an approved Federal estuary management or habitat restoration plan;

(B) the non-Federal share with respect to the estuary habitat restoration project exceeds 50 percent;

(C) there is a program within the watershed of the estuary habitat restoration project that addresses sources of water pollution that would otherwise re-impair the restored habitat; or

(D) the estuary habitat restoration project includes—

(i) pilot testing; or

(ii) a demonstration of an innovative technology having potential for improved cost-effectiveness in restoring—

(I) the estuary that is the subject of the project; or

(II) any other estuary.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy developed under subsection (a), the Collaborative Council may pay the Federal share of the cost of an interim action to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share shall not exceed 25 percent.

(d) COOPERATION OF NON-FEDERAL PARTNERS.—

(1) IN GENERAL.—The Collaborative Council shall not select an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which it agrees to provide the required non-Federal cooperation for the project.

(2) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project undertaken under this section, the Secretary may, after coordination with the official responsible for the political jurisdiction in which a project would occur, allow a nonprofit entity to serve as the non-Federal interest.

(3) MAINTENANCE AND MONITORING.—A cooperation agreement entered into under paragraph (1) shall provide for maintenance and monitoring of the estuary habitat restoration project to the extent determined necessary by the Collaborative Council.

(e) LEAD COLLABORATIVE COUNCIL MEMBER.—The Collaborative Council shall designate a lead Collaborative Council member for each proposed estuary habitat restoration project. The lead Collaborative Council member shall have primary responsibility for overseeing and assisting others in implementing the proposed project.

(f) AGENCY CONSULTATION AND COORDINATION.—In carrying out this section, the Collaborative Council shall, as the Collaborative Council determines it to be necessary, consult with, cooperate with, and coordinate its activities with the activities of other appropriate Federal agencies.

(g) BENEFITS AND COSTS OF ESTUARY HABITAT RESTORATION PROJECTS.—The Collaborative Council shall evaluate the benefits and costs of estuary habitat restoration projects in accordance with section 907 of the Water Resources Development Act of 1986 (33 U.S.C. 2284).

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of the Army for the administration and operation of the Collaborative Council $4,000,000 for each of fiscal years 2001 through 2005.

SEC. 107. COST SHARING OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) IN GENERAL.—No financial assistance in carrying out an estuary habitat restoration project shall be available under this title from any Federal agency unless the non-Federal applicant for assistance demonstrates that the estuary habitat restoration project meets—

(1) the requirements of this title; and

(2) any criteria established by the Collaborative Council under this title.

(b) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration and protection project assisted under this title shall be not more than 65 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project may be provided in the form of land, easements, rights-of-way, services, or any other form of in-kind contribution determined by the Collaborative Council to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the estuary habitat restoration project.

(d) ALLOCATION OF FUNDS BY STATES TO POLITICAL SUBDIVISIONS.—With the approval of the Secretary, a State may allocate to any local government, area-wide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3334), regional agency, or interstate agency, a portion of any funds disbursed in accordance with this title for the purpose of carrying out an estuary habitat restoration project.

(e) INNOVATIVE TECHNOLOGY COSTS.—The Federal share of the incremental additional cost of including in a project pilot testing or a demonstration of an innovative technology described in section 106(b)(3)(D) shall be 100 percent.

SEC. 108. MONITORING AND MAINTENANCE OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) DATABASE OF RESTORATION PROJECT INFORMATION.—The Under Secretary shall maintain an appropriate database of information concerning estuary habitat restoration projects funded under this title, including information on project techniques, project completion, monitoring data, and other relevant information.

(b) REPORT.—

(1) IN GENERAL.—The Collaborative Council shall biennially submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of activities carried out under this title.

(2) CONTENTS OF REPORT.—A report under paragraph (1) shall include—

(A) data on the number of acres of estuary habitat restored under this title, including the number of projects approved and completed that comprise those acres;

(B) the percentage of restored estuary habitat monitored under a plan to ensure that short-term and long-term restoration goals are achieved;

(C) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(D) a review of how the information described in subparagraphs (A) through (C) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(E) a review of efforts made to maintain an appropriate database of restoration projects funded under this title; and

(F) a review of the measures taken to provide the information described in subparagraphs (A) through (C) to persons with responsibility for assisting in the restoration of estuary habitat.

SEC. 109. COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.

In carrying out this title, the Collaborative Council may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other persons and entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

SEC. 110. DISTRIBUTION OF APPROPRIATIONS FOR ESTUARY HABITAT RESTORATION ACTIVITIES.

The Secretary shall allocate funds made available to carry out this title based on the need for the funds and such other factors as are determined to be appropriate to carry out this title.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER OTHER LAW.—Funds authorized to be appropriated under section 908 of the Water Resources Development Act of 1986 (33 U.S.C. 2285) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) may be used by the Secretary in accordance with this title to assist States and other non-Federal persons in carrying out estuary habitat restoration projects or interim actions under section 106(c).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out estuary habitat restoration activities—

(1) $40,000,000 for fiscal year 2001;

(2) $50,000,000 for fiscal year 2002; and

(3) $75,000,000 for each of fiscal years 2003 through 2005.

SEC. 112. NATIONAL ESTUARY PROGRAM.

(a) GRANTS FOR COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section

320(g)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)(2)) is amended by inserting ''and implementation'' after ''development''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 320(i) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)) is amended by striking ''1987'' and all that follows through ''1991'' and inserting the following: ''1987 through 1991, such sums as may be necessary for fiscal years 1992 through 2000, and $25,000,000 for each of fiscal years 2001 and 2002''.

SEC. 113. GENERAL PROVISIONS.

(a) ADDITIONAL AUTHORITY FOR ARMY CORPS OF ENGINEERS.—The Secretary—

(1) may carry out estuary habitat restoration projects in accordance with this title; and

(2) shall give estuary habitat restoration projects the same consideration as projects relating to irrigation, navigation, or flood control.

(b) INAPPLICABILITY OF CERTAIN LAW.—Sections 203, 204, and 205 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232, 2233) shall not apply to an estuary habitat restoration project selected in accordance with this title.

(c) ESTUARY HABITAT RESTORATION MISSION.—The Secretary shall establish restoration of estuary habitat as a primary mission of the Army Corps of Engineers.

(d) FEDERAL AGENCY FACILITIES AND PERSONNEL.—

(1) IN GENERAL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this title, and may provide facilities and personnel, for the purpose of assisting the Collaborative Council in carrying out its duties under this title.

(2) REIMBURSEMENT FROM COLLABORATIVE COUNCIL.—Federal agencies may accept reimbursement from the Collaborative Council for providing services, facilities, and personnel under paragraph (1).

(e) ADMINISTRATIVE EXPENSES AND STAFFING.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Secretary an analysis of the extent to which the Collaborative Council needs additional personnel and administrative resources to fully carry out its duties under this title. The analysis shall include recommendations regarding necessary additional funding.

TITLE II—CHESAPEAKE BAY RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Chesapeake Bay Restoration Act of 2000''.

SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Chesapeake Bay is a national treasure and a resource of worldwide significance;

(2) over many years, the productivity and water quality of the Chesapeake Bay and its watershed were diminished by pollution, excessive sedimentation, shoreline erosion, the impacts of population growth and development in the Chesapeake Bay watershed, and other factors;

(3) the Federal Government (acting through the Administrator of the Environmental Protection Agency), the Governor of the State of Maryland, the Governor of the Commonwealth of Virginia, the Governor of the Commonwealth of Pennsylvania, the Chairperson of the Chesapeake Bay Commission, and the Mayor of the District of Columbia, as Chesapeake Bay Agreement signatories, have committed to a comprehensive cooperative program to achieve improved water quality and improvements in the productivity of living resources of the Bay;

(4) the cooperative program described in paragraph (3) serves as a national and international model for the management of estuaries; and

(5) there is a need to expand Federal support for monitoring, management, and restoration activities in the Chesapeake Bay and the tributaries of the Bay in order to meet and further the original and subsequent goals and commitments of the Chesapeake Bay Program.

(b) PURPOSES.—The purposes of this title are—

(1) to expand and strengthen cooperative efforts to restore and protect the Chesapeake Bay; and

(2) to achieve the goals established in the Chesapeake Bay Agreement.

SEC. 203. CHESAPEAKE BAY RESTORATION.

The Federal Water Pollution Control Act is amended by striking section 117 (33 U.S.C. 1267) and inserting the following:

''SEC. 117. CHESAPEAKE BAY.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE COST.—The term 'administrative cost' means the cost of salaries and fringe benefits incurred in administering a grant under this section.

''(2) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

''(3) CHESAPEAKE BAY ECOSYSTEM.—The term 'Chesapeake Bay ecosystem' means the ecosystem of the Chesapeake Bay and its watershed.

''(4) CHESAPEAKE BAY PROGRAM.—The term 'Chesapeake Bay Program' means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

''(5) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the signatories to the Chesapeake Bay Agreement.

''(6) SIGNATORY JURISDICTION.—The term 'signatory jurisdiction' means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

''(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

''(2) PROGRAM OFFICE.—

''(A) IN GENERAL.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

''(B) FUNCTION.—The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

''(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

''(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

''(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

''(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

''(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

''(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

''(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

''(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

''(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

''(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

''(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

''(4) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(e) IMPLEMENTATION AND MONITORING GRANTS.—

''(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

''(A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate; and

''(B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

''(2) PROPOSALS.—

''(A) IN GENERAL.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement.

''(B) CONTENTS.—A proposal under subparagraph (A) shall include—

''(i) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and its watershed or meeting applicable water quality standards or established goals and objectives under the Chesapeake Bay Agreement; and

''(ii) the estimated cost of the actions proposed to be taken during the fiscal year.

''(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the

Chesapeake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for a grant award.

''(4) FEDERAL SHARE.—The Federal share of an implementation grant under this subsection shall not exceed 50 percent of the cost of implementing the management mechanisms during the fiscal year.

''(5) NON-FEDERAL SHARE.—An implementation grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

''(6) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(7) REPORTING.—On or before October 1 of each fiscal year, the Administrator shall make available to the public a document that lists and describes, in the greatest practicable degree of detail—

''(A) all projects and activities funded for the fiscal year;

''(B) the goals and objectives of projects funded for the previous fiscal year; and

''(C) the net benefits of projects funded for previous fiscal years.

''(f) FEDERAL FACILITIES AND BUDGET COORDINATION.—

''(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

''(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement, the Federal Agencies Chesapeake Ecosystem Unified Plan, and any subsequent agreements and plans.

''(3) BUDGET COORDINATION.—

''(A) IN GENERAL.—As part of the annual budget submission of each Federal agency with projects or grants related to restoration, planning, monitoring, or scientific investigation of the Chesapeake Bay ecosystem, the head of the agency shall submit to the President a report that describes plans for the expenditure of the funds under this section.

''(B) DISCLOSURE TO THE COUNCIL.—The head of each agency referred to in subparagraph (A) shall disclose the report under that subparagraph with the Chesapeake Executive Council as appropriate.

''(g) CHESAPEAKE BAY PROGRAM.—

''(1) MANAGEMENT STRATEGIES.—The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain—

''(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;

''(B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem;

''(C) the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the Chesapeake Bay ecosystem or on human health;

''(D) habitat restoration, protection, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, riparian forests, and other types of habitat associated with the Chesapeake Bay ecosystem; and

''(E) the restoration, protection, and enhancement goals established by the Chesapeake Bay Agreement signatories for living resources associated with the Chesapeake Bay ecosystem.

''(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in cooperation with the Chesapeake Executive Council, shall—

''(A) establish a small watershed grants program as part of the Chesapeake Bay Program; and

''(B) offer technical assistance and assistance grants under subsection (d) to local governments and nonprofit organizations and individuals in the Chesapeake Bay region to implement—

''(i) cooperative tributary basin strategies that address the water quality and living resource needs in the Chesapeake Bay ecosystem; and

''(ii) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies.

''(h) STUDY OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—Not later than April 22, 2001, and every 5 years thereafter, the Administrator, in coordination with the Chesapeake Executive Council, shall complete a study and submit to Congress a comprehensive report on the results of the study.

''(2) REQUIREMENTS.—The study and report shall—

''(A) assess the state of the Chesapeake Bay ecosystem;

''(B) assess the appropriateness of commitments and goals of the Chesapeake Bay Program and the management strategies established under the Chesapeake Bay Agreement for improving the state of the Chesapeake Bay ecosystem;

''(C) assess the effectiveness of management strategies being implemented on the date of enactment of this subsection and the extent to which the priority needs are being met;

''(D) make recommendations for the improved management of the Chesapeake Bay Program either by strengthening strategies being implemented on the date of enactment of this subsection or by adopting new strategies; and

''(E) be presented in such a format as to be readily transferable to and usable by other watershed restoration programs.

''(i) SPECIAL STUDY OF LIVING RESOURCE RESPONSE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall commence a 5-year special study with full participation of the scientific community of the Chesapeake Bay to establish and expand understanding of the response of the living resources of the Chesapeake Bay ecosystem to improvements in water quality that have resulted from investments made through the Chesapeake Bay Program.

''(2) REQUIREMENTS.—The study shall—

''(A) determine the current status and trends of living resources, including grasses, benthos, phytoplankton, zooplankton, fish, and shellfish;

''(B) establish to the extent practicable the rates of recovery of the living resources in response to improved water quality condition;

''(C) evaluate and assess interactions of species, with particular attention to the impact of changes within and among trophic levels; and

''(D) recommend management actions to optimize the return of a healthy and balanced ecosystem in response to improvements in the quality and character of the waters of the Chesapeake Bay.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2001 through 2006.''.

TITLE III—LONG ISLAND SOUND

SEC. 301. REAUTHORIZATION.

Section 119(e) of the Federal Water Pollution Control Act (33 U.S.C. 1269(e)) is amended—

(1) in paragraph (1), by striking ''1991 through 2001'' and inserting ''2001 through 2006''; and

(2) in paragraph (2), by striking ''not to exceed $3,000,000 for each of the fiscal years 1991 through 2001'' and inserting ''not to exceed $10,000,000 for each of fiscal years 2001 through 2006''.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, April 5, 2000, in Room SR–301 Russell Senate Office Building, to receive testimony on political parties in America.

For further information concerning this meeting, please contact Hunter Bates at the Rules Committee on 4–6352.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Thursday, April 6, 2000, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to examine the energy potential of the 1002 area of the Arctic Coastal Plain; the role this energy could play in National security; the role this energy could play in reducing U.S. dependence on imported oil; and the legislative provisions of S. 2214.

Those who wish to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. Presentation of oral testimony is by Committee invitation only. For further information, please contact Jo Meuse or Brian Malnak at (202) 224–6730.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Wednesday, April 12, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to examine federal actions affecting hydropower operations on the Columbia River system.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224–8115.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Tuesday, April 25, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on S. 2239, a bill ''To authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado River and San Juan River basins.''

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224–8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday March 30, at 9:30 a.m. to conduct a hearing. The committee will receive testimony on S. 882, a bill to strengthen provisions in the Energy Policy Act of 1992; and S. 1776, a bill to amend the Energy Policy Act of 1992 to revise the energy policy of the United States in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, and for other purposes.

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

COMMITTEE ON FINANCE

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, March 30, 2000, for an Open Executive Session to mark up and report out an original bill regarding Marriage Tax Penalty Relief.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 30, 2000 at 9:30 am and 2:00 pm to hold a hearing and a roundtable discussion.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday, March 30, 2000 at 10:00 a.m. for a nominations hearing to consider the nominations of Alan Kessler to be a Governor on the United States Postal Service and Carol Waller Pope to be a Member of the Federal Labor Relations Authority.

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

COMMITTEE ON THE JUDICIARY

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 30, 2000, at 10:00 a.m., in SD226.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, March 30, 2000, at 9:30 a.m., to conduct an oversight hearing on the operations of the Architect of the Capitol.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. GRAMM. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 30, 2000 at 2:00 p.m., to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON CONSTITUTION, FEDERALISM AND PROPERTY RIGHTS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, Federalism and Property Rights be authorized to meet to conduct a hearing on Thursday, March 30, 2000 at 2:00 p.m., in SD226.

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

SUBCOMMITTEE ON FOREST AND PUBLIC LANDS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, March 30 at 2:30 p.m., to conduct an oversight hearing. The subcommittee will receive testimony on the Administration's effort to review approximately 40 million acres of national forest lands for increased production.

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

SUBCOMMITTEE ON SUPERFUND, WASTE CONTROL, AND RISK ASSESSMENT

Mr. GRAMM. Mr. President I ask unanimous consent that the Subcommittee on Superfund, Waste Control, and Risk Assessment be authorized to meet during the session of the Senate on Thursday, March 30, 10:30 a.m., to conduct a hearing to receive testimony regarding the Administration's FY 2001 budget for programs within EPA's Office of Solid Waste and Emergency Response.

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

PRIVILEGE OF THE FLOOR

Mr. JOHNSON. Mr. President, I ask unanimous consent that a fellow of Senator BAUCUS, Deb Jackson, be extended floor privileges for the remainder of the day.

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

ESTUARY HABITAT RESTORATION PARTNERSHIP ACT OF 1999

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 323, S. 835.

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes, which had been reported from the Committee on Environment and Public Works, with an amendment, as follows:

(The part of the bill intended to be inserted is shown in italic.)

S. 835

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 ''Estuary Habitat Restoration Partnership Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) estuaries provide some of the most ecologically and economically productive habitat for an extensive variety of plants, fish, wildlife, and waterfowl;

(2) the estuaries and coastal regions of the United States are home to one-half the population of the United States and provide essential habitat for 75 percent of the Nation's commercial fish catch and 80 to 90 percent of its recreational fish catch;

(3) estuaries are gravely threatened by habitat alteration and loss from pollution, development, and overuse;

(4) successful restoration of estuaries demands the coordination of Federal, State,

and local estuary habitat restoration programs; and

(5) the Federal, State, local, and private cooperation in estuary habitat restoration activities in existence on the date of enactment of this Act should be strengthened and new public and public-private estuary habitat restoration partnerships established.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to establish a voluntary program to restore 1,000,000 acres of estuary habitat by 2010;

(2) to ensure coordination of Federal, State, and community estuary habitat restoration programs, plans, and studies;

(3) to establish effective estuary habitat restoration partnerships among public agencies at all levels of government and between the public and private sectors;

(4) to promote efficient financing of estuary habitat restoration activities; and

(5) to develop and enhance monitoring and research capabilities to ensure that restoration efforts are based on sound scientific understanding.

SEC. 4. DEFINITIONS.

In this Act:

(1) COLLABORATIVE COUNCIL.—The term ''Collaborative Council'' means the interagency council established by section 5.

(2) DEGRADED ESTUARY HABITAT.—The term ''degraded estuary habitat'' means estuary habitat where natural ecological functions have been impaired and normal beneficial uses have been reduced.

(3) ESTUARY.—The term ''estuary'' means—

(A) a body of water in which fresh water from a river or stream meets and mixes with salt water from the ocean, *including the area located in the Great Lakes Biogeographic Region and designated as a National Estuarine Research Reserve under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) as of the date of enactment of this Act*; and

(B) the physical, biological, and chemical elements associated with such a body of water.

(4) ESTUARY HABITAT.—

(A) IN GENERAL.—The term ''estuary habitat'' means the complex of physical and hydrologic features and living organisms within estuaries and associated ecosystems.

(B) INCLUSIONS.—The term ''estuary habitat'' includes salt and fresh water coastal marshes, coastal forested wetlands and other coastal wetlands, maritime forests, coastal grasslands, tidal flats, natural shoreline areas, shellfish beds, sea grass meadows, kelp beds, river deltas, and river and stream banks under tidal influence.

(5) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term ''estuary habitat restoration activity'' means an activity that results in improving degraded estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' includes—

(i) the reestablishment of physical features and biological and hydrologic functions;

(ii) except as provided in subparagraph (C)(ii), the cleanup of contamination related to the restoration of estuary habitat;

(iii) the control of non-native and invasive species;

(iv) the reintroduction of native species through planting or natural succession; and

(v) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' does not include—

(i) an act that constitutes mitigation for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) an act that constitutes restitution for natural resource damages required under any Federal or State law.

(6) ESTUARY HABITAT RESTORATION PROJECT.—The term ''estuary habitat restoration project'' means an estuary habitat restoration activity under consideration or selected by the Collaborative Council, in accordance with this Act, to receive financial, technical, or another form of assistance.

(7) ESTUARY HABITAT RESTORATION STRATEGY.—The term ''estuary habitat restoration strategy'' means the estuary habitat restoration strategy developed under section 6(a).

(8) FEDERAL ESTUARY MANAGEMENT OR HABITAT RESTORATION PLAN.—The term ''Federal estuary management or habitat restoration plan'' means any Federal plan for restoration of degraded estuary habitat that—

(A) was developed by a public body with the substantial participation of appropriate public and private stakeholders; and

(B) reflects a community-based planning process.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, or a designee.

(10) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere of the Department of Commerce, or a designee.

SEC. 5. ESTABLISHMENT OF COLLABORATIVE COUNCIL.

(a) COLLABORATIVE COUNCIL.—There is established an interagency council to be known as the ''Estuary Habitat Restoration Collaborative Council''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Collaborative Council shall be composed of the Secretary, the Under Secretary, the Administrator of the Environmental Protection Agency, and the Secretary of the Interior (acting through the Director of the United States Fish and Wildlife Service), or their designees.

(2) CHAIRPERSON; LEAD AGENCY.—The Secretary, or designee, shall chair the Collaborative Council, and the Department of the Army shall serve as the lead agency.

(c) CONVENING OF COLLABORATIVE COUNCIL.—The Secretary shall—

(1) convene the first meeting of the Collaborative Council not later than 30 days after the date of enactment of this Act; and

(2) convene additional meetings as often as appropriate to ensure that this Act is fully carried out, but not less often than quarterly.

(d) COLLABORATIVE COUNCIL PROCEDURES.—

(1) QUORUM.—Three members of the Collaborative Council shall constitute a quorum.

(2) VOTING AND MEETING PROCEDURES.—The Collaborative Council shall establish procedures for voting and the conduct of meetings by the Council.

SEC. 6. DUTIES OF COLLABORATIVE COUNCIL.

(a) ESTUARY HABITAT RESTORATION STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Collaborative Council, in consultation with non-Federal participants, including nonprofit sectors, as appropriate, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to the selection and prioritization of estuary habitat restoration projects and the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(2) INTEGRATION OF PREVIOUSLY AUTHORIZED ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing the estuary habitat restoration strategy, the Collaborative Council shall—

(A) conduct a review of—

(i) Federal estuary management or habitat restoration plans; and

(ii) Federal programs established under other law that provide funding for estuary habitat restoration activities;

(B) develop a set of proposals for—

(i) using programs established under this or any other Act to maximize the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects; and

(ii) using Federal resources to encourage increased private sector involvement in estuary habitat restoration activities; and

(C) ensure that the estuary habitat restoration strategy is developed and will be implemented in a manner that is consistent with the findings and requirements of Federal estuary management or habitat restoration plans.

(3) ELEMENTS TO BE CONSIDERED.—Consistent with the requirements of this section, the Collaborative Council, in the development of the estuary habitat restoration strategy, shall consider—

(A) the contributions of estuary habitat to—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed;

(ii) fish and shellfish, including commercial and sport fisheries;

(iii) surface and ground water quality and quantity, and flood control;

(iv) outdoor recreation; and

(v) other areas of concern that the Collaborative Council determines to be appropriate for consideration;

(B) the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat; and

(C) the most appropriate method for selecting a balance of smaller and larger estuary habitat restoration projects.

(4) ADVICE.—The Collaborative Council shall seek advice in restoration of estuary habitat from experts in the private and nonprofit sectors to assist in the development of an estuary habitat restoration strategy.

(5) PUBLIC REVIEW AND COMMENT.—Before adopting a final estuary habitat restoration strategy, the Collaborative Council shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(b) PROJECT APPLICATIONS.—

(1) IN GENERAL.—An application for an estuary habitat restoration project shall originate from a non-Federal organization and shall require, when appropriate, the approval of State or local agencies.

(2) FACTORS TO BE TAKEN INTO ACCOUNT.—In determining the eligibility of an estuary habitat restoration project for financial assistance under this Act, the Collaborative Council shall consider the following:

(A) Whether the proposed estuary habitat restoration project meets the criteria specified in the estuary habitat restoration strategy.

(B) The technical merit and feasibility of the proposed estuary habitat restoration project.

(C) Whether the non-Federal persons proposing the estuary habitat restoration project provide satisfactory assurances that they will have adequate personnel, funding, and authority to carry out and properly maintain the estuary habitat restoration project.

(D) Whether, in the State in which a proposed estuary habitat restoration project is to be carried out, there is a State dedicated source of funding for programs to acquire or

restore estuary habitat, natural areas, and open spaces.

(E) Whether the proposed estuary habitat restoration project will encourage the increased coordination and cooperation of Federal, State, and local government agencies.

(F) The amount of private funds or in-kind contributions for the estuary habitat restoration project.

(G) Whether the proposed habitat restoration project includes a monitoring plan to ensure that short-term and long-term restoration goals are achieved.

(H) Other factors that the Collaborative Council determines to be reasonable and necessary for consideration.

(3) PRIORITY ESTUARY HABITAT RESTORATION PROJECTS.—An estuary habitat restoration project shall be given a higher priority in receipt of funding under this Act if, in addition to meeting the selection criteria specified in this section—

(A) the estuary habitat restoration project is part of an approved Federal estuary management or habitat restoration plan;

(B) the non-Federal share with respect to the estuary habitat restoration project exceeds 50 percent; or

(C) there is a program within the watershed of the estuary habitat restoration project that addresses sources of water pollution that would otherwise re-impair the restored habitat.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy developed under subsection (a), the Collaborative Council may pay the Federal share of the cost of an interim action to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share shall not exceed 25 percent.

(d) COOPERATION OF NON-FEDERAL PARTNERS.—

(1) IN GENERAL.—The Collaborative Council shall not select an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which it agrees to provide the required non-Federal cooperation for the project.

(2) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, the Secretary may, after coordination with the official responsible for the political jurisdiction in which a project would occur, allow a nonprofit entity to serve as the non-Federal interest.

(3) MAINTENANCE AND MONITORING.—A cooperation agreement entered into under paragraph (1) shall provide for maintenance and monitoring of the estuary habitat restoration project to the extent determined necessary by the Collaborative Council.

(e) LEAD COLLABORATIVE COUNCIL MEMBER.—The Collaborative Council shall designate a lead Collaborative Council member for each proposed estuary habitat restoration project. The lead Collaborative Council member shall have primary responsibility for overseeing and assisting others in implementing the proposed project.

(f) AGENCY CONSULTATION AND COORDINATION.—In carrying out this section, the Collaborative Council shall, as the Collaborative Council determines it to be necessary, consult with, cooperate with, and coordinate its activities with the activities of other appropriate Federal agencies.

(g) BENEFITS AND COSTS OF ESTUARY HABITAT RESTORATION PROJECTS.—The Collaborative Council shall evaluate the benefits and costs of estuary habitat restoration projects in accordance with section 907 of the Water Resources Development Act of 1986 (33 U.S.C. 2284).

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of the Army for the administration and operation of the Collaborative Council $4,000,000 for each of fiscal years 2000 through 2004.

SEC. 7. COST SHARING OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) IN GENERAL.—No financial assistance in carrying out an estuary habitat restoration project shall be available under this Act from any Federal agency unless the non-Federal applicant for assistance demonstrates that the estuary habitat restoration project meets—

(1) the requirements of this Act; and

(2) any criteria established by the Collaborative Council under this Act.

(b) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration and protection project assisted under this Act shall be not more than 65 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project may be provided in the form of land, easements, rights-of-way, services, or any other form of in-kind contribution determined by the Collaborative Council to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the estuary habitat restoration project.

(d) ALLOCATION OF FUNDS BY STATES TO POLITICAL SUBDIVISIONS.—With the approval of the Secretary, a State may allocate to any local government, area-wide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3334), regional agency, or interstate agency, a portion of any funds disbursed in accordance with this Act for the purpose of carrying out an estuary habitat restoration project.

SEC. 8. MONITORING AND MAINTENANCE OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) DATABASE OF RESTORATION PROJECT INFORMATION.—The Under Secretary shall maintain an appropriate database of information concerning estuary habitat restoration projects funded under this Act, including information on project techniques, project completion, monitoring data, and other relevant information.

(b) REPORT.—

(1) IN GENERAL.—The Collaborative Council shall biennially submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of activities carried out under this Act.

(2) CONTENTS OF REPORT.—A report under paragraph (1) shall include—

(A) data on the number of acres of estuary habitat restored under this Act, including the number of projects approved and completed that comprise those acres;

(B) the percentage of restored estuary habitat monitored under a plan to ensure that short-term and long-term restoration goals are achieved;

(C) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(D) a review of how the information described in subparagraphs (A) through (C) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(E) a review of efforts made to maintain an appropriate database of restoration projects funded under this Act; and

(F) a review of the measures taken to provide the information described in subparagraphs (A) through (C) to persons with responsibility for assisting in the restoration of estuary habitat.

SEC. 9. COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.

In carrying out this Act, the Collaborative Council may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other persons and entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

SEC. 10. DISTRIBUTION OF APPROPRIATIONS FOR ESTUARY HABITAT RESTORATION ACTIVITIES.

The Secretary shall allocate funds made available to carry out this Act based on the need for the funds and such other factors as are determined to be appropriate to carry out this Act.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER OTHER LAW.—Funds authorized to be appropriated under section 908 of the Water Resources Development Act of 1986 (33 U.S.C. 2285) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) may be used by the Secretary in accordance with this Act to assist States and other non-Federal persons in carrying out estuary habitat restoration projects or interim actions under section 6(c).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out estuary habitat restoration activities—

(1) $40,000,000 for fiscal year 2000;

(2) $50,000,000 for fiscal year 2001; and

(3) $75,000,000 for each of fiscal years 2002 through 2004.

SEC. 12. NATIONAL ESTUARY PROGRAM.

(a) GRANTS FOR COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 320(g)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)(2)) is amended by inserting ''and implementation'' after ''development''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 320(i) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)) is amended by striking ''1987'' and all that follows through ''1991'' and inserting the following: ''1987 through 1991, such sums as may be necessary for fiscal years 1992 through 1999, and $25,000,000 for each of fiscal years 2000 and 2001''.

SEC. 13. GENERAL PROVISIONS.

(a) ADDITIONAL AUTHORITY FOR ARMY CORPS OF ENGINEERS.—The Secretary—

(1) may carry out estuary habitat restoration projects in accordance with this Act; and

(2) shall give estuary habitat restoration projects the same consideration as projects relating to irrigation, navigation, or flood control.

(b) INAPPLICABILITY OF CERTAIN LAW.—Sections 203, 204, and 205 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232, 2233) shall not apply to an estuary habitat restoration project selected in accordance with this Act.

(c) ESTUARY HABITAT RESTORATION MISSION.—The Secretary shall establish restoration of estuary habitat as a primary mission of the Army Corps of Engineers.

(d) FEDERAL AGENCY FACILITIES AND PERSONNEL.—

(1) IN GENERAL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this Act, and may provide facilities and personnel, for the purpose of assisting the Collaborative Council in carrying out its duties under this Act.

(2) REIMBURSEMENT FROM COLLABORATIVE COUNCIL.—Federal agencies may accept reimbursement from the Collaborative Council for providing services, facilities, and personnel under paragraph (1).

(e) ADMINISTRATIVE EXPENSES AND STAFFING.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Secretary an analysis of the extent to which the Collaborative Council needs additional personnel and administrative resources to fully carry out its duties under this Act. The analysis shall include recommendations regarding necessary additional funding.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the committee amendment be withdrawn.

The PRESIDING OFFICER. Without objection, the committee amendment is withdrawn.

AMENDMENT NO. 2904

(Purpose: In the nature of a substitute)

Mr. SMITH of New Hampshire. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire (Mr. SMITH) proposes an amendment numbered 2904.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that 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.'')

Mr. SMITH of New Hampshire. Mr. President, I am very pleased that the Senate is taking up today an important piece of legislation that will enhance our ability to protect the Nation's most valuable shoreline habitats. This bill, S. 835, the Estuary Habitat Restoration Partnership Act, is a great tribute, I think, to not only our leadership in the Senate but also to our late colleague, Senator John Chafee. I urge my colleagues to support this bill and move it forward quickly, to get it into law.

S. 835 is an example of environmental policy based on partnership and cooperation—not on this top-down mandate, overburdensome Federal regulation, but a partnership and a cooperative effort. It shows you, when you have a partnership and have a cooperative effort and don't try to impose regulations, what you can do. This bill is a good example of that. It promotes working together in a partnership situation with the States, with local programs, and with the private sector.

This bill will make it possible to restore 1 million acres of habitat with almost no cost to the taxpayer. Environmental success is what this is, and it is the kind of environmental success that I am very proud to support. This bill is yet one more of the many legacies of our friend and late colleague, Senator John Chafee of Rhode Island. He was the principal sponsor and a longtime champion of the estuary system in this country.

Last October, under his chairmanship, the Committee on Environment and Public Works reported out S. 835 by a voice vote. For the past 5 months, his son, Senator LINCOLN CHAFEE, has carried forward the effort in the Senate and helped me immensely to get where we are today with this legislation. I am grateful for his leadership. I know it was a special matter for him to lead on this issue and on this bill because of what his father had done on its behalf. So I am pleased to be a part of this effort, pleased as the chairman of the Environment and Public Works Committee to bring this matter to the Senate for final passage.

To understand how important this act is for protecting the environment, one has to understand what estuaries are and how valuable they are to our society.

An estuary is a bay, a gulf, a sound, or an inlet where fresh water from rivers and streams meet and mixes with saltwater from the ocean, or put simply, it is where the river meets the sea.

Examples of estuaries are coastal marshes, coastal wetlands, maritime forests, sea grass, meadows, and river deltas.

Estuaries represent some of the most environmentally and economically productive habitats in the entire world.

Estuaries are critical for wildlife. Approximately 50 percent of the Nation's migratory songbirds are linked to coastal estuary habitat, while near 30 percent of North American waterfowl rely upon coastal estuary habitat for wintering grounds. Threatened and endangered species depend upon estuaries for their survival.

Estuaries also play a major role in commercial and recreational fishing as well. Approximately 70 percent of the commercial fish catch, and 80 to 90 percent of recreational fish catch, depend in some way on estuaries. Obviously these fish swim up into those estuaries and spawn, and those small fish work their way back into the oceans.

You may not realize it, but estuaries also contribute significantly to the quality of life that many of us enjoy as Americans. Over one-half of the entire population of the United States lives near a coastal area.

Traditionally, a great majority of Americans visit estuaries every year to swim, to fish, to hunt, to dive, to bike, to learn, or just to view the beauty of the marshes and the wildlife.

For many States, this tourism provides enormous economic benefit, and it does in New Hampshire, as well as almost every State in the Union.

In fact, the coastal recreation and tourism industry is the second largest employer in the Nation serving 180 million Americans each year.

These many attributes of estuaries are especially important to me because of the rich coastline of New Hampshire. We only have 18 or 19 miles of it, but it is rich. New Hampshire estuaries contribute to dynamic habitat, and they contribute to the beauty of the State as well as the economy. Recreational shell fishing alone in New Hampshire contributes an estimated $3 million annually to the State and local economy. New Hampshire is in the forefront of the national effort to identify and protect sensitive estuary habitats.

The New Hampshire Great Bay, Little Bay and Hampton Harbor, and their tributary rivers joined the National Estuary Program in July 1995 as part of the New Hampshire Estuaries Project.

The Great Bay estuary has a rich cultural history. Its beauty and resources attracted the Paleo Indians in the area nearly 6,000 years ago. It was also the site of a popular summer resort during the 1800s, as well as a shipyard.

As a Senator from New Hampshire, I am proud to be involved in this historical and ecological resource, and to preserve it for future generations.

What we do in environmental matters we should do not for the next election, and not for somebody's business bottom line, but for the next generation—for the generations of our grandchildren and their generations to come.

That is why we make these decisions to preserve these estuaries so that 1,000 years from now our descendents can say: We can see an estuary because those guys stood up when it counted and they saved them for us.

That is a great legacy.

Unfortunately, though, many of the estuaries around the United States, including those in New Hampshire, have been harmed by excessive urbanization of surrounding areas. According to the EPA's National Water Quality Inventory, 38 percent of the surveyed estuary habitat is impaired. S. 835 is a tremendous step to establishing a much needed restoration program.

What does S. 835 do? It does not duplicate any existing efforts, but instead it builds upon current restoration projects by establishing a community-driven, incentive-based program while expanding EPA's ability to provide grants for conservation management plans.

It has a national strategy because a national strategy is vital in order to coordinate current and future restoration efforts among both Federal, State, and local programs. Sometimes estuaries have no State borders. They move across the borders of States and towns.

We have a collaborative council to accomplish this goal. S. 835 establishes this council. It is chaired by the Secretary of the Army with the participation of the Under Secretary for Oceans and Atmosphere, the Department of Commerce, the Administrator of EPA, and the Secretary of Interior.

It will be authorized to distribute $315 million over 5 years to community groups to implement restoration projects.

It establishes criteria to select projects; for example, quantity and quality of the habitat to be restored; criteria to minimize the Federal share; criteria to address sources of pollution that would otherwise again impair the

restored habitat; and, criteria that fosters the development of cost-effective and innovative technologies.

This bill encourages local communities and the private sector to develop partnerships to implement restoration activities. Decisions of how to restore these estuaries are made by the local communities.

Another key feature of the bill is that it ensures accountability through ongoing monitoring and evaluation. NOAA maintains a database of restoration projects. Information and lessons learned from one project can be incorporated into other restoration projects.

The council will publish the biannual report to Congress detailing the progress made under the act. It allows Congress and the public to know about the successes and failures of the projects and strategies under this section.

S. 835 includes important provisions dealing with the National Estuaries Program, the Chesapeake Bay Region Program, and the Long Island Sound.

I know that these provisions have been of particular importance to Senators WARNER and LIEBERMAN, and no doubt they will be addressing the importance of these programs on the floor very soon.

However, I want to acknowledge the important role that the National Estuaries Program has played in raising national awareness on the value of these habitats.

The National Estuaries Program, established in 1988, demonstrates what we can accomplish when the Federal Government, the State government, and the local government work together in partnership without all of the friction and without all the confrontation.

Participation in the program is voluntary, and it emphasizes watershed planning and community involvement.

I have met with so many people at the local and State level on so many of these environmental projects who are knowledgeable, smart, and well-educated people who know these issues very well. They don't need to be dictated to by the Federal Government.

To date, 28 conservation plans under this program have been prepared for designated estuaries. I am pleased that New Hampshire is in the process of developing its own conservation plan.

Unfortunately, though, the program does not have sufficient resources to adequately address all habitat restoration. Until now, in fact, only the development of a plan could be funded—not their implementation. S. 835 will change that.

This bill will increase the authorization for the program from $12 million to $25 million annually for 2001 and 2002.

Let me close by saying that there is overwhelmingly bipartisan support for this bill. It represents an approach to environmental policy that should be the basis for solving environmental problems by dealing with these issues through cooperation, not confrontation. And that is what this bill is all about.

Decisions that affect local communities are to be made by local communities. They use taxpayer dollars wisely and effectively.

This bill represents the sixth report by the Environment and Public Works Committee since I became its chairman just a few months ago.

I include also the reauthorization of the National Fish and Wildlife Foundation Establishment Act, and a wetlands bill in Louisiana.

It is only the sixth in what I hope will be a long line of good, solid, strong, bipartisan environmental bills.

We all breathe the same air. We all like to drink clean water. We all like to walk the land and to have that land be clean and to enjoy the wildlife.

I have never been able to figure out why Democrats perhaps would like to do that more than Republicans, or vice versa. This is nonpartisan. This is bipartisan.

This is good legislation, and many of these initiatives were very important to our beloved former colleague, John Chafee.

I thank Senator BAUCUS and my other committee colleagues, as well as Senators LOTT and DASCHLE, for helping us to continue the tradition of bipartisan action on environmental matters. That is so much a part of the legacy of John Chafee.

I urge my colleagues to support its passage.

Mr. L. CHAFEE. Mr. President, I rise today in support of S. 835, the Estuary Habitat Restoration Partnership Act. Senator John H. Chafee was the sponsor of this bill; indeed, it was one of his top environmental priorities this Congress. Like the many supporters of this bill, I believe this legislation is needed to turn the tide and start restoring the valuable estuarine habitats that are literally disappearing along our Nation's coasts. I hope all of my colleagues in the House and Senate will join me in working towards its timely enactment.

I would like to briefly discuss the importance of estuaries to the hundreds of different animals that live in or near these waterbodies. Estuaries are defined as waterbodies where the river's current meets the sea's tide. These waterbodies are truly unique areas where life thrives. The food chain begins in estuaries, and many of them produce more harvestable human food per acre than the best Mid-western farmland. An astonishing variety of life, including animals as diverse as lobsters, whooping cranes, manatees, salmon, otters, bald eagles, and sea turtles all depend on estuaries for their survival. The San Francisco Bay area alone is home to approximately 255 bird species, 81 mammal species, 30 reptile species and 14 amphibian species. And we cannot forget the importance of estuaries to the human species. As you look around the country—some of our most beloved cities: Boston, New Orleans, San Francisco, New York, Seattle—are located alongside estuaries.

While some may disagree, I would have to strongly argue that the most precious estuary is Narragansett Bay, located in my home State of Rhode Island. Rhode Island is ''the Ocean State;'' The anchor adorns our State flag; and we have an official State shell, the Quahog. And, we are known for our sailing, seafood and beaches. Tourism, fishing and other bay-related businesses fuel the regional economy. As a Rhode Islander, it is clear that our welfare depends on a clean, healthy, and productive bay.

The bottom line is that we are not doing enough for these valuable resources. The combination of development and pollution in our coastal areas has resulted in a widespread decline in estuary habitat. Estuaries are national treasures, and they deserve a national effort to protect and restore them.

The Estuary Habitat Restoration Partnership Act answers the growing challenge of estuary restoration. It sets a goal of restoring one million acres of estuary habitat by the year 2010. This bill emphasizes the crucial ingredients of successful habitat restoration projects: effective coordination among different levels of government; continued investment by public and private sector partners; and, most importantly, active participation by local communities.

Some of the key provisions of the bill are: a $315 million authorization over 5 years for habitat restoration projects; creation of a council to help develop a national strategy for habitat restoration; and a cost-sharing requirement to help leverage Federal dollars. S. 835 also promotes ongoing restoration efforts by reauthorizing the Chesapeake Bay Program and the Long Island Sound Estuary Program.

And, the bill makes a significant and necessary change in the EPA's National Estuary Program. Up until now, the 28 designated estuaries of national significance—including Narragansett Bay—could only use Federal funds to develop conservation and management plans. This bill amends the program to allow NEP grants to be used to implement the conservation measures included in those plans, and it doubles the authorization for the National Estuary Program. Indeed, a central theme of this legislation is the need to carry out projects within existing plans and get moving with on-the-ground restoration activities.

Responding effectively to the growing threats to our bays, sounds and other coastal waters presents a tremendous challenge: Federal resources are scarce, the need is great, and the pressure on these areas is intensifying. Yet, I am encouraged by the enormous support—at the local, State and Federal levels—for taking action to arrest the deterioration of our estuaries, and to reverse the trend through restoration projects. And, these restoration

projects do work. Simply by storing the flow of saltwater to a marsh, or dredging a salt pond to its original depth, we allow nature a chance to revive and flourish.

As the former Mayor of Warwick, RI, I have experienced first hand the complexity of restoring estuary habitat degraded by pollution. The City of Warwick surrounds Greenwich Bay, which contains some of the most productive shellfish beds in Rhode Island. In 1992, bacterial contamination closed the entire area to shell fishing. My city responded with the Greenwich Bay Initiative, an ongoing effort to restore the estuary. With help from the State, the Federal Government and the private sector, we rehabilitated sewer systems, installed marina pump-out stations, reduced agricultural runoff and acquired sensitive land for open space conservation.

A lot of progress has been made towards restoring the health of the Greenwich Bay, but considerable work remains to be done. The challenge of estuary restoration is even greater at the national level. With the aid of the Estuary Habitat Restoration Partnership Act, we can revive our most precious and productive estuary resources. When you consider this bill, please remember that the beginnings of the food chain that sustain life on Earth dwell in the marshes and tidal pools that we seek to protect. I hope my colleagues will support this important bill.

Mr. EDWARDS. Mr. President, I rise today to express how pleased I am that we will be passing S. 835, the Estuary Habitat Restoration Partnership Act of 1999. This legislation, introduced by our former colleague Sen. John Chafee, will reauthorize the National Estuary Program at $25 million annually and will allow these funds to be used to help implement and develop estuary management plans. It will also set a goal of restoring 1 million acres of estuary habitat over the next decade.

I am proud to be a cosponsor of this important legislation because it will help us restore and protect our nation's estuaries. Too many of our estuaries are endangered by various forms of pollution or from overuse and development. In North Carolina, we are still dealing with the effects of last year's devastating hurricane season; the full effect on places like the Albemarle and Pamlico Sounds are still being evaluated. This legislation will enable estuaries like the Albemarle and Pamlico Sounds to implement the restoration and management plans that were developed several years ago. This legislation will help make them healthier, more ecologically productive estuarine habitats.

Estuaries are home to a remarkably diverse wildlife population, and they provide a ''safe haven'' for plant and animal species, many of which are endangered. They are essential habitats for many young fish species who need clean and healthy estuaries to spawn. They are also an important resting spot for many migratory bird species.

Estuaries are critical not only to environmental health, but to economic health as well. They support commercial activities, such as shipping and fishing. They are a source of drinking water for coastal areas. They also provide recreation opportunities for residents and visitors who want to boat, fish, or birdwatch.

In my state of North Carolina, our estuaries are of vital importance. North Carolina's estuarine system is the second largest in the continental United States, encompassing more than 2.2 million acres. Our coastal waters produce more than half the fish caught on the East Coast. North Carolina is also home to one of the last bay scallop fisheries in the United States. This industry depends upon submerged aquatic seagrasses that are extremely sensitive to pollution and they must be protected. Our estuary system is also home to large number of pelicans, who years ago were nearly extinct but have now rebounded dramatically in their restored habitat. Nearly ten percent of North Carolina's coastal estuaries have been designated as ''Outstanding Resource Waters'' by the state Environmental Management Commission. These waters are some of the most valuable in the state, indeed in the nation. I believe we must fight hard to protect them for the future. This legislation will help us do that.

The National Estuary Program has enabled nearly thirty estuaries to develop restoration and management plans—including the Albemarle and Pamlico Sounds in North Carolina. This legislation is an important component to insuring the continued good health of these estuaries, and I am extremely pleased to see it pass the Senate.

Finally, Mr. President, I'd like to say a few words about the man who introduced this legislation, our friend and colleague, Senator John Chafee. Senator Chafee was able to be a nonpartisan voice of reason on a great many issues. I miss him dearly. This legislation is a tribute to his perseverance and ability to develop legislation that we all recognize as a benefit to our nation as a whole. I thank him for his dedication, and I am pleased that Senator LINCOLN CHAFEE is on hand for the passage of this important measure.

I ask unanimous consent that my statement be placed in the RECORD following the remarks of Senator CHAFEE on this legislation.

Mr. SARBANES. Mr. President, I rise in strong support of S. 835, the Estuary Habitat Restoration Partnership Act of 1999. This legislation is absolutely vital to the future health of our nation's estuaries, including our largest and most productive estuary—the Chesapeake Bay, and Maryland's Coastal Bays, and I am proud to be an original co-sponsor of this measure.

H.L. Mencken once called the Chesapeake Bay a ''great outdoor protein factory,'' a description which, perhaps more than any other, underscores the critical importance of protecting and restoring estuarine ecosystems. Estuaries provide habitat to more than three-quarters of the fish and shellfish harvested in the United States. They are home to thousands of species of plants and animals, including many endangered and threatened species. They support millions of American jobs and play a vital role in the quality of life that our citizens enjoy. But the health and productivity of our estuaries are being degraded or destroyed by the tremendous increase in shoreline population and development, increasing point and non-point source pollution and other activities. It is estimated that, over the past century, some estuaries have lost up to 90 percent of their original habitat.

The Estuary Habitat Restoration Partnership Act seeks to reverse these trends by setting the goal of restoring 1 million acres of estuarine habitat by the year 2010. It authorizes federal funding totaling $315 million over the next 5 years for the U.S. Army Corps of Engineers, in cooperation with NOAA, EPA and the U.S. Fish and Wildlife Service, to carry out estuary habitat restoration projects and provides incentives for local communities to participate in creative partnerships. It also reauthorizes the National Estuary Program and, for the first time, enables EPA to provide grants to implement conservation and management plans as well as design the plans.

Also incorporated in this measure is S. 492, the Chesapeake Bay Restoration Act (CBRA), which I introduced together with Senators WARNER, ROBB, MIKULSKI and SANTORUM to reauthorize and enhance EPA's Chesapeake Bay Program. Mr. President, the Chesapeake Bay Program (CBP) was established in 1983 with the signing of the Chesapeake Bay Agreement which formally bound the Federal Government and the States to work together to restore and protect the Bay. It is the oldest EPA geographic program and the first estuary in the nation to be targeted for restoration as a single ecosystem. EPA's participation in the CBP was formally authorized in the Water Quality Act of 1987. The Act authorized $3 million annually to support the activities of the Agency's Chesapeake Bay Program Office in Annapolis, Maryland which coordinates Federal and State efforts to restore and protect the Bay and $10 million annually for matching Interstate Development grants.

The Chesapeake Bay Program has evolved considerably in the years since it was first established and has become a model for other estuaries around the country and around the world. The Bay Program has pioneered a wide range of pollution control initiatives, including biological nutrient removal technology implemented at 42 wastewater treatment facilities; various agricultural nonpoint source controls, such as nutrient management and integrated pesticide management being implemented

on nearly two million acres of agricultural land; and implementation of a basinwide ban on phosphate detergents and a national ban on tributylin. The Bay Program has also been a leader in establishing a large volunteer monitoring program; creating a sophisticated computer modeling program; identifying atmospheric deposition of nitrogen as a significant pollution source for east coast estuaries; conducting an extensive habitat restoration program including the opening of hundreds of miles of prime spawning habitat to migratory fish through the construction of fish passages; and the restoration of submerged aquatic vegetation to support the filtering of nutrients as well as habitat for the Bay's living resources. The CBP has also spawned landmark state legislation such as nutrient management of farms, growth management and forest conservation and critical area protection.

The 1987 Chesapeake Bay Agreement expanded initial restoration efforts by targeting nutrient overenrichment as the Bay's major problem, and establishing the goal to reduce by 40%, nutrients flowing into the Bay by 2000. The pact included 28 other specific commitments to address key issues in living resources, water quality, population growth and development, public information and public access. The 1992 Amendments to the Agreement moved the Program upriver, committing the 40% nutrient reduction goal to the ten major tributaries to the Bay, as well as committing to retain the 40% nutrient reductions as a permanent cap to be extended beyond 2000.

There are signs that the general degradation of Chesapeake Bay has ebbed, and actual restoration has begun. However, numerous problems remain. Rapid population growth and development are expected in the areas of the Bay watershed closest to its waters. Loadings of nitrogen and sediments to the Bay remain high. Toxic sediment and water column contaminants are a problem in specific regions of concern and some other Chesapeake Bay locations. Of great concern are recent outbreaks of Pfiesteria-like organisms and the occurrence of lesions from other sources on striped bass and other commercial and recreationally important finfish in the Bay. Important food chain species and populations of forage fish are also declining.

In order to address these problems and continue restoration efforts, the CBRA reauthorizes and increases funding for EPA's Chesapeake Bay Program from the current level of approximately $20 million to $30 million a year. It encourages and assists Chesapeake Bay Agreement signatories in meeting nutrient reduction, water quality, toxics reduction and prevention and habitat restoration goals, and requires that federal facilities within the watershed comply with nutrient reduction and other Agreement goals. The legislation also creates a new small watersheds program designed to help local groups preserve and restore stream corridors. The initiative would make ''seed grants'' and technical assistance available to local governments, nonprofit organizations and citizens' groups involved in river and stream-restoration projects. It is my hope that the legislation will enable the Chesapeake Bay Program to continue its leadership and technology transfer to other groups participating in the National Estuary Program, particularly in the areas of nutrient reduction through new technologies, such as biological nutrient removal; air deposition of nitrogen to estuarine and coastal waters; computer modeling; and environmental indicators with an emphasis on measuring improvements to living resources.

Mr. President, in my judgement, the provisions contained in S. 835, will pay significant dividends in the years ahead by helping to preserve and enhance our nation's estuaries, while at the same time improving the quality of life for our citizens. I want to commend the Chairman and ranking member of the Committee, Senators SMITH and BAUCUS, for moving this legislation to the Senate floor. In my judgement, the legislation is a real tribute and fitting legacy to the former Chairman of the Committee and author of the legislation, John Chafee. I also want to express my appreciation to the co-sponsors of the Chesapeake Bay bill, Senators WARNER, MIKULSKI, ROBB and SANTORUM for their assistance. I urge my colleagues to join me in supporting this measure.

Mr. LIEBERMAN. Mr. President, I rise today in support of the Estuary Habitat Restoration Partnership Act, S. 835. When our late colleague, Senator John Chafee, introduced this bill, he did so because he understood the tremendous importance of estuaries to our national economy and environment. At the same time, Senator Chafee was concerned about the considerable challenges the nation's estuaries face, such as habitat loss, concentration of upstream pollutants, and coastal development. S. 835 would enable us to move forward as a nation in addressing those challenges, and I am proud to be a cosponsor of this bill.

Mr. President, I am particularly happy to be here today because this legislation, if passed, would have a real impact on the estuary nearest and dearest to my own heart, the Long Island Sound. Title 3 of the bill reauthorizes the Long Island Sound Office through 2005 and significantly increases the funding authorization. Last fall, with the Connecticut and New York delegations, I introduced S. 1632 to reauthorize the Office and provide significant new funding to implement critical conservation and restoration projects which will directly improve the health of the Sound. I am grateful to my colleagues for including that reauthorization in the Estuary Habitat Restoration Partnership Act.

Having grown up on the coast of Connecticut, I am well aware of the importance of Long Island Sound to the region's economic health and quality of life. Water-quality-dependent activities such as commercial and recreational fishing, boating, and swimming contribute an estimated $5 billion to the regional economy each year. The Sound is the leading producer of oysters along the east coast. In addition, despite the many industrial facilities and residential developments along its shoreline, the Sound is recognized nationally for its distinctive habitat types, including tidal wetlands, tidal flats, beaches, dunes, bluffs, rocky tidal areas, eelgrass, kelp beds, and natural and artificial reefs.

However, the Sound does experience many of the same challenges as other estuaries—residential, commercial, and industrial development have increased pollution and removed or altered habitat, and excess nutrients have resulted in low levels of dissolved oxygen in the waters of the Sound.

The Long Island Sound estuary program predated the National Estuary Program (NEP). As early as 1985, Congress recognized Long Island Sound as a national treasure when it appropriated funding for the Long Island Sound Study to research, monitor, and assess the water quality of the Sound. When the National Estuary Program was created in 1987, the Long Island Sound became a charter member. In the intervening years, Federal and state government, business, labor, environmental groups, and local communities in Connecticut and New York have come together to make a significant commitment to cleaning up the Sound. More recently, in 1994, the Governors of Connecticut and New York and the Administrator of the EPA jointly adopted the Long Island Sound Comprehensive Conservation and Management Plan (CCMP) which incorporated the results of the Long Island Sound Study. Since 1985, Federal, state, and private funds have been well spent on researching the existing conditions of the Sound and identifying conservation and restoration needs.

These efforts bode well for the health of the Long Island Sound; however, much work remains to be done. Last fall, the Long Island Sound lobster fishery experienced a severe die-off, with losses in some ports as high as 90 percent. Preliminary research suggests that a combination of environmental stresses may have caused this dramatic collapse.

The time has come to move from identifying to implementing the conservation and restoration projects which will directly improve the water quality and habitat of the Long Island Sound. The Estuary Habitat Restoration Partnership Act would help make this possible by leveraging on-the-ground restoration work with Federal funding and by creating market-based incentives for the private sector to work with community-based organizations and local governments on restoration efforts. This is an important

bill for my state and our country, and I look forward to seeing it pass this body.

Mr. SMITH of New Hampshire. I ask unanimous consent the amendment be agreed to, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any additional statements be printed in the Record.

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

The amendment (No. 2904) was agreed to.

The bill (S. 835), as amended, was read a third time and passed, as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Estuary Habitat and Chesapeake Bay Restoration Act of 2000''.

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

Sec. 1. Short title; table of contents.

TITLE I—ESTUARY HABITAT RESTORATION

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Purposes.
Sec. 104. Definitions.
Sec. 105. Establishment of Collaborative Council.
Sec. 106. Duties of Collaborative Council.
Sec. 107. Cost sharing of estuary habitat restoration projects.
Sec. 108. Monitoring and maintenance of estuary habitat restoration projects.
Sec. 109. Cooperative agreements; memoranda of understanding.
Sec. 110. Distribution of appropriations for estuary habitat restoration activities.
Sec. 111. Authorization of appropriations.
Sec. 112. National estuary program.
Sec. 113. General provisions.

TITLE II—CHESAPEAKE BAY RESTORATION

Sec. 201. Short title.
Sec. 202. Findings and purposes.
Sec. 203. Chesapeake Bay restoration.

TITLE III—LONG ISLAND SOUND

Sec. 301. Reauthorization.

TITLE I—ESTUARY HABITAT RESTORATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Estuary Habitat Restoration Partnership Act of 2000''.

SEC. 102. FINDINGS.

Congress finds that—

(1) estuaries provide some of the most ecologically and economically productive habitat for an extensive variety of plants, fish, wildlife, and waterfowl;

(2) the estuaries and coastal regions of the United States are home to one-half the population of the United States and provide essential habitat for 75 percent of the commercial fish and 80 to 90 percent of the recreational fish catches of the United States;

(3) estuaries are gravely threatened by habitat alteration and loss from pollution, development, and overuse;

(4) successful restoration of estuaries demands the coordination of Federal, State, and local estuary habitat restoration programs; and

(5) the Federal, State, local, and private cooperation in estuary habitat restoration activities in existence on the date of enactment of this Act should be strengthened and new public and public-private estuary habitat restoration partnerships established.

SEC. 103. PURPOSES.

The purposes of this Act are—

(1) to establish a voluntary program to restore 1,000,000 acres of estuary habitat by 2010;

(2) to ensure coordination of Federal, State, and community estuary habitat restoration programs, plans, and studies;

(3) to establish effective estuary habitat restoration partnerships among public agencies at all levels of government and between the public and private sectors;

(4) to promote efficient financing of estuary habitat restoration activities; and

(5) to develop and enhance monitoring and research capabilities, through use of the environmental technology innovation program associated with the National Estuarine Research Reserve System (established by section 315 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1461)), to ensure that restoration efforts are based on sound scientific understanding and innovative technologies.

SEC. 104. DEFINITIONS.

In this title:

(1) COLLABORATIVE COUNCIL.—The term ''Collaborative Council'' means the interagency council established by section 105.

(2) DEGRADED ESTUARY HABITAT.—The term ''degraded estuary habitat'' means estuary habitat where natural ecological functions have been impaired and normal beneficial uses have been reduced.

(3) ESTUARY.—The term ''estuary'' means—

(A) a body of water in which fresh water from a river or stream meets and mixes with salt water from the ocean, including the area located in the Great Lakes Biogeographic Region and designated as a National Estuarine Research Reserve under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) as of the date of enactment of this Act; and

(B) the physical, biological, and chemical elements associated with such a body of water.

(4) ESTUARY HABITAT.—

(A) IN GENERAL.—The term ''estuary habitat'' means the complex of physical and hydrologic features and living organisms within estuaries and associated ecosystems.

(B) INCLUSIONS.—The term ''estuary habitat'' includes salt and fresh water coastal marshes, coastal forested wetlands and other coastal wetlands, maritime forests, coastal grasslands, tidal flats, natural shoreline areas, shellfish beds, sea grass meadows, kelp beds, river deltas, and river and stream banks under tidal influence.

(5) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term ''estuary habitat restoration activity'' means an activity that results in improving degraded estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' includes—

(i) the reestablishment of physical features and biological and hydrologic functions;

(ii) except as provided in subparagraph (C)(ii), the cleanup of contamination related to the restoration of estuary habitat;

(iii) the control of non-native and invasive species;

(iv) the reintroduction of native species through planting or natural succession; and

(v) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' does not include—

(i) an act that constitutes mitigation for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) an act that constitutes restitution for natural resource damages required under any Federal or State law.

(6) ESTUARY HABITAT RESTORATION PROJECT.—The term ''estuary habitat restoration project'' means an estuary habitat restoration activity under consideration or selected by the Collaborative Council, in accordance with this title, to receive financial, technical, or another form of assistance.

(7) ESTUARY HABITAT RESTORATION STRATEGY.—The term ''estuary habitat restoration strategy'' means the estuary habitat restoration strategy developed under section 106(a).

(8) FEDERAL ESTUARY MANAGEMENT OR HABITAT RESTORATION PLAN.—The term ''Federal estuary management or habitat restoration plan'' means any Federal plan for restoration of degraded estuary habitat that—

(A) was developed by a public body with the substantial participation of appropriate public and private stakeholders; and

(B) reflects a community-based planning process.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, or a designee.

(10) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere of the Department of Commerce, or a designee.

SEC. 105. ESTABLISHMENT OF COLLABORATIVE COUNCIL.

(a) COLLABORATIVE COUNCIL.—There is established an interagency council to be known as the ''Estuary Habitat Restoration Collaborative Council''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Collaborative Council shall be composed of the Secretary, the Under Secretary, the Administrator of the Environmental Protection Agency, and the Secretary of the Interior (acting through the Director of the United States Fish and Wildlife Service), or their designees.

(2) CHAIRPERSON; LEAD AGENCY.—The Secretary, or designee, shall chair the Collaborative Council, and the Department of the Army shall serve as the lead agency.

(c) CONVENING OF COLLABORATIVE COUNCIL.—The Secretary shall—

(1) convene the first meeting of the Collaborative Council not later than 30 days after the date of enactment of this Act; and

(2) convene additional meetings as often as appropriate to ensure that this title is fully carried out, but not less often than quarterly.

(d) COLLABORATIVE COUNCIL PROCEDURES.—

(1) QUORUM.—Three members of the Collaborative Council shall constitute a quorum.

(2) VOTING AND MEETING PROCEDURES.—The Collaborative Council shall establish procedures for voting and the conduct of meetings by the Council.

SEC. 106. DUTIES OF COLLABORATIVE COUNCIL.

(a) ESTUARY HABITAT RESTORATION STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Collaborative Council, in consultation with non-Federal participants, including nonprofit sectors, as appropriate, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to the selection and prioritization of estuary habitat restoration projects and the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(2) INTEGRATION OF PREVIOUSLY AUTHORIZED ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing

the estuary habitat restoration strategy, the Collaborative Council shall—

(A) conduct a review of—

(i) Federal estuary management or habitat restoration plans; and

(ii) Federal programs established under other law that provide funding for estuary habitat restoration activities;

(B) develop a set of proposals for—

(i) using programs established under this Act or any other Act to maximize the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects; and

(ii) using Federal resources to encourage increased private sector involvement in estuary habitat restoration activities; and

(C) ensure that the estuary habitat restoration strategy is developed and will be implemented in a manner that is consistent with the findings and requirements of Federal estuary management or habitat restoration plans.

(3) ELEMENTS TO BE CONSIDERED.—Consistent with the requirements of this section, the Collaborative Council, in the development of the estuary habitat restoration strategy, shall consider—

(A) the contributions of estuary habitat to—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed;

(ii) fish and shellfish, including commercial and sport fisheries;

(iii) surface and ground water quality and quantity, and flood control;

(iv) outdoor recreation; and

(v) other areas of concern that the Collaborative Council determines to be appropriate for consideration;

(B) the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat; and

(C) the most appropriate method for selecting a balance of smaller and larger estuary habitat restoration projects.

(4) ADVICE.—The Collaborative Council shall seek advice in restoration of estuary habitat from experts in the private and nonprofit sectors to assist in the development of an estuary habitat restoration strategy.

(5) PUBLIC REVIEW AND COMMENT.—Before adopting a final estuary habitat restoration strategy, the Collaborative Council shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(b) PROJECT APPLICATIONS.—

(1) IN GENERAL.—An application for an estuary habitat restoration project shall originate from a non-Federal organization and shall require, when appropriate, the approval of State or local agencies.

(2) FACTORS TO BE TAKEN INTO ACCOUNT.—In determining the eligibility of an estuary habitat restoration project for financial assistance under this title, the Collaborative Council shall consider the following:

(A) Whether the proposed estuary habitat restoration project meets the criteria specified in the estuary habitat restoration strategy.

(B) The technical merit and feasibility of the proposed estuary habitat restoration project.

(C) Whether the non-Federal persons proposing the estuary habitat restoration project provide satisfactory assurances that they will have adequate personnel, funding, and authority to carry out and properly maintain the estuary habitat restoration project.

(D) Whether, in the State in which a proposed estuary habitat restoration project is to be carried out, there is a State dedicated source of funding for programs to acquire or restore estuary habitat, natural areas, and open spaces.

(E) Whether the proposed estuary habitat restoration project will encourage the increased coordination and cooperation of Federal, State, and local government agencies.

(F) The amount of private funds or in-kind contributions for the estuary habitat restoration project.

(G) Whether the proposed habitat restoration project includes a monitoring plan to ensure that short-term and long-term restoration goals are achieved.

(H) Other factors that the Collaborative Council determines to be reasonable and necessary for consideration.

(3) PRIORITY ESTUARY HABITAT RESTORATION PROJECTS.—An estuary habitat restoration project shall be given a higher priority in receipt of funding under this title if, in addition to meeting the selection criteria specified in this section—

(A) the estuary habitat restoration project is part of an approved Federal estuary management or habitat restoration plan;

(B) the non-Federal share with respect to the estuary habitat restoration project exceeds 50 percent;

(C) there is a program within the watershed of the estuary habitat restoration project that addresses sources of water pollution that would otherwise re-impair the restored habitat; or

(D) the estuary habitat restoration project includes—

(i) pilot testing; or

(ii) a demonstration of an innovative technology having potential for improved cost-effectiveness in restoring—

(I) the estuary that is the subject of the project; or

(II) any other estuary.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy developed under subsection (a), the Collaborative Council may pay the Federal share of the cost of an interim action to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share shall not exceed 25 percent.

(d) COOPERATION OF NON-FEDERAL PARTNERS.—

(1) IN GENERAL.—The Collaborative Council shall not select an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which it agrees to provide the required non-Federal cooperation for the project.

(2) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project undertaken under this section, the Secretary may, after coordination with the official responsible for the political jurisdiction in which a project would occur, allow a nonprofit entity to serve as the non-Federal interest.

(3) MAINTENANCE AND MONITORING.—A cooperation agreement entered into under paragraph (1) shall provide for maintenance and monitoring of the estuary habitat restoration project to the extent determined necessary by the Collaborative Council.

(e) LEAD COLLABORATIVE COUNCIL MEMBER.—The Collaborative Council shall designate a lead Collaborative Council member for each proposed estuary habitat restoration project. The lead Collaborative Council member shall have primary responsibility for overseeing and assisting others in implementing the proposed project.

(f) AGENCY CONSULTATION AND COORDINATION.—In carrying out this section, the Collaborative Council shall, as the Collaborative Council determines it to be necessary, consult with, cooperate with, and coordinate its activities with the activities of other appropriate Federal agencies.

(g) BENEFITS AND COSTS OF ESTUARY HABITAT RESTORATION PROJECTS.—The Collaborative Council shall evaluate the benefits and costs of estuary habitat restoration projects in accordance with section 907 of the Water Resources Development Act of 1986 (33 U.S.C. 2284).

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of the Army for the administration and operation of the Collaborative Council $4,000,000 for each of fiscal years 2001 through 2005.

SEC. 107. COST SHARING OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) IN GENERAL.—No financial assistance in carrying out an estuary habitat restoration project shall be available under this title from any Federal agency unless the non-Federal applicant for assistance demonstrates that the estuary habitat restoration project meets—

(1) the requirements of this title; and

(2) any criteria established by the Collaborative Council under this title.

(b) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration and protection project assisted under this title shall be not more than 65 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project may be provided in the form of land, easements, rights-of-way, services, or any other form of in-kind contribution determined by the Collaborative Council to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the estuary habitat restoration project.

(d) ALLOCATION OF FUNDS BY STATES TO POLITICAL SUBDIVISIONS.—With the approval of the Secretary, a State may allocate to any local government, area-wide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3334), regional agency, or interstate agency, a portion of any funds disbursed in accordance with this title for the purpose of carrying out an estuary habitat restoration project.

(e) INNOVATIVE TECHNOLOGY COSTS.—The Federal share of the incremental additional cost of including in a project pilot testing or a demonstration of an innovative technology described in section 106(b)(3)(D) shall be 100 percent.

SEC. 108. MONITORING AND MAINTENANCE OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) DATABASE OF RESTORATION PROJECT INFORMATION.—The Under Secretary shall maintain an appropriate database of information concerning estuary habitat restoration projects funded under this title, including information on project techniques, project completion, monitoring data, and other relevant information.

(b) REPORT.—

(1) IN GENERAL.—The Collaborative Council shall biennially submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of activities carried out under this title.

(2) CONTENTS OF REPORT.—A report under paragraph (1) shall include—

(A) data on the number of acres of estuary habitat restored under this title, including the number of projects approved and completed that comprise those acres;

(B) the percentage of restored estuary habitat monitored under a plan to ensure that short-term and long-term restoration goals are achieved;

(C) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(D) a review of how the information described in subparagraphs (A) through (C) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(E) a review of efforts made to maintain an appropriate database of restoration projects funded under this title; and

(F) a review of the measures taken to provide the information described in subparagraphs (A) through (C) to persons with responsibility for assisting in the restoration of estuary habitat.

SEC. 109. COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.

In carrying out this title, the Collaborative Council may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other persons and entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

SEC. 110. DISTRIBUTION OF APPROPRIATIONS FOR ESTUARY HABITAT RESTORATION ACTIVITIES.

The Secretary shall allocate funds made available to carry out this title based on the need for the funds and such other factors as are determined to be appropriate to carry out this title.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER OTHER LAW.—Funds authorized to be appropriated under section 908 of the Water Resources Development Act of 1986 (33 U.S.C. 2285) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) may be used by the Secretary in accordance with this title to assist States and other non-Federal persons in carrying out estuary habitat restoration projects or interim actions under section 106(c).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out estuary habitat restoration activities—

(1) $40,000,000 for fiscal year 2001;

(2) $50,000,000 for fiscal year 2002; and

(3) $75,000,000 for each of fiscal years 2003 through 2005.

SEC. 112. NATIONAL ESTUARY PROGRAM.

(a) GRANTS FOR COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 320(g)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)(2)) is amended by inserting ''and implementation'' after ''development''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 320(i) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)) is amended by striking ''1987'' and all that follows through ''1991'' and inserting the following: ''1987 through 1991, such sums as may be necessary for fiscal years 1992 through 2000, and $25,000,000 for each of fiscal years 2001 and 2002''.

SEC. 113. GENERAL PROVISIONS.

(a) ADDITIONAL AUTHORITY FOR ARMY CORPS OF ENGINEERS.—The Secretary—

(1) may carry out estuary habitat restoration projects in accordance with this title; and

(2) shall give estuary habitat restoration projects the same consideration as projects relating to irrigation, navigation, or flood control.

(b) INAPPLICABILITY OF CERTAIN LAW.—Sections 203, 204, and 205 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232, 2233) shall not apply to an estuary habitat restoration project selected in accordance with this title.

(c) ESTUARY HABITAT RESTORATION MISSION.—The Secretary shall establish restoration of estuary habitat as a primary mission of the Army Corps of Engineers.

(d) FEDERAL AGENCY FACILITIES AND PERSONNEL.—

(1) IN GENERAL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this title, and may provide facilities and personnel, for the purpose of assisting the Collaborative Council in carrying out its duties under this title.

(2) REIMBURSEMENT FROM COLLABORATIVE COUNCIL.—Federal agencies may accept reimbursement from the Collaborative Council for providing services, facilities, and personnel under paragraph (1).

(e) ADMINISTRATIVE EXPENSES AND STAFFING.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Secretary an analysis of the extent to which the Collaborative Council needs additional personnel and administrative resources to fully carry out its duties under this title. The analysis shall include recommendations regarding necessary additional funding.

TITLE II—CHESAPEAKE BAY RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Chesapeake Bay Restoration Act of 2000''.

SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Chesapeake Bay is a national treasure and a resource of worldwide significance;

(2) over many years, the productivity and water quality of the Chesapeake Bay and its watershed were diminished by pollution, excessive sedimentation, shoreline erosion, the impacts of population growth and development in the Chesapeake Bay watershed, and other factors;

(3) the Federal Government (acting through the Administrator of the Environmental Protection Agency), the Governor of the State of Maryland, the Governor of the Commonwealth of Virginia, the Governor of the Commonwealth of Pennsylvania, the Chairperson of the Chesapeake Bay Commission, and the Mayor of the District of Columbia, as Chesapeake Bay Agreement signatories, have committed to a comprehensive cooperative program to achieve improved water quality and improvements in the productivity of living resources of the Bay;

(4) the cooperative program described in paragraph (3) serves as a national and international model for the management of estuaries; and

(5) there is a need to expand Federal support for monitoring, management, and restoration activities in the Chesapeake Bay and the tributaries of the Bay in order to meet and further the original and subsequent goals and commitments of the Chesapeake Bay Program.

(b) PURPOSES.—The purposes of this title are—

(1) to expand and strengthen cooperative efforts to restore and protect the Chesapeake Bay; and

(2) to achieve the goals established in the Chesapeake Bay Agreement.

SEC. 203. CHESAPEAKE BAY RESTORATION.

The Federal Water Pollution Control Act is amended by striking section 117 (33 U.S.C. 1267) and inserting the following:

''SEC. 117. CHESAPEAKE BAY.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE COST.—The term 'administrative cost' means the cost of salaries and fringe benefits incurred in administering a grant under this section.

''(2) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

''(3) CHESAPEAKE BAY ECOSYSTEM.—The term 'Chesapeake Bay ecosystem' means the ecosystem of the Chesapeake Bay and its watershed.

''(4) CHESAPEAKE BAY PROGRAM.—The term 'Chesapeake Bay Program' means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

''(5) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the signatories to the Chesapeake Bay Agreement.

''(6) SIGNATORY JURISDICTION.—The term 'signatory jurisdiction' means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

''(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

''(2) PROGRAM OFFICE.—

''(A) IN GENERAL.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

''(B) FUNCTION.—The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

''(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

''(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

''(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

''(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

''(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

''(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

''(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

''(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

''(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

''(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

''(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

''(4) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(e) IMPLEMENTATION AND MONITORING GRANTS.—

''(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

''(A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate; and

''(B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

''(2) PROPOSALS.—

''(A) IN GENERAL.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement.

''(B) CONTENTS.—A proposal under subparagraph (A) shall include—

''(i) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and its watershed or meeting applicable water quality standards or established goals and objectives under the Chesapeake Bay Agreement; and

''(ii) the estimated cost of the actions proposed to be taken during the fiscal year.

''(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the Chesapeake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for a grant award.

''(4) FEDERAL SHARE.—The Federal share of an implementation grant under this subsection shall not exceed 50 percent of the cost of implementing the management mechanisms during the fiscal year.

''(5) NON-FEDERAL SHARE.—An implementation grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

''(6) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(7) REPORTING.—On or before October 1 of each fiscal year, the Administrator shall make available to the public a document that lists and describes, in the greatest practicable degree of detail—

''(A) all projects and activities funded for the fiscal year;

''(B) the goals and objectives of projects funded for the previous fiscal year; and

''(C) the net benefits of projects funded for previous fiscal years.

''(f) FEDERAL FACILITIES AND BUDGET COORDINATION.—

''(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

''(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement, the Federal Agencies Chesapeake Ecosystem Unified Plan, and any subsequent agreements and plans.

''(3) BUDGET COORDINATION.—

''(A) IN GENERAL.—As part of the annual budget submission of each Federal agency with projects or grants related to restoration, planning, monitoring, or scientific investigation of the Chesapeake Bay ecosystem, the head of the agency shall submit to the President a report that describes plans for the expenditure of the funds under this section.

''(B) DISCLOSURE TO THE COUNCIL.—The head of each agency referred to in subparagraph (A) shall disclose the report under that subparagraph with the Chesapeake Executive Council as appropriate.

''(g) CHESAPEAKE BAY PROGRAM.—

''(1) MANAGEMENT STRATEGIES.—The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain—

''(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;

''(B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem;

''(C) the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the Chesapeake Bay ecosystem or on human health;

''(D) habitat restoration, protection, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, riparian forests, and other types of habitat associated with the Chesapeake Bay ecosystem; and

''(E) the restoration, protection, and enhancement goals established by the Chesapeake Bay Agreement signatories for living resources associated with the Chesapeake Bay ecosystem.

''(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in cooperation with the Chesapeake Executive Council, shall—

''(A) establish a small watershed grants program as part of the Chesapeake Bay Program; and

''(B) offer technical assistance and assistance grants under subsection (d) to local governments and nonprofit organizations and individuals in the Chesapeake Bay region to implement—

''(i) cooperative tributary basin strategies that address the water quality and living resource needs in the Chesapeake Bay ecosystem; and

''(ii) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies.

''(h) STUDY OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—Not later than April 22, 2001, and every 5 years thereafter, the Administrator, in coordination with the Chesapeake Executive Council, shall complete a study and submit to Congress a comprehensive report on the results of the study.

''(2) REQUIREMENTS.—The study and report shall—

''(A) assess the state of the Chesapeake Bay ecosystem;

''(B) assess the appropriateness of commitments and goals of the Chesapeake Bay Program and the management strategies established under the Chesapeake Bay Agreement for improving the state of the Chesapeake Bay ecosystem;

''(C) assess the effectiveness of management strategies being implemented on the date of enactment of this subsection and the extent to which the priority needs are being met;

''(D) make recommendations for the improved management of the Chesapeake Bay Program either by strengthening strategies being implemented on the date of enactment of this subsection or by adopting new strategies; and

''(E) be presented in such a format as to be readily transferable to and usable by other watershed restoration programs.

''(i) SPECIAL STUDY OF LIVING RESOURCE RESPONSE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall commence a 5-year special study with full participation of the scientific community of the Chesapeake Bay to establish and expand understanding of the response of the living resources of the Chesapeake Bay ecosystem to improvements in water quality that have resulted from investments made through the Chesapeake Bay Program.

''(2) REQUIREMENTS.—The study shall—

''(A) determine the current status and trends of living resources, including grasses, benthos, phytoplankton, zooplankton, fish, and shellfish;

''(B) establish to the extent practicable the rates of recovery of the living resources in response to improved water quality condition;

''(C) evaluate and assess interactions of species, with particular attention to the impact of changes within and among trophic levels; and

''(D) recommend management actions to optimize the return of a healthy and balanced ecosystem in response to improvements in the quality and character of the waters of the Chesapeake Bay.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2001 through 2006.''.

TITLE III—LONG ISLAND SOUND

SEC. 301. REAUTHORIZATION.

Section 119(e) of the Federal Water Pollution Control Act (33 U.S.C. 1269(e)) is amended—

(1) in paragraph (1), by striking ''1991 through 2001'' and inserting ''2001 through 2006''; and

(2) in paragraph (2), by striking ''not to exceed $3,000,000 for each of the fiscal years 1991 through 2001'' and inserting ''not to exceed $10,000,000 for each of fiscal years 2001 through 2006''.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SMITH of New Hampshire. On behalf of the leader, I ask unanimous consent that the Senate immediately proceed to executive session to consider the military nominations reported by the Armed Services Committee today.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Lester L. Lyles, 0000.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael E. Zettler, 0000.

The following named officer for appointment as Vice Chief of Staff, United States Air Force, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8034:

To be general

Lt. Gen. John W. Handy, 0000.

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. James F. Barnette, 0000.
Brig. Gen. Gilbert R. Dardis, 0000.
Brig. Gen. David B. Poythress, 0000.
Brig. Gen. Joseph K. Simeone, 0000.
Brig. Gen. Richard E. Spooner, 0000.
Brig. Gen. Steven W. Thu, 0000.
Brig. Gen. Bruce F. Tuxill, 0000.

To be brigadier general

Col. Shelby G. Bryant, 0000.
Col. Kenneth R. Clark, 0000.
Col. Gregory B. Gardner, 0000.
Col. John B. Handy, 0000.
Col. Jon D. Jacobs, 0000.
Col. Clifton W. Leslie, Jr., 0000.
Col. John A. Love, 0000.
Col. Douglas R. Moore, 0000.
Col. Eugene A. Sevi, 0000.
Col. David E.B. Strohm, 0000.
Col. Harry M. Wyatt III, 0000.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under Title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Ronald E. Keys, 0000.

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Gary A. Ambrose, 0000.
Brig. Gen. Brian A. Arnold, 0000.
Brig. Gen. Thomas L. Baptiste, 0000.
Brig. Gen. Leroy Barnidge, Jr., 0000.
Brig. Gen. John L. Barry, 0000.
Brig. Gen. Walter E.L. Buchanan III, 0000.
Brig. Gen. Richard W. Davis, 0000.
Brig. Gen. Robert R. Dierker, 0000.
Brig. Gen. Michael N. Farage, 0000.
Brig. Gen. Jack R. Holbein Jr., 0000.
Brig. Gen. Charles L. Johnson II, 0000.
Brig. Gen. Theodore W. Lay II, 0000.
Brig. Gen. Teddie M. McFarland, 0000.
Brig. Gen. Michael C. McMahan, 0000.
Brig. Gen. Timothy J. McMahon, 0000.
Brig. Gen. Duncan J. McNabb, 0000.
Brig. Gen. Howard J. Mitchell, 0000.
Brig. Gen. Bentley B. Rayburn, 0000.
Brig. Gen. John F. Regni, 0000.
Brig. Gen. Victor E. Renuart, Jr., 0000.
Brig. Gen. Lee P. Rodgers, 0000.
Brig. Gen. Glen D. Shaffer, 0000.
Brig. Gen. Charles N. Simpson, 0000.
Brig. Gen. James N. Soligan, 0000.
Brig. Gen. Michael P. Wiedemer, 0000.
Brig. Gen. Michael W. Wooley, 0000.
Brig. Gen. Bruce A. Wright, 0000.

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. David F. Wherley, Jr., 0000.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

Col. Robert E. Gaylord, 0000.

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

Col. David E. Glines, 0000.

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. William A. Cugno, 0000.
Brig. Gen. Bradley D. Gambill, 0000.
Brig. Gen. Marianne Mathewson-Chapman, 0000.
Brig. Gen. Michael H. Taylor, 0000.
Brig. Gen. Francis D. Vavala, 0000.

To be brigadier general

Col. John A. Bathke, 0000.
Col. Barbaranette T. Bolden, 0000.
Col. Ronald S. Chastain, 0000.
Col. Ronald G. Crowder, 0000.
Col. Ricky D. Erlandson, 0000.
Col. Dallas W. Fanning, 0000.
Col. Donald J. Goldhorn, 0000.
Col. Larry W. Haltom, 0000.
Col. William E. Ingram, Jr., 0000.
Col. John T. King, Jr., 0000.
Col. Randall D. Mosley, 0000.
Col. Richard C. Nash, 0000.
Col. Phillip E. Oates, 0000.
Col. Richard D. Read, 0000.
Col. Andrew M. Schuster, 0000.
Col. David A. Sprynczynatyk, 0000.
Col. Ronald B. Stewart, 0000.
Col. Warner I. Sumpter, 0000.
Col. Clyde A. Vaughn, 0000.

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 3069 and in accordance with Article II, Section 2 of the Constitution of the United States:

To be brigadier general, Nurse Corps

Col. William T. Bester, 0000.

IN THE AIR FORCE

Air Force nominations beginning Terrance A. Harms, and ending Krista K. Wenzel, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

Air Force nominations beginning James L. Abernathy, and ending Darryll D.M. Wong, which nominations were received by the Senate and appeared in the Congressional Record on March 9, 2000.

IN THE ARMY

Army nominations beginning Jaime Albornoz, and ending Timothy D. Williamson, which nominations were received by the Senate and appeared in the Congressional Record on February 2, 2000.

Army nominations beginning Lyle W. Cayce, and ending Roger D. Washington, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2000.

Army nominations beginning James M. Dapore, and ending Michael J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

Army nominations beginning James W. Hutts, and ending Bronislaw A. Zamojda, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

Army nominations beginning Paul R. Hulkovich, and ending Michael A. Weber, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

Army nominations beginning Scott R. Antoine, and ending Patrick J. Woodman, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

Army nominations beginning Martha C. Lupo, and ending Charles L. Young, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

Army nominations beginning Thomas W. Acosta, Jr., and ending Vincent A. Zike, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 7, 2000.

Army nominations beginning James G. Ainslie, and ending Thomas M. Penton, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 9, 2000.

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., sections 531 and 624:

To be lieutenant colonel

Jane H. Edwards, 0000

Army nominations beginning Jeffrey J. Adamovicz, and ending John F. Zeto, which nominations were received by the Senate and appeared in the Congressional Record on March 9, 2000.

IN THE MARINE CORPS

The following named officer for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

To be major

Joseph L. Baxter, Jr., 0000

IN THE NAVY

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Stan M. Aufderheide, 0000

The following named officer for appointment to the grade indicated in the United

States Navy under title 10, U.S.C., section 624:

To be commander

Michael T. Bourque, 0000

Navy nominations beginning Marian L. Celli, and ending Miguel A. Franco, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

William R. Mahoney, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Stephen R. Silva, 0000

The following named officer for appointment to the grade indicated in the United States Naval Reserve under title 10, U.S.C., section 12203:

To be captain

Graeme Anthony Browne, 0000

Navy nominations beginning John P. Labanc, and ending Forrest S. Yount, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 2000.

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Robert F. Blythe, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

George P. Haig, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Melvin J. Hendricks, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Jon E. Lazar, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Lawrence R. Lintz, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

David E. Lowe, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Michael S. Nicklin, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Robert J. Werner, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be captain

Carl M. June, 0000

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR MONDAY, APRIL 3, 2000

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent when the Senate completes its business today, it adjourn until the hour of 12 noon on Monday, April 3. I further ask consent on Monday, 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 with Senators permitted to speak for up to 10 minutes each, with the following exceptions:

One hour under the control of Senator BOB SMITH; 30 minutes under the control of Senator BROWNBACK; 30 minutes under the control of Senator CRAIG or his designee from 3 to 3:30; and 2 hours under the control of Senator DURBIN or his designee.

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

Mr. SMITH of New Hampshire. I further ask unanimous consent it be in order for the Budget Committee to file the budget resolution between the hours of 10 a.m. and 11 a.m. on Friday.

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

Mr. SMITH of New Hampshire. I further ask unanimous consent that the Senate proceed to the budget resolution at 9:30 a.m. on Tuesday, April 4, providing the report is available Saturday morning.

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

PROGRAM

Mr. SMITH of New Hampshire. For the information of all Senators, the Senate will be in a period of morning business during the day on Monday. No votes will occur during Monday's session of the Senate. The Senate will begin the budget resolution on Tuesday. Therefore, votes may be expected during the day and into the evening on Tuesday. Members should expect late nights each session next week in an effort to conclude the budget resolution by the end of next week. The leader urges all Members to adjust their schedule accordingly.

ELIAN GONZALEZ

Mr. SMITH of New Hampshire. Mr. President, I want to comment for a moment on some of the things that happened today. Yesterday, I introduced legislation to provide permanent residency to Elian Gonzalez because I wanted to try to diffuse what I think is a very volatile situation in south Florida. I believe Elian Gonzalez should be allowed to go to custody court and allow his family—all of his family from Cuba, not just Juan Gonzalez—to come here so they could be free from any encumbrances or any threats or hostility toward them by Fidel Castro. They can sit down as a family, the way a family should, and try to work out the fate of Elian Gonzalez. If that could not be worked out, that it go to custody court.

Regretfully, we couldn't get enough people to support this action. So we have postponed any action. Some have objected and caused a series of delays which did not provide the opportunity for me to have a vote here today, which I regret. It is my sincere hope that the Attorney General over the next several days will not move to do something that I think would be not only silly but dangerous and not in the best interests of Elian Gonzalez—trying to drag this boy from his home in Miami and send him off to Cuba.

I believe Senators should go on record and say how they feel about this. I have heard some say, I don't want to be involved in a custody battle. I don't either. That is not the job of a Senator. We are asking in this resolution, not to have a Senator interfere with a custody battle, but to allow a custody proceeding to occur.

Right now, this is an immigration situation. Elian Gonzalez didn't come here the way most people immigrate to the United States or immigrate into the United States. He came here floating on a raft, picked up by fishermen after his mother died trying to get him here to freedom.

He deserves his day in court. He deserves to be heard, like any child in America. I want that to happen worse than anything. I want all 100 Senators to speak on this. I hope that happens. I want to let Janet Reno, the Attorney General, know that I urge her to take the time to think this thing through, meet with Elian Gonzalez, talk with the family, and understand that it is in the best interests of this child that his family, all of his family, come here from Cuba—that is what my legislation does—on permanent residency status. They can go back anytime they want to. They are not provided citizenship. They can come here of their own free will without Castro's influence. They can make a decision about this little boy. That is the right thing to do.

I want to acknowledge a statement today made by the Vice President of the United States, Al Gore, regarding Elian Gonzalez. He has today supported this action that I have advocated, along with Senator MACK and Senator GRAHAM of Florida, to have permanent residency status for Elian Gonzalez and

his family. I commend the Vice President for what he did. It was a very courageous action. He parted ways with his own administration to say that this is the right thing to do. You have to give credit where credit is due, and he gets all the credit in the world from me for having made that decision. I ask unanimous consent that his statement of March 30, today, regarding Elian Gonzalez, be printed in the RECORD.

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

STATEMENT BY AL GORE REGARDING ELIAN GONZALEZ, MARCH 30, 2000

From the very beginning, I have said that Elian Gonzalez's case is at heart a custody matter. It is a matter that should be decided by courts that have the experience and expertise to resolve custody cases—with due process, and based on Elian's best interests.

It now appears that our immigration laws may not be broad enough to allow for such an approach in Elian's case. That is why I am urging Congress to pass legislation that is being sponsored by Senators BOB GRAHAM and BOB SMITH—which would grant permanent resident status to Elian and his family so that this case can be adjudicated properly. I know that Congressman BOB MENENDEZ has introduced similar legislation in the House as well.

Let us be clear that the real fault in this case lies with the oppressive regime of Fidel Castro. Elian should never have been forced to choose between freedom and his own father. Now we must take action, here on our own shores, to make sure that Elian's best interests are served.

Mr. SMITH of New Hampshire. I will read a couple lines:

From the very beginning, I have said that Elian Gonzalez's case is at heart a custody matter. It is a matter that should be decided by the courts that have the experience and expertise to resolve custody cases—with due process, and based on Elian's best interests.

My sentiments exactly.

Let us be clear, the real fault in the case lies with the regime of Fidel Castro. Elian should never have been forced to choose between freedom and his own father. Now we must take action, here on our own shores, to make sure that Elian's best interests are served.

That is a very powerful statement. I commend the Vice President for making it. I hope the Vice President now can work with some of his colleagues on the other side of the aisle who have been opposing this opportunity to have the permanent residency status on Elian Gonzalez.

This bill is a perfect solution for those who are not prepared to grant full citizenship for this boy. This is a compromise, not full citizenship, and it is not sending him back to Cuba. It is a compromise. It is one on which I have worked for a long time. It is the perfect solution for those who are concerned that the Senate would be stepping into a custody matter. This bill makes this a custody case, as I just said. It removes the issue from the pro-Cuba or anti-Cuba politics. It allows the issue to be settled by a judge who has the expertise in family custody matters to resolve the status of Elian without any intimidation or any threats from Fidel Castro.

As I have stated, this is a decision the Attorney General has made. I applaud the Vice President's endorsement, and I hope and plead with him to pick up the telephone, call some of his former colleagues, and urge them to support this legislation or urge Janet Reno to pull back from this insistence that Elian Gonzalez not have permanent residency status.

I will have more to say on this when we return on Monday.

ADJOURNMENT UNTIL MONDAY, APRIL 3, 2000

Mr. SMITH of New Hampshire. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:39 p.m., adjourned until Monday, April 3, 2000, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate March 30, 2000:

DEPARTMENT OF TRANSPORTATION

J. RANDOLPH BABBITT, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF THREE YEARS. (NEW POSITION)

ROBERT W. BAKER, OF TEXAS, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF THREE YEARS. (NEW POSITION)

EDWARD M. BOLEN, OF MARYLAND, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF THREE YEARS. (NEW POSITION)

DEBBIE D. BRANSON, OF TEXAS, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF THREE YEARS. (NEW POSITION)

GEOFFREY T. CROWLEY, OF WISCONSIN, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF TWO YEARS. (NEW POSITION)

ROBERT A. DAVIS, OF WASHINGTON, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF TWO YEARS. (NEW POSITION)

KENDALL W. WILSON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF ONE YEAR. (NEW POSITION)

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general, Medical Service Corps

COL. RICHARD L. URSONE, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AND ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

MARLENE E. ABBOTT, 0000
TAREK C. ABBOUSHI, 0000
PAUL R. ACKERMAN, 0000
R. KEVIN ADAMS, 0000
SANDRA M. ADAMS, 0000
DANNY L. ADDISON, 0000
EDWARD A. ADKINS, 0000
SAM RALPH AH, 0000
JEROME J. AKERSON, 0000
STEVEN B. ALDERFER, 0000
FRANK S. ALEXA, 0000
MARK G. ALLCOTT, 0000
BRUCE A. ALLEN, 0000
THOMAS G. ALLEY, 0000
JOHN P. ALMIND, 0000
JAMES K. ALTMAN, 0000
MARK A. ALTOBELLI, 0000
DOUGLAS L. AMON, 0000
MICHAEL D. ANDERSEN, 0000
BRIAN D. ANDERSON, 0000
GREGG D. ANDREACHI, 0000
WALTER G. ANDRESS, JR., 0000
CRAIG L. ANFINSEN, 0000
MICHAEL B. ANGELORO, 0000
JOHN P. ANTON, 0000
ALAN W. ARATA, 0000
JOSEPH F. ARATA, 0000
ROBERT L. ARENDS, 0000
DANIEL E. ARNOLD, 0000
DAVID R. ARREOLA, 0000
SAMUEL A. ARROYO, 0000
KENNETH R. ARTEAGA, 0000
MATTHEW B. ASH, 0000
THOMAS G. ATKINS, 0000
CAROL L. ATKINSON, 0000
DIANA ATWELL, 0000
JAMES S. AVRIT, 0000
KEVIN W. AYER, 0000
CHRISTOPHER B. AYRES, 0000
BALAN R. AYYAR, 0000
MICHAEL A. BABAUTA, 0000
RONALD J. BABSKI, JR., 0000
GARY J. BACKES, 0000
DALE E. BAILEY, 0000
JIMMY C. BAILEY, 0000
RICHARD S. BAILEY, 0000
RICHARD D. BAKER, 0000
KAREN E. BAKKE, 0000
KENNETH E. BANDY, 0000
BRITTON W. BANKSON, 0000
ALEXANDER R. BAPTY, 0000
GREGORY A. BARBER, 0000
WILLIAM TERRY BARE, 0000
THEODORE H. BARLOCK, 0000
JAMES M. BARON, 0000
ROBERT S. BARONE, 0000
PAUL R. BARRE, 0000
STEPHEN L. BARRETT, 0000
BRYAN K. BARTELS, 0000
RICHARD A. BAUMANN, 0000
JAMES R. BEAMON, 0000
BARRY M. BEARD, 0000
JAMES B. BEARDEN, 0000
DENNIS L. BEATTY, 0000
MARGARET H. BEATY, 0000
CHARLES J. BECK, 0000
JEFFREY A. BECK, 0000
WILLIAM J. BECKER, 0000
WILLIAM C. BECKINGER, 0000
BENJAMIN C. BEEDE, 0000
ERIC A. BEENE, 0000
DIANE F. BEHLER, 0000
DANIEL G. BEHNE, 0000
THOMAS E. BELL, 0000
TIMOTHY R. BELL, 0000
CHRIS C. BELSON, 0000
WILSON M. BEN, 0000
DAVID L. BENNETT, 0000
EDWARD J. BENNINGFIELD, 0000
ROBERT W. BENWAY, 0000
ROBERT F. BERKHEISER, 0000
JON H. BERRIE, 0000
RONALD J. BEYERS, 0000
JAMES M. BIEDA, 0000
WILLIAM W. BIERBAUM, 0000
DOROTHA A. BIERNESSER, 0000
PAUL T. BIGELOW, 0000
STEVEN H. BILLS, 0000
GEORGE P. BIONDI, 0000
FRANCIS J. BISHOP, JR., 0000
GRANT C. BISHOP, 0000
CASEY D. BLAKE, 0000
KEVIN C. BLAKLEY, 0000
GREGORY O. BLANCHARD, 0000
REGINA A. BLANKE, 0000
BRIAN S. BLANKENSHIP, 0000
JAMES C. BLASINGAME, JR., 0000
MICHAEL A. BLAYLOCK, 0000
GAGE A. BLEAKLEY, 0000
DAVID D. BLOMBERG, 0000
JOHN W. BLUMENTRITT, 0000
CHARLES H. BOARDMAN IV, 0000
KRISTINA M. BOERMEESTER, 0000
CHARLES R. BOONE, 0000
KEVIN A. BOOTH, 0000
ELIZABETH B. BORELLI, 0000
KEVIN A. BORNHOFT, 0000
MARK T. BOSWELL, 0000
JOYCE M. BOUGHAN, 0000
BRIAN D. BOURNE, 0000
KELVIN C. BOWEN, 0000
MELVIN K. BOWEN, 0000
JOHN C. BOWER, 0000
JOSEPH H. BOWERS, 0000
ROBERT V. BOWERSOX, 0000
ANNETTE V. BOX, 0000
FLOYD J. BOYER, 0000
JOHN V. BOYLE, 0000
ANTHONY G. BRADLEY, 0000
PATRICK O. BRADSHAW, 0000
MICHAEL T. BRAMAN, 0000
WILLIAM C. BRANDT, 0000
STEPHEN M. BRANNEN, 0000
WILLIAM S. BREI, 0000
MICHAEL J. BRENNAN III, 0000
ALAN C. BRIDGES, 0000
DAVID A. BROMWELL, 0000
MARK A. BRONAKOWSKI, 0000
MICHAEL J. BROOKS, 0000
ROGER G. BROOKS, 0000
HEIDI S. BROTHERS, 0000
DAVID A. BROWN, 0000
JONATHAN D. BROWN, 0000
MICHAEL R. BROWN, 0000
THOMAS P. BROWN, 0000
THOMAS W. BROWN, 0000
TIMOTHY D. BROWN, 0000
GERALD R. BRUCE, 0000
ALVIN A. BRUNNER III, 0000
ROBIN R. BRUNNER, 0000
JAMES M. BRUNO, 0000
ANTHONY R. BUCK, 0000
JOSEPH E. BUDER, 0000
GREGORY S. BUELT, 0000

DAVID J. BUNKER, 0000
ERIK D. BURGESON, 0000
ROBYN M. BURK, 0000
ALAN W. BURKE, 0000
CHRISTOPHER J. BURKE, 0000
JOSEPH E. BURLBAUGH, 0000
JAMES M. BURLINGAME, 0000
RODNEY A. BURNETT, 0000
ANTHONY P. BURNS, 0000
MARK E. BURNS, 0000
RICHARD E. BURNS, 0000
DANIEL C. BUSCHOR, 0000
KAREN R. BUTLER, 0000
LAWRENCE W. BUTLER, 0000
MARK E. BUTLER, 0000
MICHAEL T. BYRNE, 0000
TIMOTHY J. BYRNE, 0000
STEVEN C. CABERTO, 0000
GREGORY M. CAIN, 0000
KELLY P. CALABIO, 0000
LEONARDO P. CALABRETTA, 0000
BRIAN D. CAMPBELL, 0000
ELIZABETH A. CAMPBELL, 0000
ROBERT J. CAMPBELL, 0000
JOHN C. CANNAFAX, 0000
MICHAEL M. CANNON, 0000
ROSARIO J. CAPUTO, 0000
MARK G. CARBO, 0000
DAVID B. CAREY, 0000
GLENN W. CARLSON, 0000
DOUGLAS B. CARNEY, 0000
GEORGE C. CARPENTER II, 0000
ROBERT CARRIEDO, 0000
RODNEY D. CARROLL, 0000
MARCUS E. CARTER, 0000
MARK ELLIOTT CARTER, 0000
MARK L. CARTER, 0000
THORLOUGH E. CARTER, JR., 0000
CLAY H. CASH, 0000
TIMOTHY S. CASHDOLLAR, 0000
JAMES P. CASHIN, 0000
KAREN M. CASTILLO, 0000
ANDREW J. CERNICKY, 0000
AMY E. CHALFANT, 0000
RAYMOND F. CHAMBERLAND III, 0000
WAYNE R. CHAMBERS, 0000
MARK A. CHANCE, 0000
DAVID A. CHEVESS, 0000
JOHN L. CHITWOOD, 0000
CHRISTOPHER C. CHOATE, 0000
PAWLOWSKI YANGHEE A. M. CHOI, 0000
PATRICK W. CHRISTOPHERSON, 0000
TERRY S. CHURCH, 0000
CHERYL A. CLABOUGH, 0000
MICHAEL J. CLARK, 0000
STEPHEN A. CLARK, 0000
ROBERT D. CLAUSEN, 0000
STEPHEN R. CLIATT, 0000
JOSEPH C. CODIROLI, 0000
BENJAMIN J. COFFEY, 0000
CYNTHIA D. COGBURN, 0000
BRADLEY A. COLE, 0000
ROBERT A. COLELLA, 0000
LORI T. COLEMAN, 0000
KEVIN F. COLLAMORE, 0000
IRA Q. COLLIER III, 0000
DOUGLAS S. COLLINS, 0000
ADA A. CONLAN, 0000
CHRISTOPHER M. CONNELLY, 0000
JERRY R. CONNER, 0000
MARK G. CONNOLLY, 0000
DOUGLAS P. CONSTANT, 0000
JOHN P. COOK, 0000
PETER D. COOK, 0000
PHILIP S. COOPER, 0000
TERRENCE P. COOPER, 0000
CYNTHIA S. COPERROTTI, 0000
SCOTT E. CORCORAN, 0000
RICHARD A. CORDELL, 0000
ANTHONY N. CORRERO, 0000
ALBERT H. R. COUILLARD, 0000
WILLIAM D. COWAN, 0000
ELIZABETH A. COWLES, 0000
DAVID W. COX, 0000
KAREN L. COX, 0000
LEEVOLKER COX, 0000
TIMOTHY W. COY, 0000
MICHAEL K. CRAMER, 0000
DAVID E. CRANE, 0000
GEORGE A. CRAWFORD, 0000
LOREN A. CREA, 0000
RODERICK L. CREGIER, 0000
MICHAEL J. CRIBBS, 0000
ROBERT D. CRITCHLOW, 0000
JEFFREY D. CROSBY, 0000
CLINTON E. CROSIER, 0000
RODGER T. CULKIN, 0000
DONALD R. CULP, JR., 0000
JAMES V. CULP, 0000
GRAHAM J. CUMMIN, JR., 0000
GREGORY A. CUMMINGS, 0000
STEPHEN G. CUNICO, 0000
CHARLES D. CUNNINGHAM, 0000
DONALD L. CURRY, 0000
EDWARD T. CYRUS, 0000
KARL J. DAHLHAUSER, 0000
GARY A. DAIGLE, 0000
DAVID S. DALE, JR., 0000
ERIC M. DALE, 0000
MARY W. DALEY, 0000
ORLANDO M. DARANG, 0000
ROBERT E. DARE, 0000
GERALD J. DAVID, 0000
DAVID A. DAVIES, 0000
CHRISTOPHER O. DAVIS, 0000
JAMES M. DAVIS, JR., 0000
RODERICK H. DAVIS, JR., 0000
STEVEN M. DAVIS, 0000
WILLIAM C. DAVIS, SR., 0000
THOMAS H. DEALE, 0000
GREGORY H. DEAN, 0000
DAVID A. DECASTRO, 0000
VERNON L. DEFREESE, JR., 0000
STANLEY B. * DELL, 0000
FRANK DEMARTINI III, 0000
BETSY L. DEMAY, 0000
JOSEPH E. DEMBOWSKI III, 0000
MICHAEL R. DEMBROSKI, 0000
KIMBERLY BALKEMA DEMORET, 0000
STEPHEN T. DENKER, 0000
ROBERT L. DESILVA, 0000
DAVID M. DEVRIES, 0000
CRAIG B. DEZELL, 0000
RAFAEL A. DIAZ, 0000
STEVE G. DIDOMENICO, 0000
DAVID A. DIGEORGE, 0000
JOSEPH C. DILL, 0000
DENNIS D. DILLON, 0000
LONNIE R. DILLON, 0000
CHRISTOPHER P. DINENNA, 0000
JOSEPH T. DINUOVO, 0000
EDITH A. DISLER, 0000
TROY L. DIXON, 0000
SANDRA DOMINGOS, 0000
CYNTHIA O. DOMINGUEZ, 0000
LANCE A. DONNELLY, 0000
SUSAN M. DONNELLY, 0000
JOHN L. DONOVAN, 0000
EUGENE I. DOREMUS, 0000
JAMES A. DORSEY, 0000
RANDALL C. DORTCH, 0000
DAVID J. DORYLAND, 0000
KRISTEN A. DOTTERWAY, 0000
JOSEPH J. DOUEZ, 0000
BRIAN K. DOUGHERTY, 0000
MICHAEL W. DOUGLASS, 0000
BARRY N. DOWELL, 0000
JOHN M. DOWLING, 0000
THOMAS A. DOYNE, 0000
DANIEL A. DRAEGER, 0000
STEVEN R. DRAGO, 0000
DON M. DRESSEL, 0000
BENJAMIN A. DREW, JR., 0000
RODGER A. DREW, JR., 0000
KEVIN B. DRISCOLL, 0000
PAUL A. DRIVER, 0000
JOSEPH D. DROZD, 0000
CELESTE SANDERS DRYJANSKI, 0000
COURTNEY ANNE DUCHARME, 0000
DONALD E. DUCKRO, 0000
MARK F. DUFFIELD, 0000
DAVID A. DUKE, 0000
DOUGLAS K. * DUNBAR, 0000
JOHN I. DUNHAM, JR., 0000
THOMAS C. DUNHAM, 0000
DAVID G. DUNLOP, 0000
JEFFERSON S. DUNN, 0000
KATHLEEN M. DUNNCANE, 0000
DAVID P. DUNTEMAN, 0000
MICHAEL S. DUPERIER, 0000
DAVID J. DURGAN, 0000
DOUGLAS E. DYER, 0000
DIANNA M. DYLEWSKI, 0000
JOSEPH F. DYLEWSKI, 0000
DAVID M. EARLY, 0000
M. ELIZABETH MASON EASTMAN, 0000
CHARLES O. EDDY IV, 0000
TIMOTHY E. EDEM, 0000
CRAIG R. EDKINS, 0000
ANNETTE W. EDWARDS, 0000
DAWN R. EFLEIN, 0000
JOHN M. EGENTOWICH, 0000
WILLIAM H. EICHENBERGER, 0000
JAMES E. EILERS, 0000
JOEY A. EISENHUT, 0000
ERIC N. EKLUND, 0000
DAVID E. ELLIS, 0000
MARK W. ELLIS, 0000
PETER S. H. ELLIS, 0000
MICHAEL D. ELLISON, 0000
BRUCE D. ELLWEIN, 0000
DAVID W. ELSAESSER, 0000
GREGORY G. EMANUEL, 0000
CHARLES G. EMMETTE, 0000
JEFFERY L. EMMONS, 0000
GREGORY T. ENGEL, 0000
MICHAEL T. ENGLAND, 0000
MARY L. ENSMINGER, 0000
FRANK J. EPPICH, 0000
JOANN L. ERNO, 0000
NEIL B. ERNO, 0000
ROBERT A. ESLINGER, 0000
JAYSON S. ESPLIN, 0000
GARY O. ESSARY, 0000
JODY A. EVANS, 0000
THOMAS A. EYE, 0000
MICHAEL K. FABIAN, 0000
GARY E. FABRICIUS, 0000
KATHLEEN M. FADOK, 0000
RONALD R. FAIRBANKS, 0000
CARL L. FARQUHAR, 0000
STEVEN E. FELL, 0000
DALE A. FERGUSON, 0000
ADOLFO J. FERNANDEZ, 0000
JOSEPH C. FICARROTTA, 0000
MARK A. FINNILA, 0000
PERRY D. FITZGERALD, JR., 0000
STEPHEN A. FITZGERALD, 0000
MICHAEL T. FITZPATRICK, 0000
TERESA L. FITZPATRICK, 0000
DIANE L. FLETCHER, 0000
KELLY E. FLETCHER, 0000
JAMES A. FOLEY, 0000
JEFFREY E. FOLLANSBEE, 0000
THOMAS M. FOLTZ, 0000
TROY N. FONTAINE, 0000
ANDREW J. FORBES, 0000
LANCE A. FORBES, 0000
DUANE A. FORCADE, 0000
BRIAN C. FORD, 0000
RICHARD A. FORSTER, 0000
MICHAEL E. FORTNEY, 0000
MARK A. FORTUGNO, 0000
WILLIAM W. FRANCIS, 0000
DAVID M. FRANZ, 0000
CLAY R. FRASIER, 0000
MYRON L. FREEMAN, 0000
PAUL J. FREEMAN, 0000
DAVID C. FRENCH, 0000
THOMAS B. FROONINCKX, 0000
CURTIS V. FROST, 0000
CARL J. FRUSHON, 0000
TIMOTHY D. FRUTH, 0000
DENNIS P. FRY, 0000
DWAYNE W. FRYE, 0000
AGUSTIN FUENTES, 0000
RICHARD T. FUENTES, 0000
CHARLES H. FULGHUM, 0000
DOUGLAS E. FULLER, 0000
KATHRYN ANN FULLER, 0000
ROBERT M. FULLER, JR., 0000
JAMES G. FULTON, 0000
DAVID W. FUNK, 0000
RONALD L. FUNK, 0000
ALDEN B. FURLOUGH, 0000
DALE S. GABRIEL, 0000
KELLY P. GAFFNEY, 0000
GARY C. GAGNON, 0000
DOUGLAS A. GALIPEAU, 0000
LEOKADIA B. GALKA, 0000
JAMES M. GALLAGHER, 0000
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JOSEPH L. GARCIA, 0000
LEE J. GARCIA, 0000
SARAH L. GARCIA, 0000
LESTER L. GARDNER, JR., 0000
PATRICK J. GARDNER, 0000
DARRELL F. GARGALA, 0000
ROBERT F. GARGIULO, 0000
KYLE E. GARLAND, 0000
JOHN A. GARNER, 0000
JAMES E. GARNETT, 0000
JOHN D. GARRIS, 0000
JOHN D. GARVIN, 0000
ERIC E. GATES, 0000
ANDRE L. GATHERS, 0000
THOMAS L. GAYLORD, 0000
CHRISTINE R. GEDNEY, 0000
GORDON G. GEISON, 0000
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WILLIAM R. GEORGE, 0000
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RANDAL A. GESCHEIDLE, 0000
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BROCK E. GIBSON, 0000
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DENNIS P. GILBERT, JR., 0000
GLENN S. GILBERT, 0000
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PRINCE GILLIARD, JR., 0000
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SCOTT E. GILSON, 0000
KEVIN J. GIRKINS, 0000
RICHARD A. GITTINS, 0000
ROBERT P. GIVENS, 0000
AMANDA W. GLADNEY, 0000
STEVEN W. GODDARD, 0000
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EDWARD T. GOLDSACK, 0000
JOSEPH N. GOMES, 0000
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DOUGLAS G. GOODLIN, 0000
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THOMAS F. GOULD, 0000
PAUL D. GOVEN, 0000
LEWIS C. GRAEFF, 0000
JENNIFER L. GRAHAM, 0000
JAMES A. GRAHN, 0000
JEFFREY W. GRANTHAM, 0000
JAMES A. GRAY, 0000
JON K. GRAY, 0000
GERALD P. GREEN, 0000
JAMES D. GREEN, 0000
JAMES L. GREEN, 0000
RAY A. GREEN, 0000
TIMOTHY A. GREEN, 0000
DONALD A. GRESHAM, 0000
JAMES B. GRIER, 0000
KENNETH G. GRIFFIN, 0000
DANIEL J. GRIFFITH, 0000
KELLY A. GRIFFITH, 0000
KENNETH K. GRIMES, 0000
STEVEN NMN GRIMO, 0000
STEPHEN C. GRINNELL, JR., 0000
COLLEEN R. GRINTER, 0000
PHILLIP D. GRISSOM, 0000
STEVEN L. GROENHEIM, 0000
STEPHEN M. GROTJAN, 0000
STEPHEN D. GRUMBACH, 0000
JEFFREY S. GRUNER, 0000
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MAURICE L. GUTIERREZ, 0000
STEPHEN W. GUZEK, 0000
PAUL W. GYDESEN, 0000

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LARRY D. HAHN, 0000
THOMAS J. HAINS, 0000
STUART L. HAIRE, 0000
MICHAEL F. HAKE, 0000
MICHAEL M. HALE, 0000
ANDREW B. HALL, 0000
JULIE A. HALL, 0000
LARRY D. HALL, 0000
MARK R. HALL, 0000
NIKKI A. HALL, 0000
JONES LYNNE T. HAMILTON, 0000
TERRY W. HAMILTON, 0000
KENNETH L. HAMNER, 0000
THOMAS W. HAMPTON, 0000
WILLIAM G. HAMPTON, 0000
JOSEPH L. HAMRICK II, 0000
KIM R. HANEY, 0000
JERRY W. HANLIN, 0000
SEAN M. HANNAWAY, 0000
KEITH J. HANSEN, 0000
CHERYL L. C. HARALSON, 0000
SCOTT C. HARDIMAN, 0000
STEPHEN D. HARGIS, 0000
CRAIG S. HARM, 0000
TODD P. HARMER, 0000
SUE E. HARMON, 0000
KAREN L. HARNED, 0000
MARY E. HARNEY, 0000
JAMES W. HARPER, 0000
DIANE W. HARRIEL, 0000
KATHLEEN HARRINGTON, 0000
LAWRENCE K. HARRINGTON, 0000
ALFRED W. HARRIS, JR., 0000
CARL P. HARRIS, JR., 0000
STEVEN HARRIS, 0000
STEVEN B. HARRISON, 0000
JAMES C. HARTLE, 0000
MICHAEL T. HARVEY, 0000
MARK S. HASKINS, 0000
BRIAN D. HASTINGS, 0000
MICHAEL C. HATFIELD, 0000
PHIL M. HAUN, 0000
ROBERT E. HAYHURST, 0000
MARK S. HAYS, 0000
BRIAN C. HEALY, 0000
JOHN E. HEATON, SR., 0000
WILLIAM HEGEDUSICH, 0000
NANCY J. * HEISTERMAN, 0000
CHARLES A. HELMS, 0000
KENT R. HELWIG, 0000
STEVEN J. HENNESSY, 0000
GARY N. HENRY, 0000
JOSE L. HERNANDEZ, JR., 0000
RICHARD S. HERR, 0000
JUSTO HERRERA III, 0000
JOE C. HERRON, 0000
ROBERT B. HERTBERG, 0000
MARK EDWARD HESS, 0000
MATTHEW W. HEUER, 0000
DAWN M. HEWITT, 0000
DONALD C. HICKMAN, 0000
JOHN M. HICKS, 0000
PETER HIGGINS, 0000
CRAIG A. HILL, 0000
ROBERT E. HILL, 0000
THOMAS D. HILL JR., 0000
JAMES W. HILLS III, 0000
MICHAEL J. HILTON, 0000
THOMAS P. HIMES, JR., 0000
JOHN A. HINDS, 0000
ROBIN B. HINOTE, 0000
DAVID R. HINSON, 0000
PETER A. HIRNEISE, 0000
KATHLEEN M. HITHE, 0000
LAWRENCE I. HITTLE, 0000
DOUGLAS J. HOCK, 0000
ANDREW M. HOCKMAN, 0000
ALEXANDER C. HODGE, 0000
PATRICIA D. HOFFMAN, 0000
COURTNEY D. HOLMBERG, 0000
BERNARD A. HOLMES, 0000
BRYAN D. HOLMES, 0000
SHARON L. HOLMES, 0000
DIANE M. HOLMGREN, 0000
JEFFREY L. HOOD, 0000
GUY R. HOOPER, 0000
ROBERT A. HOPKINS, JR., 0000
JOHN P. HORNER, 0000
DAVID B. HORTON, 0000
DAUN A. HORTTOR, 0000
MARK W. HOUTZER, 0000
DANA S. HOWARD, 0000
JAMES R. HOWARD, 0000
JAMES C. HOWE, 0000
TONY C.T. HU, 0000
MARTIN J. HUGGARD, 0000
HARRY M. HUGHES, 0000
CASEY W. HUGHSON, 0000
THOMAS D. HUIZENGA, 0000
DAVID B. HUME, 0000
RICHARD T. HUMPHREY, 0000
JOHN A. HUMPHRIES, 0000
JOHN P. HUNERWADEL, 0000
DAVID P. HUNNINGHAKE, 0000
JON K. HUSS, 0000
CHARLES K. HYDE, 0000
KENNETH J. HYVONEN, JR., 0000
PHILIP A. IANNUZZI, JR., 0000
MARIANNE IDZIEGAN, 0000
WILLIAM R. IMHOF, 0000
JAMES E. IMLAY, 0000
EDWARD A. INGHAM, 0000
DAVID M. INGRAM, 0000
ERIC S. ISRAEL, 0000
JUDY L. JACKSON, 0000
KENNETH F. JACKSON, 0000
ROBERT L. JACKSON III, 0000
FREEMAN E. JAMES, 0000
LEONARD J. JANSEN, 0000
BARBARA JEFTS, 0000
STEVEN M. JENKINS, 0000
DON S. JENSEN, 0000
ROBERT H. JERONIMUS, 0000
EDWARD E. JEZISEK II, 0000
HAGOP JIBILIAN, 0000
JOHN P. JOHANSON, 0000
ALAN W. JOHNSON, 0000
DANIEL R. JOHNSON, 0000
DAVID R. JOHNSON, 0000
DAVID S. JOHNSON, 0000
JOSEPH D. JOHNSON, 0000
LISA S. JOHNSON, 0000
PATRICK W. JOHNSON, 0000
JAMES A. JOLLIFFE, 0000
LEWIS J. JOLLY, 0000
BRADLEY K. JONES, 0000
DAVID A. JONES, 0000
DEBORAH R. JONES, 0000
GREGORY T. JONES, 0000
JOHNATHAN H. JONES, 0000
MARILYN L. JONES, 0000
MICHAEL R. JONES, 0000
BOYKIN B. JORDAN, JR., 0000
GERALD M. JORDAN, JR., 0000
JAMES R. JORDAN, 0000
JOHN J. JORDAN, 0000
PAMELA S. JORDAN, 0000
STEVEN H. JORDAN, 0000
PAUL J. JUDGE, 0000
KENNETH R. JUNKES, 0000
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BRADLEY C. KARN III, 0000
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THERESA M. KATEIN, 0000
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DAVID N. KEDDINGTON, 0000
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JOHN A. KEEFER, 0000
CHARLES E. KELKER, 0000
MARY KELLER, 0000
JAMES M. KELLEY, 0000
PAUL F. KELLNER, 0000
MICHAEL J. KELLY, 0000
THOMAS F. KENNEDY, JR., 0000
BRENTON H. KENWORTHY, 0000
JOHN K. KEPKO, 0000
GAVIN L. KETCHEN, 0000
DOUGLAS S. KIBBE, 0000
JEFFREY S. KIDD, 0000
KEVIN J. KILB, 0000
JOANNE M. KILE, 0000
BRIAN M. KILLOUGH, 0000
WALTER S. KING, 0000
MICHAEL A. KIRSCHKE, 0000
JOHN P. KLATT, 0000
JON D. KLAUS, 0000
EUGENE V. KLEISER, JR., 0000
KIRK M. KLOEPPEL, 0000
RICHARD A. KLUMPP, JR., 0000
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MARKHAM C. KNIGHTS, 0000
MARK R. KNOFF, 0000
KENNETH L. KNOTTS, JR., 0000
EDGAR M. KNOUSE, 0000
LESLIE A. KODLICK, 0000
CURTIS K. KONG, 0000
GARY M. KONNERT, 0000
PATRICIA J. KORN, 0000
RONALD A. KOSOBUCKI, 0000
STEPHEN A. KRAM, 0000
KURT H. KRAMER, 0000
KENNETH S. KREIT, 0000
JEFFREY J. KUBIAK, 0000
MICHAEL A. KUCEJ, 0000
NANCY C. KUNKEL, 0000
NANCY A. KUO, 0000
RUSSELL A. KUTZMAN, 0000
KAREN U. KWIATKOWSKI, 0000
DAVID A. KWIERAGA, 0000
BIBIANA R. LABORTE, 0000
JOSE M. LABORTE, 0000
JOSEPH LACATUS, 0000
JEROME G. LAKE, 0000
JOSEPH LAMARCA, JR., 0000
GREGORY S. LAMB, 0000
THOMAS A. LAMBERT, 0000
KYLE M. LAMPELA, 0000
KATHERINE E. LANDERS, 0000
MARK C. LANE, 0000
WILLIAM H. LANE III, 0000
WILLIAM R. LANE, 0000
WALLACE R.G. LANGBEHN II, 0000
MARK M. LANKFORD, 0000
MICHAEL J. LAPOINTE, 0000
CRAIG J. LARSON, 0000
DAVID L. LARSON, 0000
PETER R. LASCH, 0000
RICHARD M. LASSITER, 0000
WALTER J. LAUDERDALE, 0000
BRIAN C. LAVELLE, 0000
ROSE A. LAYMAN, 0000
DONALD H. LEATHEM, JR., 0000
VINCENT J. LECCADITO, 0000
BOYD D. LEE, 0000
JEANETTE A. LEE, 0000
MICHAEL T. LEFFLER, 0000
BARRY W. LEIHER, 0000
ROBERT P. LEMIEUX, 0000
JOSEPH L. LENERTZ, 0000
DENISE L. LENGYEL, 0000
GREGORY J. LENGYEL, 0000
BRUCE D. LENNARD, 0000
MARK A. LEONARD, 0000
WILLIAM W. LETT, 0000
DANIEL P. LEWANDOWSKI, 0000
JUAN F. LIMON, 0000
ELISABETH A. LINCOLN, 0000
MICHAEL P. LINSCHOTEN, 0000
RICHARD A. LIPSEY, 0000
LEONARD G. LITTON III, 0000
TAMMY H. LIVINGOOD, 0000
JOHN R. LOHR, 0000
RONALD E. LOHSE II, 0000
THOMAS E. LOLLIS II, 0000
EUGENE A. LONGO, JR., 0000
LYNDAL L. LONGSTREET, 0000
ANTHONY S. LONIGRO, 0000
EDWARD V. LORENZINI, 0000
HECTOR M. LORENZO, 0000
SUSAN C. LOVELAND, 0000
JAMES E. LOVELL, 0000
CHRISTOPHER C. LOZO, 0000
TERRY M. LUALLEN, 0000
JOHN C. LUCAS, 0000
STEPHEN P. LUCKY, 0000
CARL A. LUDE, 0000
CYNTHIA M. LUNDELL, 0000
NICHOLAS G. LUTHMAN, 0000
MARK J. LUTTON, 0000
MICHAEL J. MACAGNONE, 0000
STEPHEN A. MACHESKY, 0000
MONTE R. MACKEY, 0000
HENRY L. MACKLEN III, 0000
MICHAEL A. MACWILLIAM, 0000
SANDRA S. MADARIS, 0000
TIMOTHY S. MADGETT, 0000
PAUL M. MADSEN, 0000
FRANKLIN J. MALAFARINA, JR., 0000
DEAN P. MALLORY, 0000
JOSEPH W. MANCY, 0000
MICHAEL R. MANGUS, 0000
FERNANDO MANRIQUE, 0000
WILLIAM M. MANTIPLY, 0000
TIMOTHY L. MARCEAU, 0000
MICHAEL J. MARCHAND, 0000
MICHAEL S. MAREK, 0000
MICHAEL G. MARKOVICH, 0000
THOMAS G. MARKWARDT, 0000
MICHAEL A. MARRA, 0000
SCOTT R. MARRS, 0000
JOHN E. MARSELUS, 0000
JAMES D. MARSH, JR., 0000
DAVID B. MARSHALL, 0000
PATRICK A. MARSHALL, 0000
BENNY D. MARTIN, 0000
CHRISTY L. MARTIN, 0000
JEFFREY B. MARTIN, 0000
SCOTT R. MARTIN, 0000
TERESA L. MARTINEZ, 0000
WALTER L. MARVIN, 0000
RONALD S. MARX, 0000
RANDALL L. MARZEN, 0000
WILLIAM M. MASON, 0000
STANLEY T. MASTERS, 0000
JOSEPH M. MASTRIANNA, 0000
BERNARD E. MATER, 0000
ROBERT H. MATERNA, 0000
DAVID B. MATHEWS, 0000
JAY D. MATHIEU, 0000
RICHARD L. MATTA, 0000
ROBERT M. MATTHEWS, 0000
ROY A. MATTHEWS, JR., 0000
MARY MATTHEWSHAINS, 0000
JOHN J. MAUBACH, 0000
BRETT F. MAYHEW, 0000
RORY A. MAYNARD, 0000
TIMOTHY W. MC CAIG, 0000
RUSSELL E. MC CALLISTER, 0000
JEFFREY M. MC CANN, 0000
DAMIAN J. MC CARTHY, 0000
DANIEL H. MC CAULEY, 0000
RICHARD A. MC CLAIN, 0000
KENNETH L. MC CLELLAN, 0000
MICHAEL L. MC CLELLAN, 0000
BRUCE H. MC CLINTOCK, 0000
KWAN J. MC COMAS, 0000
DAVID K. MC COMBS, 0000
LORI M. MC CONNELL, 0000
TIMOTHY D. MC COOL, 0000
CHRISTOPHER J. MC CORMACK, 0000
JACK E. MC CRAE, JR., 0000
DAVID H. MC CRAY, 0000
KEITH H. MC CREADY, 0000
ALANA L. MC CULLOUGH, 0000
JEFFREY R. MC DANIELS, 0000
GARVIN A. MC GETTRICK, 0000
JOHN A.W. MC GONAGILL, 0000
WILLIAM M. MC KECHNIE, 0000
ERIC J. MC KINLEY, 0000
LYNDON K. MC KOWN, 0000
DAVID W. MC LEMORE, 0000
MARK M. MC LEOD, 0000
RONALD G. MC MANUS, JR., 0000
ADAM J. MC MILLAN, 0000
JOHN K. MC MULLEN, 0000
BRIAN J. MC NULTY, 0000
STEVEN H. MC PHERSON, 0000
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MARTHA E. MC SALLY, 0000
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MARTHA A. MEEKER, 0000
RAYMOND A. MEINHART, 0000
DONALD S. METSCHER, 0000

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WILLIAM D. MILLONIG, 0000
DAVID B. MILNER, JR., 0000
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JEFFREY K. MINER, 0000
BARRY SHAUN MINES, 0000
STEPHEN MIS, 0000
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ROBERT E. MITCHELL, 0000
DONNA J. MOERSCHELL, 0000
PHILLIP E. MOLLE, 0000
RANDY G. MOLTEN, 0000
DANIEL J. MONAHAN, 0000
KATHLEEN P. MONSEN, 0000
JOHN P. MONTGOMERY, 0000
MOLLY K. MOON, 0000
MARK D. MOORE, 0000
MARLIN K. MOORE, 0000
TERRY F. MOORE, 0000
VALERIE L. MOORE, 0000
VICKIE R. MOORE, 0000
MARK P. MOOSHIAN, 0000
NED L. MORAN, 0000
STEVEN J. MORANI, 0000
STEPHEN J. MOREE, 0000
DANIEL K. MORGAN, 0000
JAY P. MORGAN, 0000
JAMES R. MORRIS, JR., 0000
MARCUS A. MORRIS, 0000
ROBERT A. MORRIS, 0000
DARRELL S. MOSLEY, 0000
WILLIAM H.V. MOTT, 0000
CHARLES F. MOWERY III, 0000
MARK E. MOYER, 0000
JOHN G. MUELLER, JR., 0000
WILLIAM R. MULDOON, JR., 0000
DAVID A. MULLINS, 0000
SESHAGIRI MUNIPALLI, 0000
GEORGE MUNKACHY, 0000
ROCK A. MUNSEE, 0000
JOHN G. MURPHY, 0000
MARK MURPHY, 0000
NICHOLAS W. MUSZYNSKI, 0000
WILLIAM F. NADOLSKI, 0000
ROBERT P. NALEPA, 0000
LESLIE T. NAVARRO, 0000
JEFFREY L. NEEDHAM, 0000
GORDON L. NEFF, JR., 0000
THOMAS D. NEFF, 0000
RICHARD D. NEFZGER, 0000
DAVID K. NELSON, 0000
PAUL D. NELSON, 0000
TIMOTHY L. NELSON, 0000
BRYAN K. NEUHAUS, 0000
ROBERT D. NEWBERRY, 0000
MICHAEL E. NEWMAN, 0000
TIMOTHY R. NEWMAN, 0000
SCOTT M. NICHELSON, 0000
MELVIN R. NICHOLSON, 0000
DANIEL R. NICKERSON, 0000
THOMAS W. NINE, 0000
THOMAS M. NOLTA, 0000
KENT H. NONAKA, 0000
ROBERT J. NORRIS III, 0000
ALAN J. NORTHRUP, 0000
MARK L. NOWACK, 0000
ROBERT A. NUANES, 0000
JOHN M. NUNEZ, 0000
MICHAEL L. NUSS, 0000
DENNIS L. OAKES, 0000
KEVIN M. OBERRY, 0000
JEROME K. OBRIEN, 0000
MICHAEL G. OBRIEN, 0000
JOHN W. OCONNOR, 0000
JOHN M. ODEY, 0000
MICHAEL S. ODOWD, 0000
WILLIAM D. OETTING, 0000
JOHN R. OHAIR, 0000
DON I. OLDS, JR., 0000
PEDRO R. OMS, 0000
DAVID R. ONAKA, 0000
JAMES C. ONUSKO, 0000
THOMAS G. OREILLY, 0000
DEAN F. OSGOOD, 0000
DAWSON S. OSLUND, 0000
EVELYN S. OTERORUIZ, 0000
RICHARD H. PAINTER, 0000
ABIGAIL M. PALMER, 0000
GLENAE E. PALMER, 0000
THOMAS J. PALMER, 0000
MICHAEL T. PANARISI, 0000
JOSEPH M. PANETTA, JR., 0000
DENNIS B. PANNELL, 0000
MICHAEL B. PARK, 0000
ANN L. PARKER, 0000
DONALD A. PARKHURST, 0000
JOHN K. PARKS, 0000
SEAN M. PATRICK, 0000
MARK PATTERSON, 0000
WAYNE E. PATTERSON, 0000
LORENA D. PAUL, 0000
MICHAEL E. PAUL, 0000
AJRN R. PAULSON, 0000
JONATHAN R. PAYNE, 0000
STEVEN S. PAYSON, 0000
SCOTT M. PEARL, 0000
JOHN H. PEARSON, 0000
STEVEN W. PEARSON, 0000
PAULA L. PENGILLY, 0000
JOHN L. PENNELL, JR., 0000
MICHAEL R. PENNING, 0000
JERARDO A. PEREZ, 0000
MARY C. PESCHELHERLEHY, 0000
PHILIP P. PESICKA, 0000
MARY L. PETERS, 0000
KEVIN R. PETESCH, 0000
GEORGE D. PFAFF, 0000
ELAINE S. PFEIFFER, 0000
KERRY P. PHELAN, 0000
JANET V. PHELPS, 0000
KENNETH D. PHILIPPART, 0000
THOMAS C. PHILLIPS, 0000
CHARLES C. PIAZZA, 0000
DANA A. PIAZZA, 0000
LOUIS J. PICCOTTI, 0000
JOSEPH D. PIERCE, 0000
TED A. PIERSON, 0000
PATRICK P. PIHANA, 0000
THOMAS R. PILLING, 0000
KATHY LYNN PITCHER, 0000
JEFFREY L. PITCHFORD, 0000
THOMAS W. PITTMAN, 0000
JAMES B. PLANEAUX, 0000
PARKER P. PLANTE, 0000
MICHAEL T. PLEHN, 0000
BRETT A. PLENTL, 0000
THOMAS J. PLUMB, 0000
CONSUELLA B. POCKETT, 0000
EDWARD A. POHL, 0000
MICHAEL A. POLHEMUS, 0000
SUSAN G. POLK, 0000
KEVIN L. POLLOCK, 0000
MARGARET B. POORE, 0000
CHARLES A. POST, JR., 0000
DONALD W. POST, 0000
MARK S. POSTGATE, 0000
JOHN E. POVELONES III, 0000
BENJAMIN D. POWELL, 0000
JOHN P. POWELL, 0000
ANNE M. POWERS, 0000
CHRIS P. POWERS, 0000
ANTHONY C. PRADIA, 0000
SABRINA M. PRESTONLEACOCK, 0000
STEWART S. PRICE, 0000
JOHN H. PRINCE, JR., 0000
WILLIAM M. PROPST, 0000
ROBERT R. PROVOST, JR., 0000
MARK A. PRUETT, 0000
JAMES PRZYBYSZ, 0000
NICHOLAS PSALTAKIS, 0000
RICHARD S. PUES, 0000
ROBERT M. PUHALA, 0000
KARL S. PURDY, 0000
DANIEL G. PUTBRESE, 0000
JOHN L. PUTNAM, 0000
GREGORY L. PYLE, 0000
GLENN E. QUARLES, 0000
RAFAEL D. L. QUEZADA, 0000
JOHN M. QUINN, 0000
TIMOTHY J. QUINN, 0000
MANUEL QUINONES, 0000
JOSE C. QUINTANILLA, 0000
DAVID E. RAAB, 0000
MICHAEL A. RADFORD, 0000
PATRICK J. RAGLOW, 0000
PHILIP E. RAINFORTH, 0000
JAMES B. RAKE, 0000
BRYAN E. RAMSTACK, 0000
MARJORIE J. RANDALL, 0000
NEAL J. RAPPAPORT, 0000
DAVID V. RATHS, 0000
JOHN T. RAUSCH, 0000
BRADLEY D. RAYNAUD, 0000
CHRISTOPHER A. REAMS, 0000
WILLIAM C. REAVES, 0000
THOMAS C. REDFORD, 0000
JAMES L. REECE, JR., 0000
HENRY M. REED III, 0000
JAMES D. REED, 0000
LAWRENCE S. REED, 0000
DIANE M. REESE, 0000
JOHN R. REESE, 0000
STEVEN B. REEVES, 0000
PAUL A. REHME, 0000
TIMOTHY L. REICHART, 0000
MICHAEL A. REICHERT, 0000
JOHN R. REID, 0000
JOHN J. REIDY, 0000
SHAWN I. REILLY, 0000
DEREK E. REINHARD, 0000
WILLIAM R. RENFROE, 0000
GARY O. RENFROW, 0000
NORMAN E. RENNSPIES, 0000
DOUGLAS R. REYNOLDS, 0000
GARY S. REYNOLDS, 0000
RANDY B. REYNOLDS, 0000
ROBERT E. RHINEHART, JR., 0000
DAVID A. RHOADES, 0000
BRYAN T. RIBA, 0000
KENNETH D. RIBLER, 0000
CREIG A. RICE, 0000
JOSEPH N. RICH, 0000
ROBERT S. RICHARD, 0000
MARK L. RICHARDSON, 0000
MARK T. RICHARDSON, 0000
RANDALL JAMES RICHERT, 0000
RANDALL L. RIDDLE, 0000
MARK S. RIGHTNOUR, 0000
KELLY A. RINEHART, 0000
JOHN S. RIORDAN, 0000
ROLAND RIVERA, 0000
KENNETH R. RIZER, 0000
PATRICK J. RIZZUTO, JR., 0000
WILLIAM P. ROACH, 0000
JAMES B. ROAN, 0000
DONALD W. ROBBINS, 0000
MARVELL ROBERSON, 0000
BRADLEY J. ROBERT, 0000
WALTER C. ROBERTS, JR., 0000
JEFFERY S. ROBERTSON, 0000
EUGENE A. ROBINETT, 0000
ALEC M. ROBINSON, 0000
DARRYL J. ROBINSON, 0000
JOHN W. ROBINSON, JR., 0000
THERESE M. ROBINSON, 0000
THOMAS D. ROBINSON, 0000
TODD W. ROBISON, 0000
DWIGHT A. ROBLYER, 0000
CONNIE D. ROCCO, 0000
DANIEL R. ROCHA, 0000
EVELYN M. ROGERS, 0000
BRUCE A. ROMEO, 0000
JOHN D. ROOSA, 0000
DAVID G. ROSE, 0000
JERRY W. ROSE, 0000
ROBERT J. ROSEDALE, 0000
DALE E. ROSENBERG, 0000
JAMES C. ROSS, 0000
KEVIN P. ROSS, 0000
ROGER L. ROSTVOLD, 0000
BRENDA F. ROTH, 0000
MICHAEL D. ROTHSTEIN, 0000
STEPHEN M. ROTHSTEIN, 0000
KEITH ROUNTREE, 0000
DANA M. ROWE, 0000
CHRISTOPHER B. ROYCRAFT, 0000
KENNETH M. ROZELSKY II, 0000
DAVID R. RUE, 0000
AMY L. RUFF, 0000
SCOTT J. RUFLIN, 0000
STEPHEN J. RUSIN, 0000
DAVID A. RUSSELL, 0000
RITA A. RUSSELL, 0000
SCOTT P. RUSSELL, 0000
MICHAEL R. RUSSETT, 0000
SCOTT R. SALMONS, 0000
MICHAEL A. SALVI, 0000
STEVEN J. SAMPLE, 0000
HENRY J. SANTICOLA, 0000
PATRICIA A. SARGEANT, 0000
STEVEN A. SCHAEFER, 0000
MARTIN J. SCHANS, JR., 0000
MICHAEL G. SCHELL, 0000
SCOTT J. SCHERBENSKE, 0000
RONNIE R. SCHILLING III, 0000
FRIEDRICH C. SCHLICH, 0000
ALAN R. SCHMIDT, 0000
DAVID N. SCHNEIDER, 0000
RICHARD M. SCHOOFF, 0000
LISA K. SCHUETTE, 0000
RAY C. SCHULTZ, 0000
CHARLES A. SCHUMACHER, 0000
BRUCE E. SCHWAB, 0000
LESA E. SCHWARTZ, 0000
ROBERT C. SCHWARZE, 0000
THOMAS A. SCOLARICI, JR., 0000
JOHN J. SCORSONE, 0000
CATHERINE B. SCOTT, 0000
GARY T. SCOTT, 0000
BARRY SEBRING, 0000
BRENT K. SEDLER, 0000
PETER J. SEEBECK, 0000
HOLLY K. SEIDL, 0000
CALVIN J. SEIFERTH, 0000
REGGIE E. SELBY, 0000
JERRY J. SELLERS, 0000
ANTHONY SENCI, 0000
DAVID M. SERLEY, 0000
JOSEPH M. SEUFZER, 0000
PHILIP E. SEVER, 0000
PAUL S. SEVERANCE, 0000
DOUGLAS E. SEVIER, 0000
DEBORAH A. SHACKLETON, 0000
VICKI J. SHANKS, 0000
KARL J. SHAWHAN, 0000
SANDRA L. SHEASLEY, 0000
STEPHEN P. SHEEHY, 0000
WILLIAM L. SHERMAN, 0000
THOMAS T. SHIELDS, JR., 0000
ANDRE L. SHIPP, 0000
WILLIAM R. SHOBERT II, 0000
STEPHAN F. SHOPE, 0000
CHRISTOPHER D. SHORT, 0000
MATTHEW J. SHOZDA, 0000
CHERYL A. SHUMATE, 0000
JOHN M .SIEVERLING, 0000
ROBERT A. SILVESTRI, 0000
DAVID E. SIMMONS, 0000
DAVID A. SIMON, 0000
JAMES J. SIMON, 0000
RICHARD D. SIMPSON, 0000
JAMES D. SINGLETERRY, 0000
ROBERT J. SINON, 0000
GLENN E. SJODEN, 0000
KYLE T. SKALISKY, 0000
STANLEY E. SKAVDAL, 0000
TIMOTHY J. SKINNER, 0000
JAMES D. SLEAR, 0000
DARRELL D. SLONE, 0000
KEVIN SLUSS, 0000
BRITTON M. SMEAL, 0000

AILENE M. SMITH, 0000
ANTHONY C. SMITH, 0000
BRIAN P. SMITH, 0000
CHARLES A. SMITH, 0000
DARYL R. SMITH, 0000
KAREN J. SMITH, 0000
LEROY K. SMITH, 0000
RUSSELL J. SMITH, 0000
VINCENT C. SMITH, 0000
VIRGINIA T. SMITH, 0000
WILLIAM J. SMITH, 0000
GERALD S. SMITHER, JR, 0000
ERIC A. SNADECKI, 0000
JOSEPH C. SNOW, 0000
TROY D. SNOW, 0000
THOMAS J. SOBIESKI, 0000
CYRIL J. SOCHA, 0000
RUSSELL J. SOJOURNER, 0000
STEVEN B. SOKOLY, 0000
MARY K. SOLOMON, 0000
STEVEN W. SORENSEN, 0000
ROGER B. SORRELL, 0000
JOSE A. SOTO, 0000
LORRAINE M. SOUZA, 0000
TIMOTHY E. SPAETH, 0000
JON R. SPANGLER, 0000
GARY F. SPENCER, 0000
RICHARD H. SPENCER, 0000
THEODORE M. SPENCER, 0000
ERIC W. SPRADLING, 0000
DAVID A. SPRAGUE, 0000
JOHN J. SPROUL, JR., 0000
KEVIN D. STAFFORD, 0000
MATTHEW C. STAFFORD, 0000
BENJAMIN T. STAGG, 0000
JOSEPH J. STANKO, 0000
DAVID P. STAVEN, 0000
RICHARD J. STECKBECK, 0000
ROBERT E. STEED, 0000
ROBERT G. STEELE, JR., 0000
RICHARD A. STEFANSKI, 0000
SHANE T. STEGMAN, 0000
STEVEN J. STEIN, 0000
JEFFREY A. STEINMILLER, 0000
JOHN L. STEVENS, 0000
RANDON C. STEWART, 0000
DAVID R. STILWELL, 0000
NANCY A. PETRITS STINSON, 0000
GREGORY D. STJOHN, 0000
MARTHA A. STOKES, 0000
CAROL L. STONE, 0000
STUART W. STOPKEY, 0000
TERRY L. STOTLER, 0000
RAYMOND T. STRASBURGER, 0000
MARC F. STRATTON, 0000
ARNOLD H. STRELAND, 0000
CHARLES M. STRIBULA, 0000
MARK R. STRICKLAND, 0000
JAMES R. STRIGHT, 0000
RICKY O. STUART, 0000
MARK E. STUBBLEFIELD, 0000
JOHN G. STUTTS, 0000
BRIAN J. STUTZ, 0000
PAUL J. SUAREZ, 0000
ANTHONY P. SUBER, 0000
KEITH A. SULLIVAN, 0000
KEVIN L. SULLIVAN, 0000
DAVID A. SUTTON, 0000
FRANCINE I. SWAN, 0000
GEORGE F. SWAN, 0000
ERIC A. SWANK, 0000
DARRYL L. SWEETWINE, 0000
KENNETH S. SWENSON, 0000
JOSEPH A. SWILLUM, 0000
JOHN R. SWONSON, 0000
ANNEMARIE THERESE SYKES, 0000
JAMES C. SYLVESTER, 0000
JEFFREY B. SYMMES, 0000
PHILLIP P. TABER, 0000
MARK T. TAGGART, 0000
GRANT L. TAKAHASHI, 0000
DALE A. TAKENAKA, 0000
TODD T. TAMURA, 0000
CHRISTOPHER J. TANCREDI, 0000
MONIKA TANEDO, 0000
GREGORY L. TARR, 0000
WILLIAM W. TARVIN, 0000
WALTER F. TATUM III, 0000
DOUG E. TAUSCHER, 0000
JOHN D. TAYLOR, 0000
JOHN S. TAYLOR, JR., 0000
KEVIN L. TAYLOR, 0000
ROBERT E. TAYLOR, 0000
GREGORY O. TEAL, 0000
ANDREW J. TERZAKIS, JR., 0000
ROBERT A. TETLA, 0000
MICHAEL J. THEN, 0000
MAXIE C. THOM, 0000
GREGORY L. THOMAS, 0000
LINDA M. THOMAS, 0000
MARK A. THOMAS, 0000
MARK R. THOMAS, 0000
STEPHEN F. THOMAS, 0000
HOWARD E. THOMPSON, JR., 0000
KENNETH E. THOMPSON, JR., 0000
STEVEN D. THOMPSON, 0000
TIMMIE L. THOMPSON, 0000
WADE J. THOMPSON, 0000
JAMES D. THORNE, 0000
MICHAEL L. THORNE, 0000
ROGER D. THRASHER, 0000
RANDY P. THREET, 0000
KEVIN D. TILGHMAN, 0000
KEITH E. TOBIN, 0000
KENNETH E. TODOROV, 0000
PATRICK E. TOLAN, JR., 0000
JOHN J. TOMICK, 0000
GREGORY W. TORBA, 0000
MICHAEL A. TORINO, 0000
LILLIAN V. TORRES, 0000
DANIEL R. TORWEIHE, 0000
PETER J. TRAMBLEY, 0000
ANDREW C. TREMBLAY, 0000
DENNIS W. TROSEN, 0000
DAVID J. TRUJILLO, 0000
PAUL C. TRULOVE, 0000
MARK H. TUCKER, 0000
STEVEN M. TUCKER, 0000
RUDOLPH E. TURCO, 0000
RICKEY H. TURNER, 0000
RICHARD D. TWIGG, 0000
TED T. UCHIDA, 0000
TYRUS R. ULMER, 0000
RICHARD T. ULRICH, 0000
CAROLYN M. VADNAIS, 0000
FRED L. VALENTINE, JR., 0000
JOHN C. VALLE, 0000
OVOST JACQUELINE D. VAN, 0000
PETER M. VANDENBOSCH, 0000
JEFFREY L. VANDINE, 0000
DAVID A. VANLEAR, 0000
BRUCE A. VANSKIVER, 0000
JAMES C. VECHERY, 0000
CURTIS K. VIALL, 0000
CAISSON M. VICKERY, 0000
RUSSELL A. VIEIRA, 0000
STEVEN L. VIEIRA, 0000
VICTORIA C. VITUCCI, 0000
BRADLEY S. VOGT, 0000
DANIEL R. VORE, 0000
THEODORE T. VROMAN, 0000
THOMAS S. WAGNER, 0000
BRANDON S. WAGONER, 0000
KIM M. WALDRON, 0000
ROBERT C. WALK, 0000
AMY L. WALKER, 0000
FRIEND L. WALKER, 0000
KENNETH K. WALKER, 0000
WILLIAM WALKOWIAK, 0000
DONNA A. WALLACE, 0000
KATHRYN C. WALLACE, 0000
DAVIS M. WALLETTE, 0000
STEVEN P. WALSH, 0000
MARIE E. WALTERS, 0000
TERESA A. WALTERS, 0000
THOMAS E. WAND, 0000
MARK A. WARD, 0000
MATTHEW M. WARRENTHOMAS, 0000
LAWRENCE A. WATERMAN, 0000
ROGER H. WATKINS, 0000
RONALD V. WATKINS, 0000
THOMAS E. WATSON, 0000
JOHN W. WAYNE IV, 0000
SUSAN M. WEAVER, 0000
ALAN D. WEBSTER, 0000
ROBERT C. WEST, JR., 0000
JOEL S. WESTA, 0000
STEVEN R. WESTERBACK, 0000
CHARLES J. WESTGATE III, 0000
DOUGLAS K. WESTPHAL, 0000
WILLIAM C. WETHOR, 0000
PAUL V. WHALEN, 0000
NANCY P. WHARTON, 0000
JAMES M. WHITE, 0000
KENN WHITE, 0000
MARK K. WHITE, 0000
WILLIAM K. WHITE, 0000
NEIL S. WHITEMAN, 0000
JEFFREY A. WHITTALL, 0000
DAVID M. WHITTEMORE, 0000
DANIEL L. WHITTEN, 0000
CHARLES R. WHITZEL, 0000
TIMOTHY D. WIECK, 0000
JEFFREY PARKER WILCOX, 0000
LINDA B. WILDES, 0000
JOSEPH T. WILEY, 0000
ANDREW P. WILHELM, 0000
SCOTT A. WILHELM, 0000
GREGORY A. WILHITE, 0000
MICHAEL A. WILKE, 0000
RICHARD R. WILLETT, 0000
STEVEN E. WILLIAMS, 0000
SYLVIA J. WILLIAMS, 0000
ANGELA S. WILLIAMSON, 0000
JONATHAN B. WILLS, 0000
BURKE E. WILSON, 0000
CHARLOTTE L. WILSON, 0000
JEFFERY A. WILSON, 0000
JEFFREY C. WILSON, 0000
MARC G. WILSON, 0000
ROBERT J. WILSON, 0000
JOHN J. WILT, JR., 0000
MICHAEL A. WINGFIELD, 0000
WALLACE K. WINTER, 0000
CLAYTON J. WISNIEWSKI, 0000
KEVIN L. WITTE, 0000
JAMES R. WOLF, 0000
JON G. WOLFE, 0000
DEAN A. WOLFORD, 0000
MICHAEL J. WOLTMAN, 0000
GEORGE R. WOLTZ, JR., 0000
ROBERT M. WOOD, JR., 0000
DAVID E. WOODEN, 0000
STEPHEN R. WOODY, 0000
KEVIN B. WOOTON, 0000
ALAN J. WORLEY, 0000
JEFFREY B. WORRELL, 0000
FOREST B. WORTMAN, 0000
BRUCE A. WRIGHT, 0000
VICTORIA L. WUCHNICK, 0000
WILLIAM E. WYCHE, 0000
PAUL M. YAMAGUCHI, 0000
TONY K. YANG, 0000
EUGENE YIM, 0000
MATTHEW C. YOTTER, 0000
JANET A. YOUNG, 0000
MICHAEL A. YOUNG, 0000
PETER M. YOUNG, VI 0000
SCOTT A. YOUNG, 0000
LARRY D. YOUNGNER, 0000
JOHN R. YOUNGS, 0000
LORI A. YOUNGS, 0000
JEFFREY W. ZAK, 0000
BARBARA J. ZANOTTI, 0000
EDWARD M. ZASTAWNY, 0000
DAVID E. ZEH, 0000
JOHN J. ZENTNER, 0000
JOHN J. ZIEGLER III, 0000
DALE L. ZIMMERMAN, 0000
RICHARD P. ZINS, 0000
PETER H. ZUPPAS, 0000
BRIAN P. ZUROVETZ, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROBERT V. LORING, 0000 CH

To be major

JEFFREY D. WATTERS, 0000 CH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIE D. DAVENPORT, 0000
JAMES F. RILEY, 0000
WILLIAM P. TROY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE JUDGE ADVOCATE GENERAL'S CORPS (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

*THOMAS N. AUBLE, 0000
*THOMAS J. BARRETT, 0000
*STEPHEN P. BELL, JR., 0000
*DANIEL M. BERGER, 0000
*MARK A. BLEVINS, 0000
*JEFF A. BOVARNICK, 0000
*ROBERT L. BOWERS, 0000
*MARY J. BRADLEY, 0000
*MARY E. BRAISTED, 0000
CHRISTINE M. CHOI, 0000
*KERRY L. CUNEO, 0000
*EDWARD R. DILLARD, 0000
*RICHARD P. DONOGHUE, 0000
*ANDREW C. EFAW, 0000
*PAUL F. ELKIN, 0000
*KERRY L. ERISMAN, 0000
SUSAN K. ESCALLIER, 0000
*WILLIAM D. FAITH III, 0000
*CHRISTOPHER T. FREDRIKSON, 0000
*ANDREW J. GLASS, 0000
*ELIZABETH A. GOSSART, 0000
*PATRICIA A. HARRIS, 0000
*MARK A. HOLYCROSS, 0000
BRADLEY J. HUESTIS, 0000
*KIMBERLY J. HUHTA, 0000
*ERIC T. JENSEN, 0000
*MAURICE J. JOHNSON, 0000
DANIEL G. JORDAN, 0000
*JOSEPH A. KEELER, 0000
NICHOLAS S. KING, 0000
*AUDRIUS J. KIRVELAITIS, 0000
*NATALIE A. KOLB, 0000
*ERIC S. KRAUSS, 0000
ALLYSON G. LAMBERT, 0000
*JAMES M. LANGHAM, 0000
*EDWARD K. LAWSON IV, 0000
*PATRICIA A. LEWIS, 0000
*GREGORY N. MALSON, 0000
*IMOGENE MC GRIGGSJAMISON, 0000
*STEVEN M. MOHLHENRICH, 0000
*BRONTE I. MONTGOMERY, 0000
*JEFFERSON K. MOORE, 0000
*ROBERT B. NEILL, 0000
*MARTHA OCLANDER, 0000
*STEVEN R. PATOIR, 0000
*JAMES A. POLLOCK, 0000
*MATTHEW D. RAMSEY, 0000
*NATHAN W. RATCLIFF, 0000
*ROBERT F. RESNICK, 0000
*VANESSA D. RUDOLPH, 0000
GREGG S. SHARP, 0000
*KEVIN D. SMITH, 0000
*ANGELIA J. SOLOMON, 0000
*EVAN M. STONE, 0000
*JEANETTE K. STONE, 0000
*RANDOLPH SWANSIGER, 0000
*DAVID K. WOLFE, 0000
*ROBERT A. YOH, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LEANNE M. YORK-SLAGLE, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED

STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be commander

JAMES H. FRASER, 0000

To be lieutenant commander

CHARLES R. BENSON, 0000
RICHARD B. BRINKER, 0000
NICHOLAS M. CARDINALE, 0000
LINDA L. HEID, 0000
ELIZABETH M. KIKLA, 0000
SCOTT KOOISTRA, 0000
MARTIN A. MAKELA, 0000
BRYAN P. SCHUMACHER, 0000
PAUL D. SEEMAN, 0000

To be lieutenant

VANESSA P. AMBERS, 0000
KENNETH J. ARLINGHAUS, 0000
DENIS E. ASHLEY, 0000
DOUGLAS P. BARBER, JR., 0000
STACI M. BARBONE, 0000
JOHN D. BAUER, 0000
HARVEY S. BECKMAN, 0000
BRODERICK C. BELLO, 0000
RENE A. BELMARES, 0000
JAMES P. BENOIT, 0000
KEVIN B. BOGUCKI, 0000
BRYAN C. BOST, 0000
MONICA E. BRADFORD, 0000
GEORGE E. BRESNIHAN, 0000
ERIC G. BROOKS, 0000
DAVID S. BROWN, 0000
THOMAS A. BUSHAW, 0000
JEROME T. CAMPBELL II, 0000
NADINE E. CATER, 0000
TERENCE CHAN, 0000
JOHN A. CHILSON, 0000
CARMEN D. CHRISTIAN, 0000
MARK D. CLARK, 0000
NOELLE COLLETTA, 0000
PETER M. COLLINS, 0000
MICHAEL P. CONNOR, 0000
JOEL W. COOTS, 0000
ISABELLE E. DETTER, 0000
TIM J. DEWITT, 0000
MATT M. DIAZ, 0000
STANLEY S. DIMIRACK, 0000
JAMES M. DIXON, 0000
JUSTUS K. EHLERS, JR., 0000
JOSEPH J. ELDRED, 0000
ELIZABETH ESCALERA, 0000
AHMED FERGUSON, 0000
MICHELE A. FINNEGAN, 0000
DAVID A. FLORIN, 0000
TIMOTHY T. FOSTER, 0000
CYNTHIA R. FRENCH, 0000
NATASHA A. GAMMON, 0000
JEFFERSON GAYNOR, 0000
DONALD L. GEORGE, JR., 0000
BARBARA L. GERMANN, 0000
KAREN GIAIMO, 0000
PATRICK J. GIBBONS, 0000
KEITH S. GIBEL, 0000
JAMES E. GOLLADAY II, 0000
HECTOR GONZALEZ, 0000
MARK T. GOULD, 0000
PETER A. HAGGE, 0000
JULIE M. HILLERY, 0000
HEATHER M. HOLMES, 0000
JASON J. HOLMES, 0000
FRANKLIN R. HUBBARD, 0000
ROSLYN J. JACKSON, 0000
ALISIA G. JAHNS, 0000
GREGORY R. KAHLES, 0000
GARY F. KEITH, 0000
MATTHEW J. KENNEDY, 0000
MOLLY I. KETCHELL, 0000
LINDA G. KIMSEY, 0000
JOHN S. KING III, 0000
DAVID A. KIRK, 0000
GEORGE S. KNAPP, 0000
LEOPOLD D. KREISEL, 0000
CHRISTOPHER J. KRUS, 0000
KELLY T. LAVEDI, 0000
MICHAEL R. LOCK, 0000
JULIE A. LUNDSTAD, 0000
SUE A. MAHONEY, 0000
MEI L. A. MARSHALL, 0000
ALISON H. MARTZ, 0000
JAMES A. MARVIN, 0000
SEAN M. MAXWELL, 0000
MICHELE A. MCCLOSKEY, 0000
KRISTINA E. MCGEE, 0000
DANIEL J. MCLAUGHLIN, 0000
DAVID A. MELVIN, 0000
BLAIR T. MILES, 0000
MICHAEL W. MORGAN, 0000
BRET J. MOSCON, 0000
MATTHEW F. MUNN, 0000
BRENDA L. NELSON, 0000
NICHOLAS B. OLESEN, 0000
CHRISTIAN A. ORTEGO, 0000
MEGAN C. OSBORNE, 0000
TRENT L. OUTHOUSE, 0000
KENNETH D. PACE, 0000
WENDELL L. PASARABA, 0000
DEBORAH R. PERCELL, 0000
ANTHONY F. PERREAULT, 0000
ELISABETH G. PETERS, 0000
TABITHA D. PIERZCHALA, 0000
ELIZABETH L. A. PORTER, 0000
KAREN H. PORTER, 0000
BRYAN K. RAMSEY, 0000
BELINDA A. RAND, 0000
DANIEL S. RATICAN, 0000
STEPHEN S. REDMOND, 0000
ROBYN M. REED, 0000
CHRISTOPHER H. REHKOP, 0000
JOHN R. REINERTSON, 0000
JAY S. RICHARDS, 0000
CHAD R. RIDDER, 0000
ORA J. ROBINSON, 0000
KENNETH D. ROGERS, 0000
LUZ J. ROSAS, 0000
TREVOR A. RUSH, 0000
JAMES E. RUTKOWSKI, 0000
DEBRA A. RUYLE, 0000
DENNIS G. SAMPSON, 0000
CHRISTOPHER D. SAUFLEY, 0000
WILLIAM E. SCHLEMMER, 0000
FREDRIK D. SCHMITZ, 0000
ROBERT P. SCHULHOF, JR., 0000
CARY T. SCHULTZ, 0000
WESLEY B. SEARCY, 0000
JOHN M. SHARRETTS, 0000
DANAHE O. SIERRA, 0000
RITA G. SIMMONS, 0000
PATTI SKINNER, 0000
DAVID L. SPENCER, 0000
WILLIAM A. STEINER, 0000
DOUGLAS E. STEPHENS, 0000
RAYMOND D. STIFF, 0000
RENEE R. STINEMAN, 0000
KERRY L. SULLY, 0000
DOUGLAS K. TADAKI, 0000
AUNDREA E. TAPLIN, 0000
EDWIN E. TAYLOR, 0000
DENNIS A. THOMAS, 0000
CAROLYN M. THOMPSON, 0000
ROBERT W. TIDWELL, 0000
GEORGE A. WALBORN II, 0000
CHRISTIAN T. WALLIS, 0000
CHRISTOPHER H. WELLER, 0000
MICHAEL T. WESTBROOK, 0000
BRIAN J. WILLEMSSEN, 0000
KEVIN R. WILLIAMS, 0000
WEYLIN J. WINDOM, 0000
MICHAEL T. WOLFERSBERGER, 0000
TODD E. YANIK, 0000
FREDERICK E. YEO, 0000
PAUL D. ZIEGLER, 0000

To be lieutenant (junior grade)

ANDREAS C. ALFER, 0000
KENNETH D. ANDERSON, 0000
LONNIE L. APPLEGET, 0000
SHEILA T. ASBURY, 0000
KELVIN J. ASKEW, 0000
ARNEL J. BARBA, 0000
JEFFREY L. BENJAMIN, 0000
FRANKLIN W. BENNETT, 0000
JOHN E. BLANKENSHIP, 0000
THOMAS G. BODNOVICH, JR., 0000
CHRISTOPHER L. BOYD, 0000
TED W. BOYD, 0000
GREG A. BRAATEN, 0000
CAROL R. BRANAN, 0000
ERIK K. BREITENBACH, 0000
DAVID S. BRINSON, 0000
STEPHEN M. BRONAUGH, 0000
CHARLES J. BYERS, 0000
WILLIAM S. BYERS, 0000
JASON G. CANFIELD, 0000
DARYLE D. CARDONE, 0000
JOSEPH P. CHOPEK, 0000
WILLIAM H. CLARKE, 0000
ELIZABETH G. COBOS, 0000
RUSSELL J. CORPRON, 0000
MICHAEL D. CRAFTS, 0000
CHRISTOPHER R. CRERAR, 0000
JORGE R. CUADROSIBARRA, 0000
PHILIP J. DAUERNHEIM, 0000
VICTOR M. DIAZ, 0000
JOHN D. DUNHAM, 0000
ANDREW A. EATON, 0000
CATHERINE A. ENGLER, 0000
FERNANDO M. ESTRELLA, 0000
BILLY K. FAGAN, 0000
DOUGLAS GABOS, 0000
JOSEPH A. GOMEZ, 0000
ROBERT D. GRIFFITH, 0000
KEVIN J. GUE, 0000
DAWN M. HARDIN, 0000
MICHAEL C. HARVEY, 0000
ERIC C. HAUN, 0000
PAMELA L. HERBIG, 0000
JOSEPH E. HUGGINS, 0000
LESLIE C. L. HULLRYDE, 0000
CHRISTOPHER C. HUNT, 0000
BOBBY J. HURT, 0000
JEFFREY H. JEFFERIES, 0000
KEITH W. JEFFRIES, 0000
GARY S. JOSHWAY, 0000
MICHAEL K. KASLIK, 0000
BLAKE W. KENT, 0000
DANIEL E. KINSKE, 0000
JAMES P. KOTLYN, 0000
ROGER C. LANKHEET, JR., 0000
BRUCE W. LAWSON, 0000
JASON D. LAYTON, 0000
MICHAEL P. LEONARD, 0000
DAVID M. LONG, 0000
TRACY A. MAESTAS, 0000
LORENA N. MARSHALL, 0000
LAURA L. MC MULLEN, 0000
MELISSA A. MC SWAIN, 0000
MCADAM K. H. MOGHADDAM, 0000
MICHAEL D. MOORE, 0000
DEAN J. MORAN, 0000
TIMOTHY J. NICHOLLS, 0000
KENNETH P. NICKLES, 0000
ERIC H. PALMER, 0000
MARIE I. PARRY, 0000
KRISTIN M. PIOTROWSKI, 0000
MARY A. PONCE, 0000
WILLIAM M. RANNEY, 0000
ERIC W. RASCH, 0000
DOUGLAS M. REINBOLD, 0000
ROBERT T. REYES, 0000
MATTHEW L. RIVERA, 0000
JILL M. ROBINSON, 0000
STEPHEN W. ROELANDS, 0000
JESSICA D. SANFORD, 0000
DEBRA R. SAUNDERS, 0000
ROBERT D. SCOTT, 0000
ROBERT K. SEIGEL, 0000
RODNEY L. SIMON, 0000
DANA L. K. SMITH, 0000
DOROTHY M. SMITH, 0000
MIKEL L. SMITH, 0000
WAYNE E. SMITH, 0000
JOSEPH W. STERLING, JR., 0000
NATHANIEL R. STRAUB, 0000
BRETT M. SULLIVAN, 0000
JEFFREY D. THOMAS, 0000
MATTHEW A. TOTORO, 0000
PAUL B. TRIPP, 0000
BRYAN G. VANVELDHUIZEN, 0000
PATRICK J. VEGELER, 0000
BRIAN J. VOSBERG, 0000
MARK M. WADE, 0000
PAUL F. WAKEFIELD, 0000
PETER W. WARD, 0000
NICOLE A. WAYBRIGHT, 0000
MASON E. WEISBROD, 0000
DANNY A. WILLIAMS, 0000
CRAIG L. WOLFE, 0000
WILLIAM L. WOOD, 0000
MARK A. ZIEGLER, 0000
NATHALIE M. ZIELINSKI, 0000

To be ensign

DWAYNE. K. HOPKINS, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate March 30, 2000:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. LESTER L. LYLES, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL E. ZETTLER, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF STAFF, IN THE UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND 8034:

To be general

LT. GEN. JOHN W. HANDY, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES F. BARNETTE, 0000.
BRIG. GEN. GILBERT R. DARDIS, 0000.
BRIG. GEN. DAVID B. POYTHRESS, 0000.
BRIG. GEN. JOSEPH K. SIMEONE, 0000.
BRIG. GEN. RICHARD E. SPOONER, 0000.
BRIG. GEN. STEVEN W. THU, 0000.
BRIG. GEN. BRUCE F. TUXILL, 0000.

To be brigadier general

COL. SHELBY G. BRYANT, 0000.
COL. KENNETH R. CLARK, 0000.
COL. GREGORY B. GARDNER, 0000.
COL. JOHN B. HANDY, 0000.
COL. JON D. JACOBS, 0000.
COL. CLIFTON W. LESLIE, JR., 0000.
COL. JOHN A. LOVE, 0000.
COL. DOUGLAS R. MOORE, 0000.
COL. EUGENE A. SEVI, 0000.
COL. DAVID E.B. STROHM, 0000.
COL. HARRY M. WYATT III, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RONALD E. KEYS, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. GARY A. AMBROSE, 0000.
BRIG. GEN. BRIAN A. ARNOLD, 0000.
BRIG. GEN. THOMAS L. BAPTISTE, 0000.
BRIG. GEN. LEROY BARNIDGE, JR., 0000.
BRIG. GEN. JOHN L. BARRY, 0000.
BRIG. GEN. WALTER E.L. BUCHANAN III, 0000.
BRIG. GEN. RICHARD W. DAVIS, 0000.
BRIG. GEN. ROBERT R. DIERKER, 0000.
BRIG. GEN. MICHAEL N. FARAGE, 0000.
BRIG. GEN. JACK R. HOLBEIN, JR., 0000.
BRIG. GEN. CHARLES L. JOHNSON II, 0000.
BRIG. GEN. THEODORE W. LAY II, 0000.
BRIG. GEN. TEDDIE M. MC FARLAND, 0000.
BRIG. GEN. MICHAEL C. MC MAHAN, 0000.
BRIG. GEN. TIMOTHY J. MC MAHON, 0000.
BRIG. GEN. DUNCAN J. MC NABB, 0000.
BRIG. GEN. HOWARD J. MITCHELL, 0000.
BRIG. GEN. BENTLEY B. RAYBURN, 0000.
BRIG. GEN. JOHN F. REGNI, 0000.
BRIG. GEN. VICTOR E. RENUART, JR., 0000.
BRIG. GEN. LEE P. RODGERS, 0000.
BRIG. GEN. GLEN D. SHAFFER, 0000.
BRIG. GEN. CHARLES N. SIMPSON, 0000.
BRIG. GEN. JAMES N. SOLIGAN, 0000.
BRIG. GEN. MICHAEL P. WIEDEMER, 0000.
BRIG. GEN. MICHAEL W. WOOLEY, 0000.
BRIG. GEN. BRUCE A. WRIGHT, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. DAVID F. WHERLEY, JR., 0000.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

COL. ROBERT E. GAYLORD, 0000.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

COL. DAVID E. GLINES, 0000.

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. WILLIAM A. CUGNO, 0000.
BRIG. GEN. BRADLEY D. GAMBILL, 0000.
BRIG. GEN. MARIANNE MATHEWSON-CHAPMAN, 0000.
BRIG. GEN. MICHAEL H. TAYLOR, 0000.
BRIG. GEN. FRANCIS D. VAVALA, 0000.

To be brigadier general

COL. JOHN A. BATHKE, 0000.
COL. BARBARANETTE T. BOLDEN, 0000.
COL. RONALD S. CHASTAIN, 0000.
COL. RONALD G. CROWDER, 0000.
COL. RICKY D. ERLANDSON, 0000.
COL. DALLAS W. FANNING, 0000.
COL. DONALD J. GOLDHORN, 0000.
COL. LARRY W. HALTOM, 0000.
COL. WILLIAM E. INGRAM, JR., 0000.
COL. JOHN T. KING, JR., 0000.
COL. RANDALL D. MOSLEY, 0000.
COL. RICHARD C. NASH, 0000.
COL. PHILLIP E. OATES, 0000.
COL. RICHARD D. READ, 0000.
COL. ANDREW M. SCHUSTER, 0000.
COL. DAVID A. SPRYNCZYNATYK, 0000.
COL. RONALD B. STEWART, 0000.
COL. WARNER I. SUMPTER, 0000.
COL. CLYDE A. VAUGHN, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3069 AND IN ACCORDANCE WITH ARTICLE II, SECTION 2 OF THE CONSTITUTION OF THE UNITED STATES:

To the brigadier general, Nurse Corps

COL. WILLIAM T. BESTER, 0000.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING TERRANCE A. HARMS, AND ENDING KRISTA K. WENZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

AIR FORCE NOMINATIONS BEGINNING JAMES L. ABERNATHY, AND ENDING DARRYLL D.M. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 9, 2000.

IN THE ARMY

ARMY NOMINATIONS BEGINNING JAIME ALBORNOZ, AND ENDING TIMOTHY D. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2000.

ARMY NOMINATIONS BEGINNING LYLE W. CAYCE, AND ENDING ROGER D. WASHINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2000.

ARMY NOMINATIONS BEGINNING JAMES M. DAPORE, AND ENDING MICHAEL J. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

ARMY NOMINATIONS BEGINNING JAMES W. HUTTS, AND ENDING BRONISLAW A. ZAMOJDA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

ARMY NOMINATIONS BEGINNING PAUL R. HULKOVICH, AND ENDING MICHAEL A. WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

ARMY NOMINATIONS BEGINNING SCOTT R. ANTOINE, AND ENDING PATRICK J. WOODMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

ARMY NOMINATIONS BEGINNING MARTHA C. LUPO, AND ENDING CHARLES L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

ARMY NOMINATIONS BEGINNING THOMAS W. ACOSTA, JR., AND ENDING VINCENT A. ZIKE, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 7, 2000.

ARMY NOMINATIONS BEGINNING JAMES G. AINSLIE, AND ENDING THOMAS M. PENTON, JR., WHICH NOMINATION WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 9, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 624:

To be lieutenant colonel

JANE H. EDWARDS, 0000.

ARMY NOMINATIONS BEGINNING JEFFREY J. ADAMOVICZ, AND ENDING JOHN F. ZETO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 9, 2000.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOSEPH L. BAXTER, JR., 0000

NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

STAN M. AUFDERHEIDE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C. SECTION 624:

To be commander

MICHAEL T. BOURQUE, 0000

NAVY NOMINATIONS BEGINNING MARIAN L. CELLI, AND ENDING MIGUEL A. FRANCO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WILLIAM R. MAHONEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEPHEN R. SILVA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GRAEME ANTHONY BROWNE, 0000

NAVY NOMINATIONS BEGINNING JOHN P. LABANC, AND ENDING FORREST S. YOUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 23, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ROBERT F. BLYTHE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GEORGE P. HAIG, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MELVIN J. HENDRICKS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JON E. LAZAR, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

LAWRENCE R. LINTZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DAVID E. LOWE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MICHAEL S. NICKLIN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT J. WERNER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CARL M. JUNE, 0000

EXTENSIONS OF REMARKS

PITTSBURGH COMMITTEE FOR THE COMMEMORATION OF THE KOREAN WAR

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. COYNE. Mr. Speaker, I rise today to let my colleagues know about some very important activities that will be taking place in my congressional district in the coming months to commemorate the 50th anniversary of the beginning of the Korean War.

The Korean War lasted three years. Nearly 6 million Americans served in the armed forces during that period, and more than 54,000 Americans died defending South Korea from North Korean and Chinese invaders. The Korean War dramatically shaped the post-World War II world and strongly influenced the course of the Cold War. And yet, the Korean War is often referred to as the ''forgotten war'' because so much of our attention today is focused on World War II and the Vietnam War. Such an oversight is unacceptable. The Americans who fought—and especially those who died—in the cause of freedom deserve to be remembered. Moreover, they deserve our undying gratitude for their heroic sacrifice. As the Pittsburgh Committee for the Commemoration of the Korean War has observed, no sacrifice made by American service men and women should ever be ''forgotten.''

Pittsburgh has not forgotten these brave men and women. In fact, Pittsburgh's links to this conflict are quite strong. More than 26,000 Korean War veterans live in Allegheny County, and General Matthew B. Ridgway, commander of the U.S. 8th Army in Korea during a critical period of the war, was a Pittsburgh native. A Korean War memorial has been built on Pittsburgh's North Side to recognize our Korean War veterans' sacrifice, and the Matthew B. Ridgway Center for International Security Studies has been established at the University of Pittsburgh.

The 50th anniversary of the beginning of the Korean War provides an outstanding opportunity for remembering and acknowledging the heroes of the ''forgotten war.'' With that end in mind, the Pittsburgh Committee for the Commemoration of the Korean War has organized more than two months of events to educate the public about this important conflict and to honor the Americans who served in this bloody conflict. These events include visits to local high schools, academic conferences on the conflict, and flag-raising and wreath-laying ceremonies.

On June 24, a day-long commemorative event will be held at the Soldiers and Sailors Memorial Hall and Military Museum in Pittsburgh. This event, Pittsburgh Remembers Day, will include 1950s music and a number of historic displays. It will conclude with the Matthew B. Ridgway Memorial Dinner and a free concert of patriotic music performed by the River City Brass Band. Finally, on the Fourth of July, Pittsburgh's Fourth of July Ceremony at Point Park will include a special salute to Korean War Veterans.

America's veterans have earned our country's gratitude and respect time and time again. It is fitting that on the 50th anniversary of the beginning of the Korean War, we pay special attention to the sacrifices made by the men and women who served their country in the ''forgotten war.'' I commend the Pittsburgh Committee for the Commemoration of the Korean War for all of its endeavors in this important cause.

TRIBUTE TO THE GRAYING OF AMERICA AND THE 10TH ANNIVERSARY OF THE ASSISTED LIVING FEDERATION OF AMERICA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. PASCRELL. Mr. Speaker, I rise today to congratulate the Assisted Living Federation of America (ALFA) for its ongoing leadership and commitment to improving the quality of life for the more than one million Americans that it serves and assists with activities of daily living. During the week of April 3 in Orlando, FL, ALFA will celebrate its 10th anniversary representing the nation's assisted living providers, continuing care retirement communities, independent living operators and related senior care businesses.

Founded in 1990 to advance the assisted living industry and the quality of life for the consumers that it serves, ALFA broadened its mission in 1999 to encompass all of long-term care, in recognition of the evolving interconnection between assisted living and all senior's housing and care models.

Assisted living is a special combination of housing, personalized supportive services, and health care designated to respond to the individual needs of those who require help with living residences from nursing homes, hospitals, their children's homes, or their own homes.

Assisted living facilities provide a growing number of elderly Americans with an alternative to other types of long-term care and serve an increasingly vulnerable population with significant care needs. The projected number of elderly Americans needing long-term care will double to nearly 14 million over the next 20 years. I therefore applaud the ongoing efforts and leadership of the ALFA to address these new challenges and to lead the way in providing services critical to the independence and well-being of older Americans.

Mr. Speaker, I ask that you join our colleagues and me in recognizing the outstanding and invaluable service to the community of the Assisted Living Federation of America.

CONGRATULATING LIEUTENANT COLONEL LLOYD VERNON CAMP

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Lieutenant Colonel (LTC) Lloyd Vernon Camp for being selected to be inducted into the National Officer Candidate School Infantry Hall of Fame, in Fort Benning, Georgia.

Lieutenant Colonel Camp joined the U.S. Army in March of 1943. Over the next few years, Camp was stationed in Normandy where he fought to drive the Germans out of France. Upon returning to the States in 1945, he was discharged from service at Camp Beal, California. In April 1947, he reentered the Army and was sent to South Korea as part of the Occupation Forces. Late in 1948 he returned to the U.S. again, and in June of 1949, he attended Officers School in Fort Riley, Kansas. Graduating in December of 1949, he was sent to Fort Benning, Georgia to attend the Basic Officers Course. Upon completion of the course, Camp was sent to Camp Carson, Colorado to assume the duties of a Second Lieutenant Infantry Officer, in the 15th Infantry Regiment. He went on to be a First Lieutenant (1951–1956), Captain (1956–1960), Major (1960–1967), and finally Lieutenant Colonel (1967-retirement).

After many years of service, Camp retired from the Army as a Lieutenant Colonel, to Clovis, California. In 1991 LTC Camp was recalled to Federal Active duty by FORSCOM, and assigned as a Family Support Officer for the Central Valley Army National Guard, Army Reserve, and Air National Guard families during the Desert Storm Operations.

Among his numerous military achievements, LTC Camp received the Distinguished Service Cross; Bronze Star Medal; Combat Infantryman's Badge; European-African Middle Eastern Theater, with 4 Battle Stars; World War II Victory Medal; Good Conduct Medal; Armed Forces Reserve Medal; Meritorious Service Medal; National Defense Medal; Army Commendation Medal; as well as two foreign military awards, and three California National Guard Awards.

Mr. Speaker, I want to congratulate Lieutenant Colonel Lloyd Vernon Camp for being selected to be inducted into the National Officer Candidate School Infantry Hall of Fame. This induction is well deserved. I urge my colleagues to join me in wishing Lieutenant Colonel Camp many more years of continued success.

● 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.

COMMENDING OSHA, REGION 5 AND THE OHIO VALLEY CHAPTER OF ASSOCIATED BUILDERS AND CONTRACTORS

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. BOEHNER. Mr. Speaker, as we move into the 21st century it is crucial for us to re-examine our work place laws to enhance cooperation between Federal and State regulators and employers and employees. For our economy to remain strong in the global marketplace we must encourage this participation between Federal regulators and employers and employees to ensure compliance and understanding of safety and health standards.

I want to commend the foresight of the region 5, Occupational Safety and Health Administration and the Ohio Valley Chapter of Associated Builders and Contractors to form a partnership that recognizes the importance of safe and healthful work environments for the construction industry. Their cooperation is a model for promoting the shared strategies and objectives. Accordingly, I submit the Partnering Charter to be placed in the CONGRESSIONAL RECORD.

PARTNERING CHARTER BETWEEN THE UNITED STATES DEPARTMENT OF LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, REGION 5, CINCINNATI AREA OFFICE AND THE ASSOCIATED BUILDERS AND CONTRACTORS, INC., OHIO VALLEY CHAPTER

The United States Department of Labor Occupational Safety and Health Administration (OSHA) and the Associated Builders and Contractors, Inc., Ohio Valley Chapter (ABC) mutually recognize the importance of providing a safe and healthful work environment for the Nation's construction workforce. To advance our mutual goal, we strongly agree on the need to develop a working relationship that fosters mutual trust and respect for each organization's respective role in the construction safety process. We recognize and embrace the responsibilities inherent in those roles. We are committed to work as partners to achieve construction workplace safety through the following shared strategies and objectives:

1. Implement continuing and open communication policy between OSHA and ABC at all area, regional, chapter and national levels, in a manner that encourages respect and understanding.

2. Share knowledge of the best industry technology, innovations and work practices that improve jobsite safety and health performance.

3. Cooperate in the development and continuous improvement of safety training programs for the construction industry and OSHA personnel.

4. Promote recognition for construction safety excellence throughout the industry at every opportunity.

5. Ensure that enforcement policies and practices are effective, consistent and fair.

6. Promote principles of good faith and fair dealings as the foundation of our relationships.

7. Recognize and honor the Safety Partnership STEP Platinum Incentive Program for a period of three years.

8. Recognize that either party to the partnership may withdraw from the agreement at any time after submitting written notification of intent to the other partner.

Agreed this day, February 11, 2000: Michael G. Connors, Regional Administrator, U.S. Department of Labor OSHA, Region V, Chicago; William M. Murphy, Area Director, U.S. Department of Labor OSHA, Cincinnati Area Office; Kathleen L. Somers, CAE, Executive Director, Associated Builders & Contractors, Inc., Ohio Valley Chapter; Dennis Nutley, President, Associated Builders & Contractors, Inc., Ohio Valley Chapter.

FREEDOM FROM UNFAIR ENERGY LEVY ACT

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. SENSENBRENNER. Mr. Speaker, today I am introducing legislation, the Freedom from Unfair Energy Levy Act or ''FUEL Act,'' to alleviate the impact of current high fuel prices. My legislation would place a six-month moratorium on federal motor fuel excise taxes, including the 18.3 cent per gallon tax consumers pay for gasoline and the 24.3 cent per gallon tax on diesel fuel, and eliminate permanently the 4.3 cents per gallon tax increase approved in 1993.

The need for this legislation is evident. Crude oil prices have more than doubled in the past 12 months, resulting in the largest gas price increase in history. In 1993, when fuel prices were low, Democrats in Congress, President Clinton, and a tie-breaking vote by Vice President GORE combined to increase federal fuel taxes. Now that prices are high and consumers are feeling the pinch, shouldn't we reduce federal fuel taxes?

Some have argued that money from fuel taxes is more useful in Washington than in Americans' pockets, helping motorists afford the high price of gasoline. In reality, the economic damage caused by high fuel prices far outweighs any impact on federal spending that a six-month moratorium could cause. High fuel prices have the potential to bring our strong economy to a grinding halt. In the 1970s, when the retail price of gasoline doubled, the U.S. was hit with double digit inflation and unemployment rose to over eight percent. Oil prices dropped precipitously in the '80s and the U.S. economy greatly improved, but, with the crisis in the Persian Gulf in 1990 and 1991, retail prices of gasoline increased nearly 20 cents per gallon. Predictably, this price hike corresponded with a recession and a rise in unemployment to over seven percent. Congress must work to reduce fuel costs if similar economic dislocation is to be avoided.

This record-breaking increase in the cost of gasoline follows a string of misguided Clinton-Gore Administration energy policies. Besides supporting the 1993 increase in the gas tax, the Administration also locked up the cleanest burning coal in the lower 48 states, which could be used to meet America's heating and electricity needs, by designating massive amounts of land in Utah as a National Monument. Further, the Administration has done nothing to increase U.S. oil production. As a result of the Administration's policies, domestic oil production is at its lowest point since before World War II.

With the onset of rising oil prices, the Clinton Administration has had the opportunity to reconsider its energy policies. However, the Administration's response to the growing national problem of rising oil prices has been to target aid to one region, the Northeast, and to only one group of people, those receiving federal energy subsidies for home heating oil. Other fuel users, including truckers, farmers, and family drivers, are realizing no benefits from the Administration's actions. In contrast, a moratorium on the collection of the federal fuel tax would provide immediate assistance to every American who now bears the burden of rising fuel costs.

The Fuel Act's six-month moratorium on transportation excise taxes and permanent elimination of the 4.3 cent increase will immediately help Americans weather the current oil price storm that is directly impacting their daily lives. I urge my colleagues to support this important legislation.

RURAL BROADBAND ENHANCEMENT ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. POMEROY. Mr. Speaker, I am proud to join Representative STUPAK today as an original cosponsor of the Rural Broadband Enhancement Act (RBEA). This legislation will ensure rural America not be by-passed as high speed Internet access spreads across the urban areas of our nation.

The Rural Broadband Enhancement Act will authorize $3 billion in low-interest loans over the next five years to finance the construction of the needed broadband infrastructure in rural communities. These loans would be repayable over 30 years at two percent interest. The program would be administered through the Department of Agriculture's Rural Utility Service, and is considered company neutral and technology neutral, so that entities from regional Bells to rural cooperatives to cable or satellite companies would be able to serve these communities with the best suited technology. The Rural Broadband Enhancement Act is modeled on the Rural Electrification Act which helped light up America when it was enacted more than 60 years ago.

We are all well aware that the Internet is now more than just a source of entertainment. Today people use the Internet to access a variety of information, from how to buy a car to the latest trends in the stock market to researching job opportunities or accessing college applications. The Internet is virtually limitless in the variety of information available, and for rural communities, broadband capability has the potential to provide an unprecedented opportunity to overcome the traditional geographic disadvantages.

Access to advanced telecommunications services will be an important component to further economic development opportunities in rural America. High-speed Internet is rapidly transforming every facet of business and industry. Economic opportunities will migrate to those areas of the country that can provide the necessary infrastructure to host them. We must make a strong federal commitment to support the deployment of advanced telecommunications services. Only with adequate support will we be able to stimulate facility investment necessary to deploy advanced services throughout rural areas. We must not let the digital divide isolate our rural communities.

I look forward to working with Representative STUPAK and my other colleagues to help pass this legislation.

HONORING EDWARD R. CASSANO

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mrs. CAPPS. Mr. Speaker, I rise today to recognize Lieutenant Commander Edward R. Cassano, who has served as Manager of the Channel Islands National Marine Sanctuary for the last four years.

Ed will be stepping down from his post at the Sanctuary next week, but he will not be leaving his passion for the ocean. Ed will assume the role of Executive Director at the Santa Barbara Maritime Museum.

Ed's commitment to our oceans and coastal resources is second to none. Throughout his tenure as Sanctuary Manager, Ed has led efforts to broaden the role and increase awareness of the National Marine Sanctuary Program and it is for this reason that I have been proud to support our Sanctuary Program here in the House.

One of the things Ed is best known for is his ability to bring people together and create partnerships. For example: the Marine Educators' Regional Alliance represents over 30 organizations concerned with marine education; the Research Activity Panel representing over 25 marine institutions that join together to identify research needs in the Sanctuary; and the Sanctuary Advisory Council which brings together community organization and local, state, and Federal agencies to ensure public input for the Sanctuary Program. All of these were formed under Ed's leadership.

Mr. Speaker, last month the California Coastal Commission passed a Resolution honoring Ed for his dedication and outstanding contribution to the State of California and the National Marine Sanctuary Program. This Resolution states that Ed's work is a proud legacy that has significantly improved the quality of life for the people of California and the Nation. I couldn't agree more and I am truly honored to be Ed's Representative in Congress, and more importantly, his friend. I know that his leadership on marine and coastal issues will continue.

THE REPUBLIC OF KAZAKHSTAN

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. ENGLISH. Mr. Speaker, next month, I will have the privilege of visiting the Republic of Kazakhstan to witness firsthand this vigorous young nation's emergence, under the leadership of its President Nursultan Nazarbayev, as a bastion of democracy and free market economy in Central Asia. I am entering into the RECORD three articles written last week by Scott Hogenson, Executive Editor of the Conservative News Service (CNS), who just returned from Kazakhstan. Mr. Hogenson spent time in Kazakhstan reporting on that nation's rich ethnic and cultural diversity, its free media, and its strategic importance to the United States.

At a time when we are paying upwards of $2.00 for a gallon of gasoline, Kazakhstan is a viable source of hope for us. This non-OPEC member is rapidly developing its enormous oil and natural gas reserves with the help of Mobil, Chevron, and other U.S. corporations. As reported by Mr. Hogenson, Kazakhstan is a ally of the U.S. and a secular Moslem nation that has befriended Israel and stood up against Islamist terrorists.

Please take the time to read these fascinating articles and join me in saluting Kazakhstan's struggle to right itself after 70 years of brutal Soviet repression.

CULTURAL DIVERSITY REFLECTS GAINS IN KAZAKHSTANI DEMOCRACY

(By Scott Hogenson)

ALMATY, KAZAKHSTAN (CNSNews.com).—Ivan Bernardovich Zinkevich describes Kazakhstan's transformation from communism to democracy as one that resulted in his Polish heritage being ''reborn.''

The re-birth of ethnic and cultural identity among Kazakhstan's minority populations was demonstrated in no small part Sunday afternoon when a crowd of about 100 ethnic Poles rose to their feet as a nine-member youth choir sang the Polish national anthem during a cultural celebration in Almaty, an act that would have been considered criminal a few decades ago.

Zinkevich, the 60-year old chairman of Almaty's Polish Cultural Center, called this and other public displays of cultural heritage a ''very significant'' freedom for Kazakhstanis, who have been laboring to make democracy work since the nation declared its independence from the former Soviet Union in 1991.

While the vast majority of Kazakhstan's 15.6 million residents are either Kazakh or Russian, people representing more than 100 other ethnic groups also live in this sparsely populated central Asian nation whose geography makes it the ninth largest country on Earth.

But Zinkevich made it clear that he and the estimated 47,000 ethnic Poles living here do not want to be separate from the rest of the nation. Speaking through a translator, Zinkevich said Poles ''want to be Kazakhstanis but also want ethnic identity,'' within Kazakhstan.

Born in Kazakhstan in 1940, Zinkevich is the son of Polish parents who, like millions of other non-Russians, were deported to this region of the former USSR in 1936 under the dictatorship of Joseph Stalin. More than half a century later, the mass deportation of people to Kazakhstan has resulted in a population that is among the most diverse in the world.

While many of the new nations created from the demise of the Soviet Union have struggled with varying degrees of ethnic strife, Zinkevich said there are ''no conflcits,'' among Kazakhstan's ethnic peoples, a view shared by the leader of the country's National Democratic Party.

Hasen Kozha-Ahmet, who heads one of the numerous oppposition parties to President Nursultan Nazarbayev, described the country's indigenous Kazakh population as ''very tolerant,'' though he said through a translator that there is a ''distrust of some ethnic Russians among some of the nation's Kazakhs, who comprise roughly 52 percent of Kazakhstan's citizens. Russians are the second largest ethnic group in the country, representing about 31 percent of the population.

A staunch Kazakh nationalist and anti-Communist, Kozha-Ahmet attributed some of the distrust he described to ''the humiliation of the Kazakh people,'' under Soviet rule. But Kozha-Ahmet said he is generally pleased and optimistic about continued harmony between the many ethnic groups living in Kazakhstan.

Although general tolerance among the various peoples plays a large part in keeping Kazakhstan essentially free of ethnic strife, the growth of free-market economies also plays a part in maintaining social and political stability.

Sergy A. Tereschenko, chairman of the majority Otan Party that supports Nazabayev's administration, said continued emphasis on economic reforms and creating stronger markets are not only key elements of the party's platform, but also represent ''the most difficult issue,'' for his party and the nation.

''If a majority (of citizens) does not have work, they express dissatisfaction,'' said Tereschenko, a former communist who assumed leadership of the Otan Party after serving as Nazarbayev's first prime minister.

Speaking through a translator, Tereschenko likened the ''establishment of a middle-class,'' in Kazakhstan to the Biblical account of the Jews' 40-year sojourn through the desert.

''It is very difficult to show benefits to capitalism,'' said Tereschenko, an agricultural businessman who said he repudiated the economic precepts of communism after studying and learning the business structures of the United States and other democracies during the course of his travels abroad.

The economic challenges facing the people of Kazakhstan and their associated political challenges for the Otan Party are not small. With a population that is shrinking due to emigration by some from Kazakhstan and the continuing recovery from the nation's economic contraction following its independence from the old USSR, Tereschenko emphasized the importance of writing legislation and policies ''that are clear to the people.''

''To accept law is one thing. To explain it is another,'' said Tereschenko, who added that a primary need for the Otan Party is to ''prove the value (of democracy) by demonstration.'' The Otan Party holds 32 seats in the 77-member Majilis, or lower chamber of Kazakhstan's Parliament. By comparison, Kazakhstan's Communist Party holds four seats in the Majilis.

In attempting to overcome the difficulties of throwing off communism and introducing the relatively unknown precepts of free-market economic policies to a people who have enjoyed little freedom for the past two centuries, Nazarbayev had issued a sweeping package of proposed long-term reforms known as the ''Kazakhstan 2030'' plan.

Nazarbayev's proposals address a wide range of needs and goals for the nation, covering national security and domestic stability, management of the country's large oil and mineral reserves, the development of a professional class of government employees, education, health care and other social issues, increased economic growth through open markets, and improving the country's communications and transportation infrastructure.

In delivering his Kazakhstan 2030 proposals, Nazarbayev spoke to all citizens in asking the country to ''share my vision for the future of our society and the mission of our state,'' but there also is a strong emphasis on the younger generation of Kazakhstanis and the need to ''say once and for all what future we want to build for us and our children.''

The long view of Kazakhstan 2030 is reflected in part by Nazarbayev's recognition

of the ''enormous domestic and external difficulties,'' facing the country. ''Many representatives of our generation won't live to the time when this strategy will be realized,'' Nazarbayev said. ''Our children will estimate its reality and the correctness of the work implemented by us.''

While the complete implementation of Nazarbayev's plan remains a distant vision, some of the benefits of the president's stewardship over this infant democracy could be seen in the faces of dozens of teenagers practicing Greek line dancing Sunday at Almaty's House of Friendship, a multi-cultural center in the heart of Kazakhstan's largest city.

The youth smiled as they worked out to the quickening pace of music from Zorba the Greek, executing the sometimes complicated maneuvers of the dance and correcting the errors brought to their attention by their instructor.

The act of espousing a culture foreign to one's homeland may seem small among better established democracies but its significance is not lost on Kazakhstanis who lived through an era in which openly embracing one's heritage was forbidden.

As Polish Cultural Center Chairman Ivan Zinkevich said, the newfound freedom to celebrate their ethnicity is ''a big happiness,'' for Kazakhstanis travelling the sometimes-rocky road to democracy.

NAZARBAYEV SLAPS US STATE DEPARTMENT REPORT ON KAZAKHSTAN

(By Scott Hogenson)

ASTANA, KAZAKHSTAN (CNSNews.com).—A US State Department report on Kazakhstan was singled out for criticism Tuesday by President Nursultan Nazarbayev, who called the report one that was ''full of untrue facts'' about the country.

Nazarbayev said the Clinton Administration briefing faslely accuses Kazakhstan of holding political prisoners, torture, broad government control of the news media and misstates the process by which judges and other officials are appointed.

While acknowledging generally good relations between the US and Kazakhstan, Nazarbayev warned that the inaccuracies in the State Department's report on this central Asian country ''makes the distance between the two nations larger,'' and said he wanted an opportunity to ''make a presentation'' to correct the record.

US State Department officials were not available for comment by press time, but its 1999 report on human rights noted irregularities in that year's presidential elections and claimed Nazarbayev held the power to legislate by decree.

Federal judges and other appointed officials in Kazakhstan must be ratified by the Senate, according to the Kazakh constitution. The process is similar to that in the US, where federal judges and other presidential appointees are subject to confirmation by the Senate.

Kazakhstan also faced criticism from the Organization for Stability and Cooperation in Europe, which monitored last October's parliamentary elections and said ''interference by executive authorities in the broader electoral process must be halted.''

But Nazarbayev, a former communist leader in the old USSR, pointed to the range of political parties represented in the Kazakhstan Parliament as evidence of the country's continued progress in strengthening democracy here.

The Kazakhstan Majilis, or lower house of Parliament, includes members from four political parties, including communists. The majority Otan Party, which supports Nazarbayev, holds 32 seats in the 77-member body.

Nazarbayev made his remarks through a translator during a news briefing with members of a Visiting Writers Delegation from the United States Tuesday afternoon in the capital city of Astana.

Other members of the delegation included American Spectator founder and publisher R. Emmett Tyrrell and Hoover Institution Senior Research Fellow William Ratiliff from Stanford University.

Nazarbayev acknowledged some shortcomings in recent elections in Kazakhstan, and government officials attributed most of the irregularities to misunderstanding of the process. Kazakhstan declared its independence from the former Soviet Union in December 1991 and has been instituting democratic and free-market reforms for the past nine years.

Kazakhstan has also been the focus of criticism by the US-based group Human Rights Watch, which reported last year that the government was engaged in censorship and manipulation of the electoral process. However, the presence of independent media in Kazakhstan was evident in Astana and Almaty, the nation's largest city and business center.

News photographers from independent television stations in Kazakhstan were routinely visible around the nation's capital this week, and a news conference attended by an estimated 20 reporters was in progress outside Nazarbayev's office immediately prior to the president's briefing with the US Writers Delegation.

Aides to Nazarbayev also said the president meets monthly with reporters from private media to conduct the equivalent of general news conferences.

While most media were controlled by the government during Kazakhstan's inclusion in the former Soviet Union, the country has made progress in transferring news outlets into private hands since repudiating communism, and independent news organizations have sprouted in large numbers since communist rule here was replaced with democracy.

According to the Ministry of Culture, Information and Public Accord, the number of newspapers in Kazakhstan has increased from 20 to 1,000 during the past decade, with an estimated 70 percent now under private ownership.

Similarly, Culture, Information and Public Accord Minister Altynbeck Sarsenbayev said the government currently operates one television news outlet while about 100 additional private television companies exist today.

Prior to joining the Nazarbayev administration, Sarsenbayev ran The Horizon, which he described as the only independent newspaper in Kazakhstan under communist rule in 1988.

KAZAKHSTANI PRESIDENT SUSPECTS TERRORISM AIMED AT OIL EXPORTS

(By Scott Hogenson)

ASTANA, KAZAKHSTAN (CNSNews.com).—Kazakhstani President Nursultan Nazarbayev Tuesday said he suspects certain Islamist terrorist activities outside the country are intended to impede the country's growth as a major oil producing state.

Citing the example of Chechen rebels warring with Russian troops in Chechnya, Nazarbayev said through a translator that he suspects some terrorist activities are designed ''to make obstacles to oil transportation,'' by creating political instability in areas where future Kazakh oil pipelines are being considered.

Nazarbayev make it clear he intends to make Kazakhstan's growing oil industry competitive with other major oil producing states and said that while ''we don't see any direct threat to Kazakhstan,'' the government needs to work harder to combat ''terrorism and banditism'' as part of that plan.

Nazarbayev is Muslim, as are an estimated 47 percent of Kazakhstanis, making it the predominate religion practiced here.

This is a snapshot of pipeline politics: While American consumers are struggling with rising gasoline prices at the pumps, Nazarbayev and other government officials in Kazakhstan's capital city of Astana are struggling with the more onerous challenge of getting their massive oil reserves out of the ground and into the global marketplace.

The challenges in developing Kazakhstan's oil reserves, estimated to be among the largest on the planet, are compounded by a combination of financial, political and diplomatic considerations, according to officials interviewed by CNSNews.com.

The potential revenues and increased employment for Kazakhstanis associated with the country's growing oil industry are key components in the economic future of the country and are part of a broader political priority as well.

Minister of Culture, Information and Public Accord Altynbeck Sarsenbayev said the most important goals for Kazakhstan are to ''strengthen our independence and free-market economy,'' and the government's attention to oil reflects its importance in achieving those goals.

As an emerging democracy that declared its independence from the former Soviet Union in 1991, this landlocked central Asian country is highly dependent on foreign investments to meet the multi-billion dollar cost of developing Kazakhstan's potential as a major player in the international oil arena.

Kazakhstan's Agency on Investments believes it will cost as much as $160 billion to fully tap the country's oil reserves, and agency Chairman Doulat O. Kuanyshev said efforts to attract foreign investment in Kazakhstan represent ''the best opportunity to make a political statement'' for Nazarbayev.

''Oil is always politics, not only money,'' said Kuanyshev.

Kazakhstan has projected oil reserves of 110 billion barrels by 2015, which would place it among the top three oil-producing nations in the world, and the Nazarbayev administration has attempted to create what it hopes will become a political and economic climate that is conducive to the full exploitation of the country's vast reserves.

The development of Kazakhstan's potential as an oil producing nation is so important, the Kazakh constitution offers numerous legal protections for foreign investors and the Parliament has passed laws offering sizable tax advantages to firms willing to make investments in the country.

Among the ''privileges and preferences'' afforded outside investors through the Agency of the Republic of Kazakhstan on Investment are five-year long income and property tax holidays of up to 100 percent, additional tax holidays at a reduced rate, conferred land rights, and waivers on customs fees and tariffs on the importation of materials needed to continue building Kazakhstan's oil producing infrastructure.

These incentives are evidence of Kazakhstan's efforts to establish a viable democracy and free market economy after having broken away from communism less than a decade ago. ''There is no way we can go back to the system we escaped from,'' said Zharmakhan Tuyakbai, the chairman of Kazakhstan's Majilis, the Lower House of the Parliament.

Tuyakbai is the equivalent of the speaker of the US House of Representatives and is a member of the majority Otan Party, which supports Nazarbayev.

Despite the large oil reserves in Kazakhstan, the country's three main oil refineries are operating far below capacity, according to government data. Oil deliveries were more than 50 percent below the combined capacity of the Shymkent, Pavlodar and Atyrau refineries in 1998, and the government calls upgrading the country's refining operations ''a top priority.''

Currently, Chevron and Mobil/Exxon are among the largest US investors in developing Kazakhstan's oil reserves.

Large as the challenge of drilling for oil is, a greater challenge lies in delivering these reserves to customers around the world. Kazakhstan is landlocked, so all of its oil must be delivered via pipeline or shipped through the Caspian Sea and through other oil producing states in the Middle East.

Oil is currently exported from Kazakhstan via a single pipeline running through Russia. But Kuanyshev said the completion of a second pipeline to the Black Sea is expected to have what he called ''an enormous impact'' on Kazakhstan's role as an oil-producing nation.

Kuanyshev said the Black Sea pipeline, scheduled to begin operations in the autumn of 2001, would nearly double the country's current oil output and open global markets for Kazakh oil for the first time in the country's history.

The politics of further pipeline development include some of the most complex issues facing Kazakhstan. An analysis of various pipeline options indicates that some proposals, like one examining a pipeline through Chechnya, are unworkable at this time because of continued warring there.

The Chechens have not recognized Russian rule over them since the disintegration of the Soviet Union and the absence of independence for Chechnya makes the chances for such a pipeline route slim.

Other options are complicated by US foreign policy, including various proposals involving Iran, a route that is considered by many to be the most direct way of delivering Kazakhstan's oil to world markets.

US sanctions against Iran and American opposition to more Iranian pipelines makes such options less viable, according to Kazakhstani officials, but an aide to Nazarbayev said the president is ''satisfied with overall US relations'' at this time.

Even if a Kazakh pipeline to Iran could be established, it's not likely Kazakhstan would consider membership in OPEC, with one government official saying that Kazakhstan's strategy for oil production and exportation is ''inconsistent'' with current OPEC policy.

Upon completion of the Black Sea pipeline next year, Kazakhstan is expected to focus on a long-range project to build a pipeline that would run directly to the Mediterranean Sea via Azerbaijan and Turkey.

A pipeline connecting Kazakhstan to the Mediterranean would represent a significant leap for the country, officials said. Not only would such a pipeline increase the country's total oil exports, it also would alleviate the strategic risks that can be associated with having to ship products through the Black Sea and the narrow passage that connects it to the Mediterranean.

The internal political implications are also considerable for Kazakhstan. Nazarbayev's Press Secretary, Asylbek K. Bisenbayev, said the means of exporting oil are even more important than increasing production if the country is to continue moving forward with free-market reforms.

''Oil is important to developing a middle-class in Kazakhstan,'' said Bisenbayev, underscoring the need to shrink the income gap between rich and poor. With the expansion of the country's middle-class also being a political imperative for the majority Otan Party, the future of democracy in Kazakhstan hinges in large part on tapping the oil beneath it.

APPOINTMENT OF JOE McDADE, FORMER MEMBER OF PENNSYLVANIA 10TH DISTRICT FOR 36 YEARS

HON. DON SHERWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. SHERWOOD. Mr. Speaker, I want to bring to the attention of the members of the House the selection of their former colleague, Joe McDade, as Chairman of the Board of Trustees of Ford's Theatre Society. The Society is non-profit organization whose mission is to produce live entertainment on the historic stage at Ford's Threatre. Musicals and plays are produced at Ford's Theater that highlight our nation's multiculturalism and the diversity of American life.

Congressman McDade served with great distinction as the Representative of Pennsylvania's 10th District for 36 years. His contributions to the prosperity and well-being of his constituents are legendary in Pennsylvania and his service to his nation, particularly on the Appropriations Committee, is well known by the Members of this Chamber. He currently serves as Chairman of the Board of ETA, a respected government relations firm based in Washington.

Joe McDade is an excellent selection for Chairman of the Board at Ford's Theater Society. He has always been a strong advocate and genuine aficionado of the arts, having served on the Ford's Board since 1970 and on the Kennedy Center Board for 25 years, where he is a Trustee Emeritus. He is also a Trustee Emeritus at the University of Scranton, and serves as a Board member for Allied Services for the Handicapped.

Congressman McDade's achievements have been recognized by several organizations, including the National Parks and Recreation Association, the U.S. Chamber of Commerce, the Pennsylvania American Legion, the National Association of Defense Lawyers and the National Osteoporosis Association.

The Secretary of Defense awarded Congressman McDade the Medal for Distinguished Public Service, the highest civilian award that can be given by the Department of Defense, and Governor Tom Ridge honored Joe McDade's work by issuing an executive order establishing ''Joe McDade Day.''

I know that my colleagues would join me in congratulating Congressman McDade for his selection as Chairman of the Board for the Ford's Theater Society and wishing him the very best as he carries out his important new responsibilities.

INTRODUCING THE HEALTH CARE ACT

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. ARMEY. Mr. Speaker, proudly I join my colleague from California, Mr. DOOLEY, in introducing the Health CARE Act. The word ''CARE'' in the title stands for Coverage, Access, Relief, and Equity. Mr. Dooley and I believe this legislation will provide those things for millions of uninsured Americans. We regard this new bipartisan bill as affordable and enactable, and we will work to pass it this year.

Identical legislation is being introduced in the Senate by a group composed of three Republicans, Senators JEFFORDS of Vermont, FRIST of Tennessee, and SNOWE of Maine, and two Democrats, Senators BREAUX of Louisiana and LINCOLN of Arkansas.

The CARE Act creates a tax credit for the purchase of health insurance, and is to be the first in a series of measures that our bipartisan, bicameral group will propose to address the chronic problem of uninsurance in our country. Today, at any given moment, forty-four million Americans can be found who lack health-insurance coverage. They become uninsured for a variety of reasons, and it will take a variety of responses to address this growing problem.

I should note here that the CARE Act is very similar to a bill I introduced last summer under the title of the ''Fair Care for the Uninsured Act'' (H.R. 2362). The CARE Act differs from Fair Care mainly in being less costly and thus, I hope, more enactable. The basic principles of the two bills are the same, and I will continue to work for the enactment of Fair Care as my long-term objective. I will not let the perfect be the enemy of the good. The CARE Act is a good first step and a solid proposal in its own right.

Experts agree the uninsurance problem is caused in large part by Section 106 the Internal Revenue Code. Section 106 gives an extremely generous tax break for the purchase of health coverage, if it is purchased through one's place of employment but not if it is purchased elsewhere. This discriminates against people who buy their insurance outside the workplace. Such discrimination may have been tolerable in the 1940s and 1950s, when it was common for a citizen to be employed at one large company for most or all of his or her working lifetime. But it is completely out of step with today's dynamic workforce. Today, this health penalty tax, as I call it, falls most heavily on people who are mobile and part-time, on day laborers, farm workers, and the like. It falls especially hard on Hispanic Americans, who are often employed in these ways, and one-third of whom are uninsured nationally.

Section 106 is unfair in another way. It discriminates against lower-paid workers. Because today's tax-code is progressive, taxing people at increasingly higher rates as their incomes rise, tax breaks like Section 106 are by definition more generous to those in the higher tax brackets. Thanks to this regressive aspect of our system of progressive taxation—a system I hope to see replaced someday by the Flat Tax—the highly paid CEO today gets a much more generous tax break for health coverage than does the waitress at the corner coffee shop. This unfairness needs to be addressed.

Right now, the ranks of the uninsured are swelling by more than 100,000 persons a month, and it appears this pace will continue unabated until we go to the root of the uninsurance problem, and that is the tax code. The time has come for a more equitable tax

treatment of health insurance. If Americans were given health-care tax breaks without regard to where they work, or how much they make, it will go a long way to ending the uninsurance problem in this country.

The Health CARE Act would address the inequities of the tax code by creating a new tax credit for the purchase of private health insurance, in the amount of $1,000 for a self-only policy and $2,000 for a family policy. A person could use this credit toward the purchase of any qualified private health-insurance policy, including so-called ''COBRA'' coverage between jobs. If the person is paying for insurance on his own, he could apply the credit toward the cost of that coverage. The credit would be available regardless of where the person works or how much insurance he purchases. He could use it even if he owes no income tax. He could begin using it as soon as he signed up for insurance. He would not have to wait for a refund check from the IRS.

A person would be eligible for the credit if he met all of the following conditions: First, he is not already covered by a federal-government health insurance program. Second, he is not offered an employer-subsidized health plan through his place of work. Third, his annual adjusted gross income is less than $35,000 (if it is a self-only policy) or $55,000 (if it is a family policy). Persons making up to $10,000 a year more than these amounts would receive a reduced credit, which is phased-down over the range.

Experts believe that any health-care tax credit must be worth at least 30 to 50 percent of the cost of an average health-insurance policy in order for people to be willing and able to use it to buy private health insurance. The Health CARE Act credit is worth about 40 percent of the price of a self-only policy, and about 30 percent of the price of a family policy, depending on one's health status and the general cost of health care in one's region of the country. As a result, the credit will be available to an estimated 21.5 million currently uninsured Americans, and would help an estimated 5.5 million Americans who are now paying for health insurance without the benefit of any federal health-care tax breaks. The CARE Act credit would enable at least 3.2 million uninsured Americans to afford private health coverage, according to the Lewin Group, a private health-policy consultancy in Washington, D.C.

Mr. Speaker, as a resident of the State with the highest uninsurance rate in the nation, I think tax equity for the uninsured is a moral, economic, and political imperative.

The CARE Act is, in sum, a bipartisan proposal that offers real hope to Americans shut out of work-based coverage, makes health-care tax benefits fairer for all workers, begins to repeal the health penalty tax, gets more Americans covered, and does all of this while preserving the employer-based system of coverage on which most Americans rely.

I am proud of this legislation and will work hard with my Democratic partner, Mr. DOOLEY, to pass it this year.

IN RECOGNITION OF THE NASA-GODDARD SPACE FLIGHT CENTER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. HOYER. Mr. Speaker, I rise today in recognition of the men and women of the NASA-Goddard Space Flight Center in Greenbelt, MD, and congratulate them on their continued success as one of our Nation's premier space flight centers. In December, Goddard led a successful mission to service the Hubble space telescope and launched the Terra spacecraft, the first of an exciting line of satellites based at Goddard.

During the 1999 holiday season, the Hubble was given new navigation equipment and an improved vision of the universe. During an 8-day mission, beginning on December 19, the crew of the space shuttle *Discovery* captured, serviced, and redeployed the Hubble space telescope. On Christmas day it was released back into orbit, returning it to full operation with a new and improved view of the universe.

Through these improvements, Hubble scientists, for the first time in its 10-year history, have identified and impelemented a value measurement for how fast the universe is expanding. This rate of expansion—the Hubble constant—is essential in determining the age and size of the universe.

In addition to the great accomplishments with the Hubble, on December 18, the first Earth-observing system satellite was successfully launched. This system, known as Terra is operating as expected and will enable new research into the ways Earth's land mass, oceans, air, ice, and life interact as a whole climate.

Since 1993, NASA has cut the cost of missions by two-thirds and has cut the time it takes to develop spacecraft by 40 percent. NASA is also launching an average of four times as many science missions per year.

The great successes of Goddard Space Flight Center would not be possible without the outstanding support that has been provided by the contracting and business community of this region. Their efforts, in partnership with NASA, have been critical in placing Goddard in the forefront of space technology and giving the United States the recognition of being number one in space exploration and know-how.

In closing, Mr. Speaker, as we enter the new millennium, let us continue to support the men and women leading us onto the new frontier of space exploration. These men and women of the Goddard Space Flight Center are furthering our knowledge of the planet and the universe by which we are surrounded. I thank the astronomers, scientists, and the entire space exploration community for a job well done.

PALACE OF THE GOVERNORS EXPANSION ACT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. UDALL of New Mexico. Mr. Speaker, today I am introducing a bill to fund the expansion annex of the historic Palace of the Governors in Santa Fe, New Mexico. This is a companion bill to S. 1727 introduced in the Senate by Senator PETE V. DOMENICI.

The Palace of the Governors is the last remaining structure of a compound built between 1605 and 1610 by the Government of Spain. For centuries the compound, known also as ''Las Casas Reales'', served as a military and administrative center for the Spanish colonial empire, and functioned as the legislative chambers and official residence for those who governed New Mexico under the Flags of Spain, Mexico, and the territorial United States. This included 66 Spaniards, 17 Mexicans, and 22 U.S. Territorial Governors. Moreover, during what is known as the Pueblo Rebellion of 1680, the Pueblo Indians of New Mexico converted the historic structure into an Indian village until the Spanish return in 1692.

In 1909, the capitol for the New Mexican territorial government was moved to a more modern building, and the Palace of the Governors was designated as the Museum of New Mexico. Today, the Museum's collections include over 15,000 artifacts and priceless art works, 530,000 photographic images, 15,000 books, 450 linear feet of manuscripts, and 6,000 prints and maps. These precious items are irreplaceable historical and cultural artifacts, as they represent time periods spanning from the initial European exploration and colonization of the Southwest in the 16th century, to the birth of the atomic age and the exploration of space in the twentieth century. Some of Museum's artifacts include helmets and armor worn by soldiers in the expedition of Don Juan De Onate who established the first capital in the United States in July of 1598, and led the first permanent European community in the United States. These proud and independent people, whose direct descendants thrive to this day in New Mexico, introduced horses, cows, donkeys, sheep, and agricultural technology. Together with the Native Americans they contributed to what is New Mexico's rich culture.

As another example of its fascinating holdings, the museum also houses the Railway station clock that was shot as Pancho Villa invaded the United States. The clock, its pendulum stopped by a bullet, captured the exact moment in time, when the last invasion of the continental United States took place.

Today, the Palace is visited by thousands of visitors from around the world who tour the exhibits, and then purchase fine Native American artwork sold by Native peoples under the portal in front of the Palace. This trade between cultures has taken place daily for hundreds of years, and is a testament to the interaction between different cultures.

Tragically, these many unique examples of Spanish, Native American, Mexican, and U.S. history face imminent destruction if immediate measures are not taken to provide safe and adequate storage, and proper exhibit facilities. Currently the major portion of the collections has no protection from loss by fire, flooding or disintegration and the buildings where the collections are stored are over 90 years old, with a steam heating system that contributes deterioration of the collections.

Recognizing this disastrous situation, a group of my fellow New Mexicans have undertaken the task of planning for the construction of a modern and technologically advanced annex, the size of which will permit the rich

multi-cultural history of the southwest to be made available to present and future generations. Over time they have raised almost $6 million from state, city, and private sources to acquire a building, the land, and planning for the new annex. The amount, however, is far from sufficient enough to meet the projected total project cost of an additional $32 million. Thus, it is imperative that Federal funds be provided.

The bill I am presenting today will help ensure these treasures are protected and funds are provided, so that we save the irreplaceable collections of the Palace of the Governors from the danger of being forever lost. The bill would authorized $15 million dollars through the Department of Interior, and will assist the Palace of the Governors construct and also equip their new annex. It will also make the vast collections available for exhibition to future generations of Americans and for study by scholars who currently cannot access them because of a lack of appropriate facilities.

Mr. Speaker, the Palace of the Governors is not only an irreplaceable jewel in New Mexico's history, but the history of our Hispanic Southwest and our country as a whole. I urge that we act to support this aspect of our nation's history with the foresight that will reward our children with these unique, historical, and cultural gifts drawn from our country's amazing diversity.

TRIBUTE ON THE PASSING OF DR. HARGROVE F. WOOTEN

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Ms. JACKSON-LEE of Texas. Mr. Speaker, tonight I pay tribute to an outstanding man, community leader and distinguished Physician, Dr. Hargrove F. Wooten. I was saddened at hearing of the passing of Dr. Wooten: husband, father, grandfather,colleague, and friend to those who knew him.

Dr. Wooten was born in Jacksonville, Florida on October 9, 1925. As a child, he attended local public schools in Jacksonville. In Jacksonville, Dr. Watson dreamed of enriching the life of his community and becoming a doctor. He would later pursue his dreams at Xavier University in New Orleans, Louisiana, where he earned his Bachelor of Science Degree in Pharmacy and Meharry Medical College, where he earned his doctorate in medicine. At these two prestigious and renowned universities, his goals to pursue a medial career were nurtured and his dedication to his community was enriched.

Dr. Watson continued to further his education by obtaining his Master of Science degree at Texas Southern University in Houston, Texas and completed his residency in Ophthalmology at the University of Texas Health Science Center. After completing his medical degree, he serves an intern through a rotating internship in Houston and was the first African-American to intern at the Memorial Hospital system.

As a practicing pharmacist and CEO of the self entitled Wootsen's Pharmacy Chain, a university physician for the University of Houston from 1966 to 1972 and CEO of both Physicians Eye Associates and Hargrove F. Wooten M.D. and Associates, Dr. Wooten tirelessly worked to improve the health of Houston area residents.

Throughout his lifetime, Dr. Wooten's leadership was sought and admired by many of his peers. He served as the President of both the Houston Pharmaceutical Association, the Lone Star State Pharmaceutical Association, and the Houston Medical Forum. In 1994–1996, Dr. Wooten was elected by Sigma Pi Phi Fraternity to be their Grand Sire Archon. In addition, he was a member in sixteen honorary, professional and civic organizations including the NAACP, Alpha Phi Alpha Fraternity, Chi Delta Mu Professional Fraternity and the American Academy of Ophthalmology.

As a husband, Dr. Wooten was his wife's best friend, companion, and advisor. As a father, he was his three daughters' counselor, aide, and friend. A father in the true sense of the word and a man of the finest hour, Dr. Wooten was a friend, mentor and counselor to many. His daughters, Florence, Patrice and Sharon knew that he loved them through his 49 years of matrimony to their mother, Eleanor.

At this sad time, I offer the Wooten Family my deepest sympathy. While I am aware that no words of consolation can ease the hurt and sense of loss that you now feel, I hope that in time, you will be comforted by the legacy of accomplishments that he left behind. I hope that the fond memories of experiences you shared with him will continue to inspire you in the future.

SUPPRESSION OF PEACEFUL DEMONSTRATORS IN BELARUS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. SMITH of New Jersey. Mr. Speaker, earlier this month, March 9, I chaired a hearing of the Helsinki Commission at which we heard compelling and disturbing testimony about the deterioration of human rights and democracy in Belarus. I was pleased to have as one of our witnesses Anatoly Lebedka, Deputy Chairman of Belarus' legitimate parliament, disbanded by Belarusian strongman Alyaksandr Lukashenka following an illegitimate 1996 referendum.

Unfortunately, Mr. Lebedka was one of some 500 people arrested last weekend, during a peaceful pro-democracy demonstration in Miensk. He was reportedly beaten and spent two days in detention before he was released. He is scheduled to go to trial on April 4. Also detained without explanation were more than 30 Belarusian, Russian and Polish journalists. Film shot by press photographers was reportedly confiscated. Aleh Hrudzilovich, a journalist with the opposition newspaper Nasha Svaboda and Radio Liberty who was initially detained on March 25, was summoned for interrogation on March 27, handcuffed, and then hit several times in the face while being transported by police to a detention center. He was released later that day. Other detainees also reportedly suffered physical abuse by the police. Several demonstrators have been put on trial, and some have already been sentenced to short-term detentions.

Mr. Speaker, during the Helsinki Commission hearing, I asked Mr. Lebedka about the scheduled March demonstrations, where he expressed the fear that there might be deliberate provocations by the police, as had been the case at a Freedom March rally last October. Fortunately, a large peaceful protest held on March 15 was held without any problems. According to many observers, including Mr. Lebedka, the growing number of participants in the officially-approved 30,000 strong March 15 demonstration prompted Lukashenka to take harsh measures against the March 25 demonstrators. Indeed, this comports with Lukashenka's recent warning that protestors who ''get out of line'' will have ''the stuffing'' beat out of them.

Mr. Speaker, the suppression of the March 25 demonstration is yet another illustration of the Lukashenka regime's disregard for fundamental human rights, including freedom of assembly and association, and information. It is another among a long list of outrages perpetrated by Lukashenka upon the people of Belarus. It is yet another in a pattern of violations of human rights commitments, which Belarus freely undertook when it joined the OSCE in 1992.

Mr. Speaker, I wish to reiterate my strong concern for the safety of Anatoly Lebedka and all the other pro-democracy activists in Belarus, and I look forward to the day when democracy will flourish someday in Belarus.

IN HONOR OF NORTHERN KENTUCKY UNIVERSITY WOMEN'S BASKETBALL

HON. KEN LUCAS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. LUCAS of Kentucky. Mr. Speaker, today I salute an outstanding group of young women in the Fourth Congressional District of Kentucky. This weekend, the Northern Kentucky University Women Basketball team—the Norse—won the NCAA Division II National Championship in Pine Bluff, Arkansas. Their achievement capped a year of hard work and dedication, and they are role models for girls and boys in Kentucky and across the nation.

I also congratulate Nancy Winstel, now in her 17th season as Head Coach. Nancy is a native of Newport, Kentucky, and a graduate of NKU. She played for the Norse from 1974 to 1977. Nancy returned to the University in 1981 as an assistant coach, and has served as head coach since 1983. During her tenure, the Norse have compiled a 362–120 overall record and have made ten NCAA tournament appearances. Winning the 2000 National Championship is a particularly fitting reward for her 22 years of commitment to the NKU Women's Basketball program.

Mr. Speaker, I would be remiss if I failed to commend Michelle Cottrell, a starting forward for the Norse, and the Most Outstanding Player for this year's tournament. During the final game, Michelle scored 23 points and tallied 19 rebounds. Her double-double is not surprising to anyone who has watched her play over the years; this season, she scored an average of 17.3 points and 9.4 rebounds. Michelle is a graduate of Boone County High School, and I know that the entire Northern Kentucky community takes pride in her accomplishments.

I also salute the other members of the team, many of whom were also raised in Northern

Kentucky. I submit their names here for the record: Heather Livingstone, of Winneconne, Wisconsin; Suzie Smith, of Florence, Kentucky; Michele Tuchfarber, of Cinncinnati, Ohio; Rebecca Bell, of Taylor Mill, Kentucky; Lisa Geiman, of Cold Spring, Kentucky; Julie Cowens, of Cold Spring, Kentucky; Amy Mobley, of Harrison, Ohio; Bridget Flanagan, of Cincinnati, Ohio; Kristin Polosky, of Bobtown, Pennsylvania; and Jessica Jenson, of Barberton, Ohio. I also recognize Assistant Coaches Brian Neal and Chris Gramke.

Mr. Speaker, in this era when we worry about role models for our children, I am proud to know these young women. They have proven that athletics can help instill values like hard work, discipline, and teamwork. I know that young people all over the Commonwealth and across the Nation will recognize the achievements of NKU Women's Basketball and follow their example. As for myself, I am looking forward to another exciting season of Norse basketball in 2000–2001.

REAUTHORIZATION OF THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. CANNON. Mr. Speaker, today I introduce legislation to reauthorize the United States Holocaust Memorial Museum. This spring will mark 7 years of success for the Museum, which is visited by millions of people each year through its acclaimed exhibitions, education opportunities, publications, and outreach programs. Created by a unanimous act of Congress in 1980, the Museum continues to receive strong support and recognition.

In addition to its primary mission of advancing and communicating knowledge of Holocaust history, the Museum offers an opportunity for its visitors to reflect upon the moral and spiritual questions raised by the Holocaust. The success of the Museum clearly demonstrates the public's deep interest in contemplating and gaining valuable lessons from the Holocaust.

Some of the key accomplishments that illustrate the exceptional success of the Museum over the past 7 years include:

Nearly 14 million visitors, of which 3.7 million have been children. In addition, 61 heads of state have visited, along with 2,000 foreign officials from 130 nations.

In response to public demand, the development of educational and scholarly outreach, with the Museum sponsoring travel exhibitions in 27 cities over the past several years.

Over 1.5 million visits to its web site each year.

Educational materials and programs serving 25,000 educators across the United States annually.

Recognition internationally as a center for Holocaust research and remembrance. There continues to be a dramatic growth in its collections, including more than 35,000 artifacts, 12 million pages of archival documents, 65,000 photographic images, oral histories from over 6,000 individuals, a library of over 30,000 volumes in 18 languages, and a renowned registry of Holocaust survivors and their families with a total of 165,000 listings.

Invaluable references service to the public, with the Museum's archival, photo, historian's office, and library staff responding to over 18,000 requests each year for information, guidance, and services.

These exceptional accomplishments clearly demonstrate the Museum's extraordinary adherence to public service and the success it has achieved both on the National Mall and across the United States. The passage of time continues to deepen the urgency and importance of the Museum's role in the United States and its powerful mission of carrying the legacy of Holocaust remembrance, education, and conscience forward into the 21st century. With its commitment to education and service, this Museum is key to strengthening our ability to understand history's painful lessons, to helping us overcome the worst of human impulses, and to improving our future.

As a member of the Museum's Council I am proud to introduce this legislation and I urge my colleagues to join me, and the 24 original cosponsors, in supporting the mission of the United States Holocaust Memorial Museum and its enduring role in our society.

THE U.S.S. ''HOGA''

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. HASTINGS of Florida. Mr. Speaker, I am proud to introduce a bill which authorizes the use of a vessel to transport the naval harbor tug USS *Hoga* to Port Everglades, Florida, for use as a memorial to veterans and provide vocational seamanship training.

This bill will carry out the longstanding intent of Congress in preserving and protecting historic landmarks and national monuments. The USS *Hoga* is recognized by the United States Park Service as a national monument, and appears in the national register of historic places. Unfortunately, the USS *Hoga* is no longer seaworthy, and cannot safely be towed on the open sea. If towed through the water, it may fall apart, and we stand to lose this national monument forever. Thus, I encourage you, Mr. Speaker, and my colleagues here in Congress, to support this initiative that will allow a means to transport the USS *Hoga* on a transporter vessel, enabling the ship to arrive undamaged to the state of Florida.

Veterans have long been the thread holding together our nation, defining American independence, and ensuring American freedom. Despite the high concentration of World War II veterans in Florida, with the majority of them calling South Florida home, the state of Florida is the only coastal state without a commemorative World War II warship. This legislation will assist the USS *Hoga* Association in transporting the USS *Hoga* to its final resting place at the New River in Ft. Lauderdale, Florida.

Mr. Speaker, in the next two decades, the last of the World War II veterans will have passed on. As an immobile World War II veteran, the USS *Hoga* will be a place for future generations to pay homage to those who fought bravely under the United States flag. The USS *Hoga* is indeed a national treasure, and will serve many additional uses in the state of Florida. Currently, boatyards are underemployed, and fewer Americans consider a calling to defend our great country. In addition to being a memorial, the USS *Hoga* will be used to train students in seamanship duties and promote national defense by preparing young Americans for service in the United States Navy.

Finally, Mr. Speaker, let me say that I take a great deal of pride in the fact that South Florida boasts one of the nations highest percentage of World War II veterans. I would also like to commend the USS *Hoga* Association for the tremendous work and effort it has contributed to attain this goal. As we approach the 60 year mark commemorating the beginning of World War II, I ask that we fulfill a small request made by Florida veterans to aid them in transporting a tribute to those citizens who fought for our country.

I urge all of my colleagues to support this bill.

CONGRATULATING THOSE INVOLVED IN THE FLORENCE, WISCONSIN FOOD, FUN AND FITNESS SUMMER PROGRAM

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. GREEN of Wisconsin. Mr. Speaker, today I'd like to offer my enthusiastic congratulations before the U.S. House to all those involved in the Florence, Food, Fun and Fitness Summer program. Their hard work and innovative efforts have improved the health of our young people and deservedly garnered accolades and the U.S. Department of Agriculture's Summer Sunshine Award for Child Development.

Everyone who is a part of the Food, Fun and Fitness program should feel a great sense of pride—not only for being honored by the USDA and others, but for genuinely enhancing the health and quality of life of our children. Thanks to this program, the kids involved have learned countless new life lessons, from a new understanding of the importance of food and where it comes from to the new friendships and wisdom they have shared with the seniors who have joined with them in this program.

This program is the direct result of a successful partnership between Florence Nutrition Program Educator Katie Tartar and the University of Wisconsin Extension, Florence School District, Florence Sheriff's Department, General Colin Powell and America's Promise, the Family Resource Center of Florence County, County Activity Co-op, Spread Eagle Sporting, the Master Gardener Association and the residents of Chapin Heights Apartments.

Mr. Speaker, the Florence Food, Fun and Fitness program is a shining example of what communities can achieve by bringing all their resources to bear in a common effort. It is a program I believe other American communities should look to and emulate.

To the folks in Florence, congratulations, thank you, and keep up the great work!

INTRODUCTION OF THE WORKER ECONOMIC OPPORTUNITY ACT

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. BALLENGER. Mr. Speaker, today I am pleased to join Senator MCCONNELL and others in the introduction of ''The Worker Economic Opportunity Act,'' a bipartisan bill to protect stock option programs for rank-and-file employees. In a February 12, 1999, opinion letter that has only recently become widely publicized, the Department of Labor determined that under the 1938 Fair Labor Standards Act, at least in some case, the profits from the exercise of stock options are part of an employee's ''regular rate'' of pay, and therefore must be taken into account in determining the employee's overtime rate of pay.

While the opinion letter constitutes the agency's interpretation of the law based on the facts and circumstances of one particular case, the practical effect of the letter is to ''red flag'' other similar programs and cause widespread confusion about overtime liability among employers who provide stock options for their hourly or ''nonexempt'' employees.

Stock option programs can be configured in a variety of ways and are referred to by different names, but all of the programs share similar objectives: to reward employees, provide ownership in the company, and to attract and retain a motivated work force. In testimony before the Subcommittee on Workforce Protections' hearing earlier this month, witnesses discussed how stock ownership programs are now available to more and more employees. In the past, such programs were used to reward executives, top management, and other key employees. However, there has been a dramatic increase in the past several years in the number of companies offering broad-based employee ownership plans to rank and file employees.

A 1998 study by Hewitt & Associates found that over 66 percent of the companies surveyed gave options to some portion of their nonexecutive workforce. The National Center for Employee Ownership estimates that more than 6 million nonexecutives receive stock options. In the high-technology industry, some 55 percent of rank-and-file employees participate in employee ownership programs.

I daresay that few employees who receive stock options from their employer consider the profit on those options to be part of their regular rate of pay for overtime purposes. Yet the Department of Labor's interpretation of the law that says stock options may be part of the employee's ''regular rate,'' threatens to undermine the ability and the willingness of employers to make stock options available to their ''nonexempt'' employees. Ms. Abigail Rosa, an employee who testified at the hearing, expressed concern that DOL's interpretation of the law would force companies to do away with stock option programs for employees who are covered by overtime.

The Worker Economic Opportunity Act would amend the Fair Labor Standards Act (FLSA) to ensure that federal law does not end up discouraging the use of such programs or denying employee the opportunity to participate in the success of their company. The bill specifies that any value or income derived from a stock option, stock appreciation right or employee stock purchase plan would be exempt from an employee's regular rate of pay for the purposes of calculating overtime. Plans must meet the following requirements: a minimum 6-month vesting period between the grant of the option and its exercise by the employee; any discounts on stock option or stock appreciation rights may not exceed 15 percent of fair market value at the time of the grant; the voluntary exercise of any grant or right by the employee; and disclosure of the terms of the plan to employees.

Employers may grant options based on employees' past performance, provided that the options are not pursuant to any prior contract. In addition, employers may grant options based on the future performance of any size facility, or a business unit or group consisting of at least 10 employees.

Under the bill, employers who are currently operating plans would be protected from liability for overtime back pay if: the grants or rights were obtained prior to the bill's effective date; the grants or rights were issued to employees within a year after the bill's effective date under plans that must be modified through shareholder approval; or the plans are part of a collective bargaining agreement as of the bill's effective date. Finally, the provisions of the bill would go into effect 90 days after the date of enactment, giving employers time to complete pending grants.

Mr. Speaker, this bill represents the hard work and attention of many Senators and Members of the House on both sides of the aisle, as well as the Department of Labor. I urge my colleagues to support the legislation.

CORRESPONDENCE FROM BOB JONES UNIVERSITY

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. CROWLEY. Mr. Speaker, today I am somewhat bewildered by correspondence I received yesterday from Bob Jones University. As you are aware, I am the sponsor of H. Con. Res. 261, which condemns the racial and religious intolerance at Bob Jones University. Additionally, on Friday, three of my colleagues, Representatives PETER KING, RICHARD NEAL, and SAM GEJDENSON, and I sent a letter to Bob Jones III expressing our concerns about the participation of Ian Paisley in a Bible Conference at the University. Reverend Paisley is an opponent of the peace process in Northern Ireland and an outspoken anti-Catholic bigot. Since coming to Congress, I have been a vocal supporter of the Irish Peace process and the Good Friday peace process. Additionally, I have always promoted religious tolerance. In fact, I am an active participant in Project Children; a program designed to eradicate the hatred between Catholics and Protestants in Northern Ireland by working with children.

Yesterday I received a response from Bob Jones III to my letter. I was bewildered by his venomous response. At this time, I would like to ask unanimous consent to submit to the RECORD a copy of my original letter to Bob Jones III, as well as his response.

I am disappointed that the leader of an institution of higher learning could not respectfully respond to concerns of four Americans who happen to be Members of Congress. His labeling of the extreme religious views of Rev. Paisley as, and I quote, ''leftist, radical IRA/Sinn Fein loving imaginations,'' is totally offensive to the Catholic minority in Northern Ireland.

I was horrified at being called a bigot and intolerant by Bob Jones the III. I have spent my life espousing peace and tolerance for Ireland and for all religious differences. I work actively with many religious groups, including Protestants, Jews, and Muslims.

Additionally, I recently marched in a St. Patrick's Day parade in Queens that was the first inclusive St. Patrick's Day parade in New York City. I believe Mr. Jones' letter reflects that he is the bigot and validates the concerns of myself and many of my colleagues.

Mr. Jones believes that I do not have the right to maker demands of him. He is correct, we do have free speech. However, I believe that as an American, who happens to be a Member of Congress, I have a duty to request that the University does not invite someone whom I consider a proponent of hate to participate in any religious conference. Our country is founded on free speech, but it is also founded on religious freedom and tolerance. No institution, especially one of higher learning, should promote religious intolerance.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 27, 2000.

Mr. BOB JONES III,
President, Bob Jones University, Greenville, SC.

DEAR PRESIDENT JONES: Reports have come to our attention that over the weekend the Reverend Ian Paisley participated once again in a Bible conference at your university. We are writing to ask that you sever all professional contacts with Reverend Paisley immediately, including terminating his membership on your Board of Trustees. No American University should have a relationship with such an anti-Catholic bigot and opponent of peace in Northern Ireland.

Reverend Paisley has called the Catholic Church an instrument of the devil and ''the mother of all harlots.'' He has described the Pope as the ''Antichrist'' and the ''Great Fornicator.'' ''Popery is contrary to Christ's gospel,'' Paisley said in one sermon. A recent biographer chronicled his lifetime commitment of ''total resistance to every attempt to accept that [Catholic] system as a Christian church.''

As leader of Northern Ireland's Democratic Unionist Party, Paisley has done his utmost to stir up sectarian violence between Protestants and Catholics. After serving time in prison for inciting to riot, he helped form the Ulster Protestant Volunteers paramilitary group. He has led contentious marches through Catholic neighborhoods, which are lightning rods for sectarian tension. Paisley's response to the Irish Republican Army's (IRA) statement on disarmament in 1994 was to denounce it as ''a clever Jesuit expression.''

In typical fashion, Paisley boycotted the peace talks led by Senator George Mitchell which produced the historic Good Friday Accord in 1998. Thankfully, his last minute attempts to sabotage the agreement failed. The comfort your university provides him jeopardizes the fragile peace in Northern Ireland that has stopped a conflict which claimed the lives of over 3,000.

Press reports indicate that Paisley has made more than 50 trips over the past 30 years to speak at your University. He should make no more.

Because of recent events in Washington and across the country, Catholics in America understandably have grown concerned about a retreat in tolerance toward all religions. Your continuing relationship with such a world renowned anti-Catholic such as Reverend Paisley only adds to that fear. The recent public uproar over your institution's restriction on inter-racial dating convinced you to alter that policy. The sense of outrage in the Irish and Catholic American communities over your continued relationship with Reverend Paisley requires you to take action on this issue as well.

Sincerely,

SAM GEJDENSON,
RICHARD E. NEAL,
PETER T. KING,
JOSEPH CROWLEY,
Members of Congress.

BOB JONES UNIVERSITY,
Greenville, SC, March 28, 2000.

Hon. JOSEPH CROWLEY,
Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN CROWLEY: It is no business of yours whom Bob Jones University invites to speak at its Bible Conferences. This is a free country. We're just as entitled to our religious beliefs as you are to yours. The fact that we have speakers whom you personally differ with does not make us bigots.

Your bigotry and intolerance, however, have been amply displayed in your March 27 letter, which makes unwarranted and intrusive demands of us.

The fact that Dr. Paisley's religious perspective differs from yours does not make him a bigot. He feels strongly about what he believes, and so do you. Is he not just as entitled to the expression of his beliefs as you are to yours?

With regard to Dr. Paisley's religious views, he is in the line of the Protestant reformers and says nothing more or less about the system of Roman Catholicism than the Bible maintains. Revelation Chapter 17 and the historic doctrinal documents of Protestantism all state clearly the views which Dr. Paisley enunciates. He preaches no new thing. The Presbyterian Confession of Faith and the Baptist Confession of Faith confirm this. He does not hate any individual Roman Catholic, as his works and writings testify. But he does reject the papacy which has the audacity to claim that all men must submit for salvation to the Church of Rome, outside of which, they maintain, there is no salvation. Surely, such teaching needs to be condemned. He has no apology for what the Bible says about Rome in Revelation Chapter 17.

Have you lost all sense of reason and fairness? You are the elected representative to your constituents. Thankfully, I am not one of them. And thankfully, this is America, where no congressman has authority to make any demands upon the religious beliefs and choice of speakers of any church or religious instruction. This is free America, not Nazi Germany.

Have you forgotten that there is a Constitution which forbids Congress from doing the kind of thing your letter presumes to do? Have you forgotten that you swore allegiance to uphold that Constitution?

I'm appalled by your audacity. I'm frightened for the future of religious freedom in America when I see four tyrannical congressmen abuse their authority as you have done. Your contempt for religious freedom makes you a menace to America.

The Ian Paisley your letter depicts exists only in your leftist, radical IRA/Sinn Fein-loving imaginations. To know the real Ian Paisley matters not to you, and would probably spoil your fun. Even if Ian Paisley were the man you described, we would still have the perfect right to invite him here, if we were so inclined. We are not, however, the sort of place that would invite a terrorist/madman such as you have conjured up. Let me tell you something about the Ian Paisley I know, and the one you don't want to admit exists.

Ian Paisley has the largest vote of all politicians in Northern Ireland. In the election last year, he trounced by a massive 80,000 vote majority the IRA/Sinn Fein candidate whom your friend Congressman Peter King supported. How dare you say he is not a representative of the people. His vote includes many Roman Catholics. Many priests and other Roman Catholic leaders have publicly paid tribute to his diligent and totally fair representation of all his Roman Catholic constituents. In five successive European elections he has consistently topped the poll with a higher number of votes than any other member of the European Parliament. He has served in the European Parliament for twenty years. He is also a thirty-year member of the British Parliament and the leader of the third largest party in the new Northern Ireland Assembly.

Your letter states that he was imprisoned for ''inciting to riot.'' This is utterly false. Never in all his career has he been charged with this offense, let alone been convicted and imprisoned for it. In the same paragraph, you accuse him of leading marches through Catholic neighborhoods. This is untrue.

The truth is when Mr. King attacked Dr. Paisley's party some time ago on the radio in Northern Ireland, the radio company had to pay thousands of pounds worth of damages for the lying slanders which he broadcast. Being the coward Mr. Peter King is, he escaped from appearing in court by hiding in America. Has he no shame to publicly welcome the godfathers of the bloodthirsty IRA terrorism to America, and then to launch an attack on Ian Paisley, a law-abiding, God-fearing man of noble character? This is perverse!

Bob Jones University is just as entitled to its place in the educational life of America as any other university. We stand upon the Bible, we love Jesus Christ, and we train graduates to be men and women of biblically governed character with high moral ideals and loyal to the flag. If you despise us, you despise the founding purpose and early history of Harvard, Yale, Princeton, and many others.

I find your fascist demands arrogant, frightening, overreaching, and abusive. I believe the average, decent, and God-fearing American will feel the same way. I do not believe that you speak for ''Irish and Catholic American communities.''

Most Catholic Americans I know are fair, decent, and respectable people. They understand that Protestants and Catholics differ in theology, and they value their right to differ with us. They do not voice the kind of hatred that you voice against those of us who differ with them. They are good neighbors, good citizens, and unlike you, are freedom-loving people. They would respect our rights to have preachers of the Gospel here in line with our Christian perspective just as we respect their rights to have the pope, the cardinal, the bishop, the priest, or anybody else address them. You speak for yourselves, not for them. They would not like what you speak any more than I do.

Very truly yours,

BOB JONES III,
President.

P.S. Your statement, ''The recent public uproar over your institution's restriction on interracial dating convinced you to alter that policy,'' is untrue, and I want you to be assured of that.

It is untrue for two reasons. There was no ''public uproar.'' There was only a media flap. The vast majority of the American public values religious freedom and would uphold the University's right to its own policies that govern no one but its own students who choose of their own free will to come here.

Secondly, the policy was not altered because of public pressure. It was altered because it was such an insignificant and immaterial thing to us that it was never discussed or taught here. Many generations had come and gone and didn't even know what it was. The University's greater mission and contributions were being obscured by the media's hysterical focus upon this policy. The policy was changed to show how wrong they were about its importance to us and how wrong they were about it being a symbol of racism. We're not at all like they caricatured us. Because the rule gave them a wrong impression of this school, it was incumbent upon the institution to take the initiative to give a right perspective of what it is. We're people motivated by principle, not by pressure.

SAN ANTONIO MOURNS ITS FALLEN OFFICER

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. RODRIGUEZ. Mr. Speaker, today, in San Antonio, family, friends and members of the community, join in mourning the loss of Oscar Perez, a young San Antonio Police Officer cut down last week in the line of duty. As he is buried today, we all must take a moment to recount not only his story, but the story of every other law enforcement officer who daily risks life and limb to protect us.

Only 31 years old, Officer Perez expected last Friday, March 24, 2000, to be like any other, a day of hard work ending with a return home to his pregnant wife and two young children, ages 5 and sixteen months. Instead, as he was serving a warrant on a drug fugitive, he was mortally wounded by gun fire. In one instant, his 6½ year career as a San Antonio police officer came to a tragic and abrupt end.

Law enforcement officers leave the comfort and security of their homes each day to take on their duty to serve and protect. While we have worked hard to reduce crime rates, law officers continue to face real and substantial danger. As we expect them to be on their job day-in and day-out, we run the risk of taking their presence for granted. But Officer Perez, like the 41 others in the history of the San Antonio Police Department, serves as a reminder of the unique and fatal risks they all too often must bear.

Our hearts go out to his widow, two children, unborn child and other family members. Words cannot express the grief and loss they must feel. Our hope is that his children will grow up with a deep-rooted appreciation of their father's devotion and sacrifice. He lived to help others. His service to his family, community and country set an example his children can follow with pride.

H.R. 910, SAN GABRIEL BASIN WATER QUALITY INITIATIVE

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. MILLENDER-McDONALD. Mr. Speaker, I would like to thank both Chairman BOEHLERT and Ranking Member BORSKI of the House Subcommittee on Water Resources and Environment for their excellent work on this bill. I would also like to commend the continued bipartisan leadership of Chairman SHUSTER and Ranking Member OBERSTAR.

H.R. 910 does have a significant impact on my district as groundwater contamination in the San Gabriel Basin is spreading and has already begun to reach the Central Basin.

The Central Basin groundwater aquifer covers 277 square miles from Montebello to Pico Rivera and Whittier to Long Beach. And 1.5 million people depend on the Central Basin groundwater aquifer for their primary source of drinking water.

The Central Basin groundwater aquifer is contaminated by volatile organic compounds, which originated from the San Gabriel Valley and have moved over the past ten years down into the Central Basin. Several wells, which contain drinking water, have been shut down because of contamination.

The funds that will be made available through H.R. 910 will allow the Central Basin Municipal Water District to construct and operate a treatment facility that will clean up the contamination currently in the Basin. Funds allocated to the clean-up facilities in the San Gabriel Valley will help prevent further flows of contamination into the Central Basin.

H.R. 910 is an excellent example of the federal government working in partnership with local governments and private entities to facilitate the resolution of a regional problem. I urge my colleagues to vote YES on final passage of H.R. 910.

CONGRATULATING DETECTIVE SERGEANT WARREN WILLIAMS ON HIS RETIREMENT FROM THE ST. LOUIS POLICE DEPARTMENT

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. TALENT. Mr. Speaker, today I pay tribute to an outstanding law enforcement officer. Detective Sergeant Warren Williams will be retiring on March 31, 2000 after serving 37 years as a St. Louis Police Officer. It is an honor for me to recognize this extraordinary individual, not only for his numerous professional accomplishments, but for the great service he provided the citizens and the community of St. Louis and the State of Missouri.

Detective Sergeant Williams first joined the St. Louis Metropolitan Police Department on April 1, 1963. After graduating from the St. Louis Police Academy on September 30, 1963, he began his career as a patrolman in the city's Fourth District. Mr. Williams was promoted to Sergeant on July 2, 1978. As a Police Sergeant, he served in the following assignments: Robbery/Burglary Section, Third District Patrol Supervisor, Bureau of Investigation, Seventh District Patrol Supervisor, Area Three Detective Bureau, North Patrol Detective Bureau, and the Internal Affairs Division.

Prior to beginning his Police career, Mr. Williams served his country as a Sergeant in the United States Army. He is a graduate of Vashon High School and the Federal Bureau of Investigation's National Academy's 135th Session. He is also the recipient of two Chiefs of Police Communications.

Mr. Speaker, I ask that you join his family, his colleagues, the St. Louis Metropolitan Police Department, the residents of Missouri's Second District and me, in paying tribute to the distinguished career of Sergeant Warren Williams. His record of service and leadership stands not only as an example for other law enforcement officers, but for every one of us.

NATIONAL ENDOWMENT FOR THE HUMANITIES HONORS PRINCETON UNIVERSITY HISTORIAN JAMES M. MCPHERSON

HON. D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mr. HOLT. Mr. Speaker, today I recognize Professor James M. McPherson, who last night delivered the Twenty-Ninth Annual Jefferson Lecture in the Humanities. Professor McPherson's career has combined scholarship and public service in a unique manner, and his selection as lecturer by the National Endowment of the Humanities was a well-earned and long overdue honor.

Professor McPherson is the George Henry Davis '86 Professor of American History at Princeton University, where he has taught for over three decades. He has authored a dozen books, among them the Pultizer Prize-winning Battle Cry of Freedom: The Civil War Era (1988), which is widely credited with sparking America's renewed interest in this most crucial part of our shared history.

Professor McPherson has not limited himself to academia, however. He has consistently shared his passion for the history of America with a wide and varied audience. He served as an advisor for the 1990 Ken Burns documentary ''The Civil War,'' which was watched and enjoyed by millions of Americans.

Professor McPherson has also dedicated himself to the preservation of Civil War battlefields, serving on the boards of the Civil War Trust and the Association for the Preservation of Civil War Sites. He also served on the Civil War Sites Advisory Committee created by Congress in 1991. Finally, he was the president of ''Protect Historic America,'' an organization which successfully opposed plans to construct a theme park near Manassas battlefield in Virginia.

Professor McPherson's career has been the model of an engaged intellectual, one who can speak to both a scholarly and general audience, and who has fought to ensure that others have the opportunity to experience for themselves the places which have meant so much to him. Professor McPherson is a credit to Princeton University, to Central New Jersey, and to the nation, and I hope the House will join me in wishing him continued success.

HONORING SELMA RUBIN

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

Mrs. CAPPS. Mr. Speaker, today I bring to the attention of my colleagues an extraordinary woman, Selma Rubin who was revered by her colleagues, family, and friends on March 28 as she celebrated her 85th birthday in Santa Barbara, CA.

I feel so proud to honor my friend and colleague, Selma. The community of Santa Barbara and I are enormously fortunate she made California her home. Selma represents the true definition of what it means to be a citizen—a citizen of the world. Her sensibilities have led her to dedicate her life to championing the causes of human rights, women's rights, the environment, poverty, and peace.

Selma is on the board of over 30 local, state, and national organizations, including the Alzheimer's Association, American Civil Liberties Union, Nuclear Age Peace Foundation, Santa Barbara Grand Opera Association, The Sierra Club, Los Padres Chapter, and the Citizens Planning Association. These organizations represent the highest of philosophies in their purpose.

Not only does she serve tirelessly, but she possesses the charisma to inspire others to participate. Every volunteer she has recruited has become a friend. She has as many friends as she has hats. And for every hat she dons, Selma wears it with a mind full of wisdom, compassion, and nobility.

Mr. Speaker, it has been a pleasure and inspiration for me and our community to be a part of Selma's mission and we are emboldened to continue her legacy. I truly feel privileged to represent Selma Rubin in Washington.

IN HONOR OF WOMEN'S HISTORY MONTH

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SABO. Mr. Speaker, as we take time this month to honor the many contributions women have made in our country's history, I wish to reflect on American women's progress in school and the workplace.

When I was young, economic opportunities for women were limited. Seemingly, very few professions were open to women—teaching, secretarial work, social work, and nursing, for instance. If women chose to explore other fields, they faced significant barriers. It took great determination and a unique set of factors for a woman to break through the male-dominated preserves of medicine, law and many other professional careers.

Later, in the 1970's, female students, while likely to receive good grades, were less likely than male students to extend their education beyond high school. Not so today. Along with the increase in the number of women attending college and graduate school over the years, there has been a remarkable increase in the number of advanced degrees awarded to women. For example, in 1970, women received only 13 percent of all Ph.D. degrees; 8

percent of M.D. degrees; 5 percent of all law degrees; and a mere 1 percent of dentistry degrees. By the end of the 20th century, however, women earned an average of 40 percent of Ph.D.s; 41 percent of M.D. degrees; 44 percent of law degrees; and 36 percent of dentistry degrees.

Gains in education have advanced women significantly in the world of work. Today, women make up 46 percent of America's workforce. Women occupy almost half of all managerial and professional positions in the country, and women currently own 40 percent of America's businesses. Yet significant obstacles remain.

Unfortunately, in our country, female students still lag behind male students in their pursuit of math, science and engineering-related degrees. Today, women earn only one-seventh of all computer science doctorate degrees, and only one-eighth of all engineering degrees awarded in the United States.

Furthermore, although women are making great strides in America's corporate world, they still have not penetrated the executive arena. Currently, less than one percent of all top corporate managers are female.

Also, even though the law has dictated equal pay for men and women since 1963, women still earn only 76 percent as much as men. This means $24 less to spend on groceries, housing, child care, and other expenses for every $100 worth of work women do. And these figures are worse for women of color: African-American women earn only 67 cents—and Latinas only 58 cents—for every dollar earned by their male counterparts.

Various factors play a role in the wage gap between men and women. Women who leave the workforce temporarily in order to care for children or their elderly parents may suffer the consequences of a wage gap. Women are also less likely than men to join a labor union; therefore, they miss out on the benefits that come from organizing. Another factor in the gender wage gap includes the career path a person chooses. It is not uncommon for women to choose careers in the teaching and social service fields, in which salaries tend to be lower than in business or other professions.

Yet, there is more that can and should be done to level the playing field and provide fair opportunities for women in education and the workplace.

We should pass the Paycheck Fairness Act, H.R. 2397, to curb gender-based wage discrimination in the workplace. Parents should boost their daughters' self-esteem through praise and involvement in their school and extracurricular lives. Friends, teachers, and communities should encourage girls to explore non-traditional courses of study to broaden their career options.

Women's History Month reminds us to celebrate the educational and work achievements of the women in our families and our communities. We should also use this opportunity to rededicate ourselves to breaking down the remaining barriers for women in school and the workplace. We owe it to our wives, daughters, sisters, and mothers to do everything we can so that all of America's working women have equal opportunities for success.

RADIO VISION: 20 YEARS OF VALIANT SERVICE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. GILMAN. Mr. Speaker, I am pleased to speak today in recognition of the volunteers of Radio Vision in Orange County, New York for their 20 years of devout service in my Congressional district. Radio Vision's Twentieth Annual Volunteer Recognition Day will be held on Saturday, April 8th. Radio Vision is a radio reading service for over 600 blind and visually handicapped listeners located in the Mid-Hudson region of southeastern New York. This outstanding organization informs its listeners of local events and news, which is broadcast by Radio Vision's dedicated volunteers.

Many of us take the gift of sight for granted, especially with our ability to watch television or read newspapers in order to learn of the daily worldwide events. We are incapable of knowing what it is like to be blind and have no other means of gathering information without the sense of sight. Radio Vision provides the blind residents of our Mid-Hudson region the opportunity to find out news and current events, since the means of conveying information via television and newspaper to the blind is impossible.

Over the past 20 years, more than 100 dedicated and valiant volunteers have kept Radio Vision alive for its 600 listeners. These volunteers have given their time, their hearts, and their voices to those in need.

Mr. Speaker, I am proud to bring this program and the honorable deeds of those great people at Radio Vision to the attention of Congress and I invite my colleagues to join me in praising their continuing efforts in helping the blind.

CONGRATULATING CEASEFIRE NEW JERSEY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mrs. ROUKEMA. Mr. Speaker, I rise to thank Ceasefire New Jersey for the important work this group has been doing to fight gun violence in our state.

The Northern New Jersey chapter of Ceasefire New Jersey presented ''Hear Our Voices,'' an evening of choral performances by students in grades one through 12, at the Mount Hebron School in Montclair, New Jersey, last weekend. A variety of awards for essays and artwork with gun-safety and anti-violence themes will be presented to elementary school and middle school children from throughout the Montclair School District. In addition, three Montclair High School students will receive the Ceasefire New Jersey Peacekeeper Award, a scholarship in recognition of their work to end gun violence and promote peace. First-place winner Kelly McGuiness will receive a scholarship of $1,000, while runners up Mia Elizabeth Sifford and Samuel Winful will receive $300 each. The keynote speaker will be Donna Dees-Thomasen, organizer of the Million Mom March event to be held in Washington in May.

Ceasefire New Jersey was founded as New Jersey Citizens to Stop Gun Violence in 1988 by the Rev. Jack Johnson, a Methodist minister outraged at the use of assault weapons in shooting deaths. The North Jersey chapter was established in 1995 by Montclair gun safety activist Dorothy McGann in response to the fatal shooting of four individuals at the Watchung Plaza Post Office in Montclair that March.

In announcing the formation of the chapter, Mrs. McGann emphasized that the tragic shooting in quiet, small-town Montclair was proof that a shooting can happen anytime, anywhere. ''We can't say it can't happen here,'' she said. Subsequent shooting deaths in the area—along with the tragic shootings in schools across our nation—have strengthened the organizations' resolve. The group regularly holds commemorative evenings to remember victims of gun violence, works with local schools to spread word of the dangers of gun violence among our young people, cooperates with police agency and lobbies Washington and Trenton legislators.

The theme that students entering this weekend's essay contest were asked to address is ''Making Our Schools a Model for Peace.'' I can think of no better subject for young people to address today. We have seen an alarming number of children dying from gun violence in recent years. The scenario of a troubled child taking a gun to school and shooting his classmates has occurred all too often.

I applaud the work being done by Ceasefire New Jersey, both in our schools and in the community at large. All of the legislation that can be passed in Washington and the state legislatures combined cannot do as much to end gun violence as groups like this, which work at the grassroots level to change the way children think about guns. Our children are our most precious gifts and we cannot allow the tragedy of gun violence to continue.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in thanking Ceasefire New Jersey for the work it has done, and in holding it up as an example that can be followed across our nation.

TRIBUTE TO STEVE WOLTERS AND STEPHEN RUSSELL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SHIMKUS. Mr. Speaker, today I commend two men in my district—Mr. Steve Wolters and Mr. Stephen Russell—who are heroes. Mr. Wolters, of Alton, Illinois, was on his mail route when he saw the home of Ms. Judith Freeman was in flames. Without hesitation, Mr. Wolters and Mr. Russell tried to gain entry into the house to rescue Ms. Freeman.

Findings the doors to the home locked, Mr. Wolters broke a window so that he and Mr. Russell could get in. Once inside the home, both men brought the unconscious Ms. Freeman to safety. Mr. Wolters then performed CPR, until the fire-fighters and paramedics arrived. After discussing the situation with the emergency team, Mr. Wolters went back to his route.

It is refreshing, Mr. Speaker, to see that the generosity of the human spirit is alive and

well. Thank you Mr. Wolters and Mr. Russell for your quick thinking and heroic actions. You both symbolize the greatness that is America.

CONGRATULATIONS TO UNIVERSITY OF WISCONSIN BADGERS BASKETBALL TEAM

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Ms. BALDWIN. Mr. Speaker, I rise to congratulate the University of Wisconsin basketball team for their outstanding season which was recently gloriously culminated with their trip to the Final Four!

The Badgers capped their NCAA tournament bid with astounding victories over Fresno State, Arizona, LSU, and Purdue. This is the first time since 1941 that the Badgers have been to the Final four. Not only have they shocked the world of college basketball, but they have also illustrated that we should never count out a victory when there is an amazing combination of both talent and heart.

The Badgers have had an exceptional season which I hope is the beginning of a lasting legacy. I congratulate both Coach Bennett and the team on an outstanding start to such a fulfilling goal. These NCAA Tournament games have illustrated that they have what it takes to be successful for years to come.

The entire Badger's team along with coach Bennett won a birth to the Final Four because they have the spirit that makes every University of Wisconsin student proud to be a Badger. I commend their exemplary performance for both the University and the entire State of Wisconsin. I would like to thank them for giving us such an exciting season and congratulate them on their monumental success. Most important, I would like to wish them luck in their quest to win a National Championship. They should be assured that myself and the entire State of Wisconsin will be rooting for them this weekend.

SALUTING THE LIFE AND WORK OF MATTHEW ''MACK'' ROBINSON

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. ROGAN. Mr. Speaker, a few weeks ago, my district and our nation lost a great hero. On Sunday, March 12, Matthew ''Mack'' Robinson died from complications associated with diabetes. Mack is a legend not just in the Pasadena area, but around the world. Mack's life is a testament to hard work and determination; he was a proud, humble, public servant who was admired by all.

Mack was born in Cairo, Georgia 88 years ago. He then moved to Pasadena at age 6. His work helped to lead Pasadena from segregation to unification. Today Pasadena is one of the most diverse communities in the nation.

Mack attended Pasadena public schools, after graduating from Muir Technical High School and attending Pasadena Junior College. He shined as an athlete; many said it ran in the family. His younger brother Jackie was one of baseball's greatest. Mack was a record-setter in high school, and a state champion.

At Pasadena College, he competed to join another great, Jesse Owens, on the 1936 Olympic team. When the team traveled to Berlin, Mack ran in the same shoes he wore in Pasadena. He success came from raw talent, grit, and determination.

Sadly, after returning home, Mack did not encounter the open arms he found on the track in Berlin. He attended the University of Oregon, only to return home when hardship struck his family. Mack moved back to Pasadena to support his family, and began work with the city of Pasadena. Anecdotes abound of a smiling Mack proudly wearing his USA Olympic sweatshirt while he worked—often sweeping streets—in and around Pasadena.

As the New York Times reported, Mack lost his job when the city fired all black employees in a desegregation battle. While others sat idly by, Mack turned his efforts to his fellow Pasadenans. He began a lifetime of service and volunteerism in the community, never asking a penny in payment or recognition. His actions spoke louder than words.

Not long ago, the city of Pasadena saluted the contributions of Mack and his brother Jackie by erecting a monument to the two men near city hall. It is a fitting tribute to the lives of these two prominent Pasadena residents.

But Mr. Speaker an even more fitting tribute will be when my colleagues here today join me in saluting from the well of the House, the life, the work, and the legacy of Matthew Mack Robinson.

THE DEFEAT OF THE FLAG PROTECTION AMENDMENT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. GILMAN. Mr. Speaker, I rise today to briefly comment on yesterday's unfortunate vote in the Senate on the Flag Protection Amendment.

As many of my colleagues know, the Senate failed to pass the amendment by the necessary two-thirds majority, which would have sent the amendment to the States for ratification. The House had earlier passed this amendment by more than the required majority.

Following the vote, the American Legion national commander issued a profound statement expressing his organization's disappointment with the vote. I would like to include a copy of National Commander Alan G. Lance Sr's remarks for the RECORD, because I believe it summarizes the frustration felt by many of our veterans with the Senate's continued failure to approve this amendment.

WASHINGTON, D.C. (March 29, 2000).—After 11 years and countless resolutions and bills, letters, phone calls, meetings, rallies, and speeches, it is with deep disappointment that we stand here today and witness the defeat of Senate Joint Resolution 14, the Flag Protection Amendment.

This vote represents a quantum shift in the balance of power that makes our democracy the envy of the world. The individual flag-burner is not nearly as much of a threat to our democracy as the belief, held by a minority of senators, that an amendment supported by 49 states and a poll-validated super-majority of the American people is somehow invalid.

What some senators fear, more than an amendment to protect the flag from acts of physical desecration, is that the American people will take control of their government. Such resistance to the will of the people will leave the people no other alternative but to convene a constitutional convention, which The American Legion would not advocate.

For 11 years, we have come to this place. We have told our stories about the Flag—how it led us into battle, how it comforted us in faraway lands, how it embraced our fallen brothers and sisters, how it marked the resting place of heroes, how it led us home with parades and pageantry, how it represents more than cloth and colors.

For 11 years, we have represented tens of millions of Americans, serving as a megaphone for a simple, sweeping, and united call to protect the Flag.

For 11 years, we have tried to break the stranglehold of a minority that has flouted the will of an entire nation, its states and their people.

Today, we have lost this battle, and I must admit that I fear we are losing much more. Could it be that ''we the people'' and the states are losing control of our democratic republic?

The very idea of representative democracy presupposes that elected officials follow the will of the people. Senators have told us that calls, letters, and emails poured into their offices in support of this amendment. I was even told that calls were 100 percent in favor of the amendment in some offices.

If the Senate refuses to follow the will of the people on an issue so clear-cut, so broadly supported as the Flag Protection Amendment, then is this really a republic? Is this really our government?

In the aftermath of this vote, I am not sure how to answer those questions. It is little wonder why so many people are flocking to third parties or opting out of the political process altogether.

In spite of all of this, I have not lost all hope. A new day and a new Congress await us in the not-too-distant future. And people like Senator Hatch and Senator Cleland who with many others will continue to stand with us. They have my deepest appreciation and respect for their steadfast support and brave bipartisan leadership on this issue.

Perhaps this defeat will serve as a wake-up call for America. Perhaps it will inspire us to fight harder. Perhaps it will prompt us to remind our senators—in a not-so subtle way—that they work for us, not us for them.

I refuse to believe that fighting this battle was in vain. We have learned; we have grown; we have rallied a nation. And so, we will not stand down. We will not go away.

We will not surrender. We will continue this struggle until our federal government is put back into balance, and the people's prerogative honored.

HONORING KURTH COTTAGE OF VALLEY HOSPITAL IN RIDGEWOOD, NEW JERSEY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mrs. ROUKEMA. Mr. Speaker, I congratulate Kurth Cottage of Valley Hospital in Ridgewood, New Jersey on its 50th anniversary of

service to the hospital and surrounding community.

Kurth Cottage is the gift shop and restaurant/tea room at Valley Hospital. It once was an actual cottage, however, and the rooms it occupies in the hospital building today have been renovated to closely resemble the lovely surroundings of the original cottage.

Valley Hospital has put so much effort into what might otherwise be a simple, utilitarian facility because of extra level of comfort that warm, friendly surroundings can bring to patients' families. Family members visiting seriously ill relatives have many worries on their minds. A good meal in comforting surroundings can help ease those worries and make their outlook more optimistic. A positive outlook among family can, in turn, offer encouragement to patients themselves as they face recovery from surgery or illness.

Kurth Cottage has its origins in 1948, when the Women's Auxiliary of Valley Hospital decided that the hospital, which was still under construction, should have a ''small gift shop and snack bar.'' Rather than include the shop and snack bar in the hospital building, a small house on the hospital grounds was chosen as its site and named for Mr. and Mrs. Wilfred Kurth, major benefactors of the project. The cottage opened for business May 1, 1950, five months ahead of the opening of the hospital itself.

Kurth Cottage proved to be much more than the typical stainless steel and Formica hospital snack bar. The cottage included an 18-seat Snack Bar, a 40-seat Tea Room and a 28-seat Fireside Room, which also included the gift shop.

The Kurth Cottage facility became part of the main hospital during a 1963 expansion and the original cottage, unfortunately, was demolished to make room for a parking lot in 1963. The new facilities included a beautifully appointed, Williamsburg-influenced Tea Room, Snack Bar and Gift Shop, a new kitchen and a gracious Fireside Room incorporating many features of the original. Furnishings included Mrs. Kurth's Victorian sofa, chairs, a drop-leaf table, fireplace andirons and white birch fireplace logs. Fresh flowers in the Tea Room were donated twice weekly by local florists, as they still are today.

The cottage underwent major renovations in 1990, adding a Colonial blue color scheme to the woodwork, new wallpaper, swag draperies, new tables and chairs and handsome new flooring. The china has matching blue borders and volunteers wear matching blue smocks. A canopied walkway leads to the entrance of the facility and a new waiting area has been designed around the former Fireside Room.

Throughout its history, Kurth Cottage has always been a profitable enterprise, helping fund the many charitable activities of the Ladies Auxiliary.

None of this success would have been possible, of course, without the untiring dedication of the hundreds of volunteers who have served over the past half-century. These women have done more than simply run a ''snack bar.'' They have made the emotional trauma of injury and illness more bearable for the families of patients at Valley Hospital for decades. They deserve our deepest gratitude for all they have done to lighten the burdens of patients and families. Most especially, we bow in deepest admiration and respect for the many volunteers who have given of themselves, both in time and personal dedication.

Mr. Speaker, I urge my colleagues in the House of Representatives to join me in congratulating Kurth Cottage on its 50th anniversary and thanking everyone involved with its success for their hard work.

HONORING THE ILLINOIS EDUCATORS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SHIMKUS. Mr. Speaker, today I commend the 2000 Golden Apple Scholar award winners from my district. The Golden Apple Scholars program is to recruit talented high school juniors who want to become teachers.

I would like to take the opportunity to recognize Mr. Curtis Carpenter from Centralia High School in Centralia, Illinois. Teachers, like parents, have a unique opportunity—to touch the life of a child. I can't think of a more rewarding experience.

As you know, Mr. Speaker, I was a former high school teacher. I want to wish Curtis all the same joy and success that I shared in my teaching career.

PERSONAL EXPLANATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. KUCINICH. Mr. Speaker, on March 29, 2000, I missed six recorded votes because I was present at a bankruptcy trial in my community's effort to keep St. Michael Hospital and other Cleveland area hospitals from closing.

If I had been present, I would have voted ''aye'' on rollcall 80, ''no'' on rollcall 81, 82, ''aye'' on rollcall 83, 84 and ''no'' on rollcall 85.

PERSONAL EXPLANATION

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SALMON. Mr. Speaker, due to an illness, I was unable to be present for House consideration of the following bills. Had I been present, I would have voted in the following manner:

Roll Call Vote #76—H.R. 2412, a bill designating the E. Ross Adair Federal Building and U.S. Courthouse—I would have voted Yea.

Roll Call Vote #77—H. Con. Res. 292, a resolution congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000 and reaffirming United State policy toward Taiwan and the People's Republic of China—I would have voted Yea.

Roll Call Vote #78—H. Con. Res. 269, a resolution commending the Library of Congress and its staff for 200 years of outstanding service to the Congress and the Nation—I would have voted Yea.

Roll Call Vote #79—H.R. 5, the Senior Citizen's Freedom to Work Act—as I voted the previous time the House considered it, I would have voted Yea.

Roll Call Vote #80—Approving the Day's Journal—I would have voted Yea.

Roll Call Vote #81—H. Res. 450, the rule providing for consideration of H.R. 3908; making emergency supplemental appropriations for Fiscal Year 2000—I would have voted Yea.

Roll Call Vote #82—an amendment to H.R. 3908 to cut $1.631 billion from several programs in the bill and to strike all references to emergency designations, making the bill subject to spending caps—I would have voted Yea.

Roll Call Vote #83—an amendment to H.R. 3908 to appropriate $4 billion in FY 2000 funds to reduce publicly-held debt—I would have voted Yea.

Roll Call Vote #84—an amendment to H.R. 3908 to cut $552 million in Title I of the bill set aside for illegal drug interdiction and counter-drug programs—I would have voted Yea.

PERSONAL EXPLANATION

HON. RICHARD BURR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. BURR of North Carolina. Mr. Speaker, I regret that I was unable to be present for the vote on final passage of H.R. 3908. Had I been present I would have, albeit reluctantly, voted in favor of the bill. While I wholeheartedly endorse the provisions of Title III, I did have concerns about much of the new spending provided elsewhere in this legislation. Much of what is provided for in this bill could have been addressed through the normal appropriations process.

Title III, however, addresses the true emergency needs of many in this country, and in North Carolina particularly. Thousands of people in my home state are still struggling to overcome the impact of last fall's hurricanes. The assistance provided in this emergency appropriations bill will be critical in helping my fellow North Carolinians return to at least a semblance of the lives they led before last September's devastating floods. I am grateful to the Appropriations Committee for providing this much-needed assistance, and appreciate their hard work in bringing this legislation to the floor.

A TRIBUTE TO DR. MANDELL I. GANCHROW

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to recognize a friend of mine, Dr. Mandell I. Ganchrow, who will receive the Kesser Shem Tov Award from the Orthodox Union on May 21st.

After retiring from his successful medical practice. Dr. Ganchrow has devoted himself to serving the Orthodox Union and to enhance its public image. Mandell I. Ganchrow was elected as International President of the Orthodox

Union and has served in that position for the past six years. During his term, he has created the National Conference of Synagogue Youth, which is designed to teach heritage to young American Jews. He has also improved the visibility of the Institute for Public Affairs, which incorporates programs to assist those interested in government careers or in community service.

The Orthodox Union was founded in New York State in 1898 to provide a strong base for Orthodox Jews and to stop the spread of assimilation during the turn of the century. Today it is the voice of 1,000 Synagogues and provides a number of outreach and service programs.

I first met Dr. Ganchrow during my first campaign for Congress in 1972. He raised the public's awareness in that campaign by forming the Hudson Valley Political Action Committee. He has since become a trusted and valued advisor on a significant number of issues. Dr. Ganchrow has served his country as a Viet Nam veteran. Because he is a veteran, he has become especially sensitive of the need of peace and security in the Middle East. Moreover, he was recognized by the Rockland Journal News as one of the ten most influential Rockland County Residents of the twentieth century.

Mr. Speaker, I invite my colleagues to join in congratulating Dr. Mandell Ganchrow on receiving the Kesser Shem Tov Award from the Orthodox Union and I am confident he will continue to be a strong voice for American Jewry.

HONORING THE OKAWVILLE ROCKETS GIRLS' BASKETBALL TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SHIMKUS. Mr. Speaker, today I commend the Okawville Rockets Girls basketball team who won the Class A state title. The Rockets were the number one ranked team this year. They finished the year with a 33–1 record and a 17-game winning streak.

The Rockets, who won their first state championship in 1994, became the first Southern Illinois Team to win a state title since Carlyle did it in 1997. Okawville is the sixth Class A team to win at least two state titles, joining Carlyle, Nokomis, Teutopolis, Carthage and Quincy Notre Dame.

In honor of a near-perfect season, I want to congratulate them and their head coach, Kathy Lanter on a job well done. We are all very proud of you.

The Lady Rockets are:

Head Coach—Kathy Lanter.

Assistant Coaches—Carrie Stallings and Vicki Loquasto.

Managers—Rachel Shubert, Shana Stricker and Erica Bergmann.

Players—Jamie Schrader, Kelsey Klingenberg, Kristen Lehde, Natalie Shubert, Kelly Hasheider, Joan Miller, Erica Geppert, Cheryl Borrenpohl, Jenny Heckert, Megan Brockmeier, Erica Barkau, Justine Krueger, Lauren Borrenpohl, and Katie Hasheider.

JOSEPH PATRICK McKEOWN—PUBLIC SERVANT

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. HYDE. Mr. Speaker, tomorrow Mr. Joseph P. McKeown of Beltsville, MD will retire after spending thirty years, well over half his life, in the role of public servant. Son of Joseph and Claire McKeown of Toms River, NJ, he served in the United States Navy from 1967–1971. A good deal of his Navy service was aboard ship in various locales throughout the world. After the conclusion of his service time and then his graduation from Stonehill College, Joe began a 26-year career with the United States Postal Service.

For the last two decades, Mr. McKeown has served as a Postal Inspector. The U.S. Postal Inspection Service very seldom gets the credit they deserve for the exceptional law enforcement duties they perform. Postal Inspectors have a well-deserved reputation for tough, relentless, professional investigation resulting in a 98 percent conviction rate. Seldom is there a major crime solved in this nation, at any governmental level, without the involvement of the Inspection Service at some level. Yet, you usually never see them ''out front'' at the successful conclusion of a case—thus their famous nickname—the ''Silent Service.'' One of our Nation's oldest law enforcement agencies, there are now 2,200 Inspectors, 350 of whom are females.

Joe McKeown in the last 20 years has been both a model and extremely accomplished Postal Inspector. Especially knowledgeable, he has not been detailed to merely one specific investigative area. Inspector McKeown has been critical to investigations involving both external and internal crime, audits, and a variety of criminal frauds both domestic and international. For the better part of his career he has been detailed to the Newark, Baltimore, and Washington, DC regions.

Mr. Speaker, each and every day across this great country distinguished civil servants are retiring. This Congress, and the public as well, owe such exemplary citizens more than we readily recognize. I take this opportunity to publicly thank Joseph Patrick McKeown for three decades of exceptional devotion and service to our nation. May I wish Joe and his wife Ruth nothing but the best in the years ahead.

2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

SPEECH OF

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes:

Mr. SANDLIN. Mr. Chairman, I rise today in strong support of the Hutchinson amendment to H.R. 3908, The Emergency Supplemental Appropriations for FY 2000. This amendment represents a significant effort to combat the spread of methamphetamine production and trafficking across the nation.

Mr. Chairman, the timeliness of this bill cannot be overstated. The use of methamphetamines is on the rise across the nation. According to the National Institute on Drug Abuse, methamphetamine use remains high and there is ''strong evidence to suggest this drug will continue to be a problem in west coast areas as well as other areas of the United States.''

Methamphetamine, also known as crank, ice, crystal, and peanut butter, has been described as the ''cocaine of the 90's'' or the ''poor man's cocaine.'' It is equivalent to heroin in the 70's or cocaine in the 80's. And its popularity is not without reason. The attractions of meth are many, including increased alertness, weight loss, a general sense of well-being, a cheap price tag, and a more intense and prolonged reaction than cocaine can offer. However, the long-term effects of the drug are equally devastating and can include severe depression, brain and liver damage, stroke, insomnia, behavior resembling paranoid schizophrenia, malnutrition, and hallucinations, among others. Crank and ice are both extremely addictive and have increasingly become the illegal drug of choice, especially for women, throughout the western United States.

Unfortunately, the dangers of meth extend far beyond those who consume the drug. As you may know, meth is made by a hazardous array of products, including ammonia gas and hydrochloric acid, which are both toxic and explosive when mixed. As a result, a meth lab can be a potential life threat to all who live near it. To make matters worse, anyone with access to the Internet can download a detailed, step-by-step meth recipe. All of the ingredients needed to make the drug are easily accessible and can be bought in the supermarket.

Although its roots are in the West coast, this epidemic has recently made its way to my home state of Texas. According to Drug Enforcement Agency (DEA) statistics, there were 175 seizures of methamphetamine labs in Texas by federal, local and state authorities in 1999. This is almost three times the number of labs which were seized in 1998. The use and manufacturing of methamphetamines is becoming a serious epidemic in Texas and needs to be dealt with in a comprehensive and aggressive manner.

In order to actively address this problem, I support the Hutchinson amendment which would provide funding to assist state and local law enforcement agencies with the costs of methamphetamine lab clean-up. The DEA has been using FY 1998 and 1999 funds to assist with clandestine meth lab clean-up during this current fiscal year. However, these funds have been exhausted. The Hutchinson amendment uses $15 million in unspent funds in the COPS program available for policing initiatives to combat methamphetamine production and trafficking. While I would prefer that the funds not be taken from the COPS program for this amendment, I am supportive of its purpose. It is time that we arm our law enforcement with funding to curb the manufacturing and trafficking of this highly destructive drug. Now is the time to aggressively attack this problem.

HONORING CHIEF HELENA ASHBY

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. KUYKENDALL. Mr. Speaker, I rise today to honor Chief Helena Ashby, a distinguished member of the Los Angeles County Sheriff's Department. Chief Ashby is retiring from the department after nearly 36 years of exemplary service.

On April 29, 1964, Helena Ashby was sworn in as Deputy Sheriff. Thirty-one years and several promotions later, Helena Ashby made departmental history by becoming the first female chief in 1995. Tomorrow she will retire as the highest-ranking female executive in the department.

Chief Ashby is currently head of the department's Detective Division, responsible for all specialized criminal investigation throughout the County of Los Angeles. The division consists of six individual bureaus and is staffed by 759 personnel and has an annual budget of $64 million. The investigations completed by the Detective Division involve homicide, narcotics, vehicle theft, organized crime, arson/explosives, forgery, and computer crimes.

As a Deputy, Sergeant, Lieutenant, Captain, Commander, and Chief, Helena Ashby has been a pioneer for women in law enforcement. She is also a model officer and a leader, an example for everyone in law enforcement. I commend her for her tireless service to the public.

I congratulate Chief Ashby on her distinguished career. Her achievements are many, and the community is grateful for her service. I wish her all the best in retirement. Although she is leaving the force tomorrow, she will leave a lasting impact on the Los Angeles County Sheriff's Department.

TRIBAL CONTRACT SUPPORT COST TECHNICAL AMENDMENTS OF 2000

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing a bill to make technical amendments to the contract support cost provisions of the Indian Self-Determination Act. These amendments are long overdue, and will finally keep faith with the hundreds of tribes and tribal organizations across the country that so ably carry out the Federal Government's health care and social service programs.

One quarter of a century ago Congress firmly launched the Nation into the Indian Self-Determination era by enacting the Indian Self-Determination and Education Assistance Act of 1975. One goal of the Act was to break the cycle of paternalism and despair in our Native American communities. A second goal of the Act was to foster self-reliance and independence. And a third goal was to begin dismantling part of our highly inefficient and distant Federal bureaucracy, by turning over the daily operation of Native American programs from the Federal Government to the tribes and tribal organizations themselves.

Twenty-five years later the Indian Self-Determination Act experiment has proven to be a resounding success. All across the country American Indian and Alaska Native tribes and tribal organizations are administering contracts to operate the Federal Government's hospitals, clinics, law enforcement programs, social welfare programs, education programs and a raft of other initiatives serving some of the neediest people in our Nation. And they are doing this with greater efficiency and more services than we here in Washington could ever do it.

In my great State of Alaska, the Alaska Native people have been at the forefront of this effort, leading the country's Native American communities in the administration of Bureau of Indian Affairs and Indian Health Service programs. Over one-quarter of all IHS programs currently under Native American operation are operated by Alaska Native tribal organizations, who administer over $200 million annually in desperately needed health care programs serving remote villages, many in the midst of Third-World conditions. Likewise, Alaska Native tribal organizations operate the entire BIA system on their own. No other area of the country is as advanced in these respects.

Despite its successes, the policy of self-determination has been consistently plagued by problems, with the most severe being the failure of the IHS and the BIA to fully pay contract support costs associated with carrying out these Federal Government programs under duly-executed contracts. This failure has amounted to a cruel hoax on the Native American people being served under these contracts.

Let me explain.

Mr. Speaker, the programs that have been turned over to Alaska Native and American Indian operation have from the beginning been severely underfunded. A recent study by the Indian Health Service shows that IHS programs, which are currently funded at roughly $2 billion, are still $13 billion short of meeting the health care needs of Indian and Alaska Native people. BIA funding is not much better. The tribal contractors therefore know that when they enter into a contract to operate a federal program locally, they will only be receiving a meager amount to meet the overwhelming needs of their communities. But what has made the situation much worse for these courageous tribal contractors, is that the agencies have forced the contractors to absorb the administrative costs of operating the Federal Government's own programs. The net effect is that there is even less available in these woefully underfunded programs to meet local needs.

Mr. Speaker, this should not be. In any other area where the Federal Government negotiates contracts with the private sector, the Federal Government fully pays the contractor's audited general and administrative overhead costs. Indeed if the government fails to pay, it can be held liable in a court of law. But somehow when it comes to Native American contractors, the Government thinks it's alright to change the rules, to break the contract, and to deny any liability regardless of the impact on the local people being served. Tribal contractors are made to be second-class contractors. Mr. Speaker, this is not right, and the bill I introduce today will put an end to this practice.

In addition, the bill will overcome a number of the more technical problems that have plagued this system. Just one example will make this clear.

Most Native American contractors administering IHS and BIA programs run a wide range of other federal programs too. For most tribes, the Interior Department's Office of Inspector General determines a reasonable and necessary administrative overhead rate required to carry out all these programs, using strict guidelines issued by the Office of Management and Budget. Under the controlling OMB circulars, each federal agency entering into contracts or grants with that tribal contractor is then required to abide by the government-wide indirect cost rate set by the OIG.

This system would be fair to the Federal Government, fair to all of the funding agencies, and most importantly fair to the tribal contractors themselves, if everybody played by the OMB Circular rules. But many federal agencies do not. They either ignore the government-wide rate that has been determined by the Inspector General, or they recognize only a fraction of the rate. Once again, the Native American contractors are left holding the bag. In 1998, a ten-year-old class action lawsuit against the Federal Government was eventually settled for over $70 million over this failure alone. The bill I introduce today assures that no such liabilities will ever recur in the future.

Further, this bill will clarify the rules governing the expenditure of contract funds; initiate a new measure to maximize efficiency in tribal program operations, improve Federal administration of the Act; clarify the rules governing the computation of contract support costs; provide the Federal agencies more time to plan for the transfer of Federal programs to tribal operation; and strengthen the Act's enforcement measures.

Mr. Speaker, in recent years I and many of my colleagues have worked very hard to correct the inequities in the contract support cost system. We have done this because that system is integral to the success of our country's overall Indian Self-Determination Policy. I believe firmly in reducing the size of the Federal bureaucracy. I believe firmly in maximizing local control. I believe firmly in the sanctity of our Government's private contracts with Indian and Alaska Native contractors. And I believe firmly that the Nation's Indian Self-Determination Policy must be corrected so that there is no longer an unfunded mandate that is paid for out of the very same trust programs that serve the neediest of the needs of our First Americans. I therefore urge that my colleagues on both sides of the aisle join me in seeing that this important legislation is enacted as swiftly as possible.

FLOOR STATEMENT FOR TRIBAL CONTRACT SUPPORT COSTS TECHNICAL AMENDMENTS OF 2000

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. HAYWORTH. Mr. Speaker, today my colleague Congressman DON YOUNG, Chairman of the Resources Committee, is introducing the ''Tribal Contract Support Costs Technical Amendments of 2000.'' I am proud

to be an original cosponsor of this legislation which would make technical amendments to the contract support costs provisions of the Indian Self-Determination and Education Assistance Act.

Over the past two years, the House Resources Committee has focused substantial attention on the problems associated with ongoing shortfalls in payments to tribes for contract support costs. The committee has not taken on this task without assistance. The National Congress of American Indians, the Bureau of Indian Affairs (BIA), the Indian Health Service (IHS), and many tribes have reviewed the matter and have assisted in developing a long-term solution.

In 1975, Congress firmly launched the nation on a course of Indian self-determination by enacting the Indian Self-Determination and Education Assistance Act. An important goal was to begin dismantling part of our highly inefficient federal bureaucracy by turning over the daily operation of Native American programs to the tribes and tribal organizations.

Twenty-five years later this Act has proven to be a resounding success. All across the country, tribes and tribal organizations are administering contracts to operate the federal government's hospitals, clinics, and many other programs.

Despite its successes, the policy of self-determination has been consistently plagued by problems, with the most severe being the failure of the IHS and BIA to fully pay contract support costs associated with carrying out these federal government programs under duly-executed contracts.

A recent study by the IHS shows that IHS programs, which are currently funded at roughly $2 billion, are still $13 billion short of meeting the health care needs of Indian and Alaska Native people. BIA funding is not much better. The net effect is that there is even less available in these woefully underfunded programs to meet local needs. This is not right.

The ''Tribal Contract Support Costs Technical Amendments of 2000'' will clarify the rules governing the expenditure of contract funds, initiate a new measure to maximize efficiency in tribal program operations, improve federal administration of the Act; clarify the rules governing the computation of contract support costs; provide federal agencies more time to plan for the transfer of federal programs to tribal operation; and strengthen the Act's enforcement measures.

I urge swift consideration of this proposal to ensure that Congress' support for Indian self-determination continues.

INTRODUCTION OF THE EDUCATION OPPORTUNITIES TO PROTECT AND INVEST IN OUR NATION'S STUDENTS (EDUCATION OPTIONS)

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. GOODLING. Mr. Speaker, today I am introducing the Education OPTIONS Act, the last component of the House's reauthorization of the Elementary and Secondary Education Act (ESEA). The Education OPTIONS (Opportunities to Protect and Invest in Our Nation's Students) bill would allow states and local school districts unprecedented authority to transfer federal funds among programs to better meet their needs.

This bill makes significant improvements in the remaining programs in ESEA, streamlines programs, reduces bureaucracy, and increases dollars going to the classroom. We continue our focus on quality, as well as local and parental empowerment.

Education OPTIONS includes a provision to allow States and local school districts to transfer Federal funds among major programs in order to better meet their unique circumstances, including targeting students with the greatest academic needs.

I continue to believe that state and local educational agencies, along with parents, are in a better position than we are in Washington to determine how best to use federal funds to help students improve their academic achievement. Education OPTIONS puts the priority on children rather than federal regulations.

The legislation includes programs for violence and drug abuse prevention, technology in the classroom, charter schools, and a number of other smaller authorizations. ESEA governs the bulk of the federal government's involvement in elementary and secondary education. Once this bill is completed the House will have completed the ESEA reauthorization process that we began last year with the following components: Education Flexibility Partnership Act (signed into law as P.L. 106–25); Teacher Empowerment Act, H.R. 1995 (passed the House); Student Results Act, H.R. 2 (passed the House); Academic Achievement for All Act, H.R. 2300 (passed the House); LIFT (Literacy Involves Families Together), H.R. 3222, and Impact Aid, H.R. 3616, were approved last month in committee and are awaiting consideration by the full House.

I urge my colleagues to support this bill.

HONORING CAPTAIN JOSEPH AVVEDUTI, CMDR., U.S.S. ''KALAMAZOO''

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. UPTON. Mr. Speaker, it is my distinct pleasure to come today before this House and the American people to formally thank and honor a true American hero, Capt. Joseph Avveduti, for his great and long service to our nation.

Captain Avveduti served as commander of the U.S.S. *Kalamazoo* from September 1995 to August 1996, and will be retiring from the U.S. Navy in July of this year. His retirement will not only be a great loss to our Armed Forces, but our nation as a whole.

Joseph Avveduti first came to my attention as commander of the U.S.S. *Kalamazoo,* a vessel whose namesake is Kalamazoo, MI, a city in my district. Like the residents of Kalamazoo, Captain Avveduti represents the best America has to offer.

In reviewing his distinguished service record, Captain Avveduti's dedication to his country is immediately evident. Throughout his many years of meritorious service to our country, he has been awarded the Bronze Star, three Meritorious Service Medals, the Air Medal and the prestigious Legion of Merit in addition to service and campaign medals too numerous to name here.

Captain Avveduti should be embraced as a shining example for many young men and women who are entering our Armed Forces today. After graduating from the U.S. Naval Academy in 1974, he was designated a naval aviator and served his initial aviation tour with the helicopter Anti-Submarine Squadron in Jacksonville, FL.

Mr. Speaker, Captain Joseph Avveduti has not only spoken of dedication and service to our nation throughout his career—he's lived it. Between 1983 and 1985 while serving as the assistant air officer of the U.S.S. *Guam,* Joseph Avveduti saw combat in Grenada and in Beirut, Lebanon. Just a few years later, Captain Avveduti was once again called to arms to defend democracy during Operation Desert Storm. During this conflict, by all accounts, Captain Avveduti served valiantly aboard the U.S.S. *Saratoga* in the Red Sea as part of the team that successfully defeated Saddam Hussein and restored freedom to the people of Kuwait.

After returning to the United States, in 1997 Captain Avveduti graduated from the National War College here in Washington, DC, and, in his tradition of continuing dedication, he currently holds the Chief of Naval Operations Chair at that institution.

Mr. Speaker, I believe I speak for every Member of this Congress and a grateful nation when I extend to Captain Avveduti, his wife Carol, and his sons Joseph and David, our best wishes for a happy, healthy, and productive retirement. Because I am humbled by his dedication and achievements, I ask your indulgence in making these remarks part of the permanent record of the Congress so that all Americans, now and in the future, can read and reflect on the honor, distinguished service and achievements of a great American—Capt. Joseph Avveduti.

VALLEY GRANGE HONORED ON 100TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to honor Valley Grange 1184 of Danville, Pennsylvania, on the occasion of the 100th anniversary of its charter. Valley Grange was chartered April 2, 1900, and has been continuously active since that date.

The Grange is a non-profit organization dedicated to improving the quality of life through educational, social and legislative activities; promoting family life through family-oriented activities; advancing the cause of agriculture; developing rural leadership; and acting as a spokesman in public affairs.

From its founding, the Grange has been in the forefront of the fight to secure fair treatment and better conditions for farm and rural citizens. From securing rural free mail delivery to rural electrification, to fair prices for farm products to local tax reform, the Grange has been there for its citizens, ''preserving the traditions of yesterday and ensuring the hope for tomorrow,'' as its current slogan proclaims.

The Grange deserves much credit for preserving the very traditions that have made

America a strong and caring country—traditions such as legislative action, family values, citizenship, stewardship and community service.

Exemplifying commitment to those traditions are ten members of the Grange in Danville who will be honored for their many years of continuous membership when Valley Grange celebrates its 100-year milestone with a dinner at the Grange Hall on April 3.

I am pleased to join their fellow Valley Grange members in honoring the following people, who will be presented with certificates and pins for their dedication: Hazel Savage, 75 years; Sarah Kreisher and Clyde and Ruth Krum, 70 years; Lansford Steininger, 60 years; Robert George, 55 years; and James and Lois Hagenbuch, Dorothy Keefer and Minor Leighow, 25 years.

Mr. Speaker, it is people like these ten members of Valley Grange who help to keep rural America strong, and I am proud to wish them and their fellow members a happy 100th anniversary.

2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

SPEECH OF

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes:

Mr. WHITFIELD. Mr. Chairman, I applaud the House's adoption of the amendment to H.R. 3908, the Emergency Supplemental Appropriations Act, offered by my colleague, the gentleman from Arkansas, Mr. HUTCHINSON.

My District is currently struggling with an explosion in the use, distribution, and production of methamphetamine. The number of methamphetamine incidents in the First District of Kentucky is estimated to be one of the highest in the country.

The outbreak of clandestine meth labs is creating a tremendous burden of local law enforcement agencies, especially in rural areas with small police departments. Methamphetamine investigations are time consuming and require unique techniques and specialized equipment. Law enforcement officers in making a meth bust cannot simply arrest the suspect or suspects; they must be certified to dispose of these volatile and hazardous chemicals.

This amendment will reallocate much needed funding to DEA for cleanup of hazardous materials at clandestine methamphetamine laboratories. The funds available to DEA for lab cleanups were recently exhausted.

Western Kentucky was fortunate enough to receive a $1 million earmark for methamphetamine eradication and cleanup. However, we could still experience a funding shortfall based on statistics provided to me by DEA. During Fiscal Year 1999, there were 58 meth lab cleanups in the State of Kentucky; 50 were in my District. During the first quarter of this year, there were 25 meth lab cleanups in Kentucky and 20 were in my District.

This is a serious problem we can't ignore.

GRANTING CHINA PERMANENT NORMAL TRADE RELATIONS (PNTR)

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. HOEFFEL. Mr. Speaker, a great nation has to stand on its principles. If it fails to do so, it is diminished. The Cold War and our policy toward South Africa are just two examples of policy based upon our nation's bedrock principles. Such an opportunity will apparently present itself this year with the anticipated vote in Congress on granting permanent normal trade relations (PNTR) with China.

After months of studying the issues; after dozens of meetings with various groups and individuals on both sides of the issue, such as the Chinese Ambassador to the United States, business leaders from Montgomery County, human rights activists and labor leaders; I have decided to oppose granting PNTR to China at this time.

Fair trade and economic growth in this new economy are very important to me, but not at the expense of the principles for which this country stands.

I remain committed to free and fair trade. I cosponsored and voted for the Africa Growth and Opportunity Act in both the International Relations Committee and on the floor of the House, and I hope to vote for it again when it is reported out of conference committee. I also cosponsored another free trade measure for Africa called the ''Hope for Africa Act.'' Last year, I supported granting a one-year extension of normal trade relations (NTR) with China. I support a comprehensive engagement with China that includes free and fair trade, but only after China has demonstrated a willingness to become a responsible member of the world community.

By granting China PNTR, we surrender the only effective economic and political tool to effect positive change in China—the annual vote to renew NTR. Without this, China has little reason to improve its actions and image in the world community.

There have been too many broken promises by the Chinese government. There are too many protesters in prison. There are too many religious persecutions. There are too many military threats.

China's record on human and workers' rights continues to be abominable. Take for instance the story of Liu Baiqiang. While serving a 10-year sentence for theft, Baiqiang, in support of the 1989 pro-democracy movement, wrote messages calling for freedom and the end of tyranny on scraps of paper and released them into the air attached to the legs of locusts. For this he was sentenced to an additional eight years in prison.

The leadership in China continue to threaten Taiwan, even at a time when we are considering PNTR, just because Taiwan practices democracy. China continues to develop and contribute to the proliferation of missile and nuclear technology, exporting it to rogue nations around the world. China continues to violate environmental standards for development and industry, ignores fair labor standards and safe working conditions and uses child, low wage and even slave labor to produce many goods for export.

Finally, China has yet to live up to any of the previous trade agreements it has signed with the United States. I am not convinced that China will be any more likely to change this behavior once it is granted PNTR status.

I firmly support a renegotiation of the terms of the U.S.-China bilateral treaty that would provide greater safeguards against Chinese abuses and outlaw behavior. I have participated in two working groups established by Members of Congress that are striving to identify the issues that should be renegotiated and ways to initiate the renegotiation.

A treaty that provides a free and fair trade agreement with safeguards that could better guarantee appropriate Chinese behavior in the world community would receive my full support.

Granting China PNTR now might be economically rewarding, but it would be morally bankrupting.

NATIONAL WESTERN AGRICULTURE FORUM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SCHAFFER. Mr. Speaker, prior to the start of the second session of this 106th Congress I held a widely attended agriculture forum at the 94th Annual National Western Stock Show in Denver, Colorado. The forum featured twelve experts who presented their views on three of the most challenging issues facing agriculture—biotechnology, international trade and federal farm policies.

I will now summarize the remarks of the panelists and commend to our colleagues the opinions shared at the Colorado forum.

The first panel addressed biotechnology. Mr. Roger Bill Mitchell, President of the Colorado Farm Bureau, began by addressing the overriding concern of the biotechnology panel; consumer awareness. ''Consumer acceptance is the key to biotechnology's success. Currently, the public is mislead by propaganda . . . if the benefits of biotech were put forth then the public would support the technology,'' he said. ''It is up to the farmer and rancher—us—to market biotech products and to educate the public. We have to respond to the markets. Even when the consumer is wrong, he's right.''

Dr. Cecil Stushnoff, Director of Horticulture at Colorado State University said the term ''genetic engineering'' evokes suspicion and fear. ''A gap of knowledge generates fear of the unknown. The public should be informed that biotechnology could help in stopping viruses, killing insects, serving as vaccines, and preventing disease,'' he said.

Dr. Stushnoff said the public should also be advised of the risks to human health and to the environment. ''The only way to ensure public support is to assess each product on a case-by-case basis. More research in this field is needed to answer consumer questions. Biotechnology has enormous potential.'' Dr. Stushnoff also warned of foreign nations that, as a matter of national policy, have promoted campaigns of hysteria regarding genetically

modified organisms (GMOs). Here again, it seems education is the key.

Mr. James Geist, Executive Director of the Colorado Corn Growers, said genetic modification is an age-old practice which has traditionally been limited by a lack of technology. ''Modern technology helps to determine accuracy of genetic modification,'' he said. ''The media has embraced the topic to get 'shock appeal' and have blown out of proportion the realities of biotechnology. The current hysteria is not reasonable and could be curbed by informing consumers about the truth, reality and functionality of genetically modified goods.'' Mr. Geist also emphasized GMOs as a viable solution to meeting the growing demand for food. ''With the current population growth, we must use GMOs.''

Mr. Jim Rubingh, Director of Markets for the Colorado Department of Agriculture continued with Mr. Geist's concerns about global population. ''By the year 2050 the human population will have to produce as much food as the world has produced in the last 12,000 years. Biotechnology allows for inexpensive, nutritious, and plentiful food production. Although there are risks, biotechnology can also save lives.'' Mr. Rubingh believes a unified, regulatory system needs to be established by Congress to ensure genetic varieties are not abused.

Mr. Speaker, our second panel addressed trade. Mr. Tim Larsen, an International Marketing Specialist with the Colorado Department of Agriculture, provided examples of how the agriculture industry is suffering. ''The U.S. farmers are doing a good job. They are just not getting the global price they deserve.'' Mr. Larsen went on to say, ''The North American Free Trade Agreement (NAFTA) has proved good in Colorado. From agricultural entities, only 19 trade claims, nationwide, have been filed against NAFTA, none have been filed from Colorado. However, Colorado does need a level playing field to compete globally.''

Dr. Alan Foutz, Vice-President of the Colorado Farm Bureau, said the problem is a lack of export markets to sell our excess products. ''America should not abandon NAFTA and GATT,'' he said. ''The U.S. government must address the crisis facing agriculture imposed by high tariffs and other trade barriers. It is essential for the administration to work with foreign governments to open up markets. Future trade relationships with China are important, simply because China is a larger market. We must sell our surplus to foreign markets,'' he said. Reauthorizing Fast Track is important. He urged Congress to avoid adding environmental and labor riders on the reauthorization bill.

Dr. Foutz also reminded Congress that regulatory expenses are also barriers to trade. ''I don't want the government to bail me out. Allow me to sell to foreign markets easier that it is today.''

Mr. Larry Palser, President of the Colorado Wheat Administrative Committee, said farmers need Congressional help to compete with other countries. ''More markets must open and sanctions must be removed,'' he said. Mr. Palser urged Congress to phase out export trade subsidies, but should not reduce tariffs until the other country in question complies with terms of fair trade. ''America lost $7 billion to sanctions,'' Palser stated.

The Colorado Wheat Administrative Committee supports Most Favored Nation Trade Status for China. ''The European Union must be forced to reduce export subsidies,'' he said. Mr. Palser's remarks are hereby submitted for the RECORD.

STATEMENT BY LARRY PALSER, PRESIDENT, COLORADO WHEAT ADMINISTRATIVE COMMITTEE, TO FORUM ON AGRICULTURE IN THE 21ST CENTURY

Thank you for this opportunity to discuss some of the important trade issues that are vital to the economic stability of Colorado wheat producers. As you know, Colorado is a major producer of wheat and a large exporter. When we are unable to trade wheat overseas the economy of Colorado is hurt.

We know that worldwide demand for high quality wheat is increasing, but competition is also increasing. For Colorado wheat producers to successfully compete for sales around the world we need your help and the help of all of your colleagues in Congress. Colorado wheat producers can compete with any other farmers, but we cannot succeed in a world market place where we are forced to compete against foreign governments. There are a number of issues that I wish to call to your attention that need to be addressed for Colorado wheat producers to successfully compete in the export market in the new millennium.

Continuing to open export markets by expanding and improving our trade agreements is essential. The recent World Trade Ministerial in Seattle was to have set the agenda for continuing to strengthen member countries commitments to opening world markets and to begin the work on renegotiating the agricultural agreement. While we are very disappointed at the lack of a positive outcome in Seattle, our trading partners must be held to the agreement to move forward with the agriculture negotiations as agreed to in the built-in-agenda of the Uruguay Round.

The new round of negotiations of the WTO will be one of the best avenues to achieve meaningful reforms. The new round of negotiations must move forward as soon as possible. A broad set of wheat industry concerns was developed as a set of recommendations for our negotiators and others involved in the WTO negotiations.

I would like to share with you the following key WTO issues for wheat: the elimination of all direct export subsidies within three years; elimination of monopolistic state trading enterprises to provide discipline to price discriminating practices, which distort world markets; the elimination of inequities that persist between the U.S. levels of domestic support and those of our competitors; and expansion of market access (U.S. agricultural tariffs should not be further reduced until such time as other countries make significant tariff reductions and tariff peak disciplines).

Sanctions reform is a priority legislative issue. A lot of very good work has been done on sanctions reform over the past several years. On November 17, 1999, a letter with 220 signatures of your House colleagues was delivered to Speaker Hastert asking for ''meaningful reform of food and medicine sanctions policy in the 106th Congress.'' The letter gave three reasons why Congress should act to end these sanctions. They are: (#1) Unilateral food and medicine sanctions do not work because our allies freely supply the same products to sanctioned states; (#2) Denying access to food and medicine is an abhorrent foreign policy tool; and (#3) Unilateral sanctions punish American farmers and depress American commodity prices by denying access to significant international markets.

We in the Colorado wheat industry are in full agreement with your colleagues on these reasons. Sanctioned markets currently buy $7 billion of agriculture commodities each year from our competitors. USDA estimates that rural communities lose $1.2 billion in economic activity annually because of unilateral sanctions. I ask you on behalf of all wheat growers to make removal of these sanctions a prime objective when you go back to Washington, D.C. in a few days.

Permanent Normal Trade Relations (NTR) for China is another priority issue. The bilateral agreement that China signed in April of 1999 is fully implementable. The next step is for China to begin to purchase wheat. This is a very important agreement because it resolves the phytosanitary argument that impeded U.S. wheat sales to China for years. China has now agreed that there is no threat from TCK.

The really big issue facing China is entrance into the WTO and Congressional approval of permanent NTR. This is necessary if the U.S. is to achieve the benefits negotiated in the U.S.-China WTO agreement. Without permanent NTR, China is not bound to comply with the agreement. Other members of the WTO will be in a position to gain by reduced tariffs and other market protections negotiated for WTO membership and the U.S. producer will be the loser in this huge and growing market.

Trigger mechanism legislation is also a priority. The U.S. wheat industry has worked with Senator Baucus on a bill that would require the Secretary of Agriculture to take action if the European Union (EU) does not reduce and subsequently eliminate agricultural export subsidies. This legislation would require increased funding for the Export Enhancement Program (EEP), the Foreign Market Development (FMD) program and the Market Access Program (MAP). These programs are all important to U.S. agriculture's competitiveness in the world market place. S. 1651 is called trigger legislation as it would be triggered it the EU fails to lower its subsidies. I respectfully ask you to work with us to introduce similar legislation in the House.

There has also been talk of rejuvenating EEP, however, this does not appear likely in the near term. Each year any unused allocated EEP funds are lost from USDA's budget. A bill was introduced at the end of Congress by Senator Patty Murray of Washington State that would provide authority to the Secretary of Agriculture under certain conditions to use unexpended EEP funds for FMD and MAP. The Murray bill authorized MAP at $200 million, while making the current $90 million level a minimum rather than a maximum amount. It also establishes the FMD program at a minimum of $35 million annually. We believe this is an important bill needed to capture these much needed funds in programs we know are successful.

Congressman Schaffer, these are a few of the trade issues that are important to the wheat industry that we ask for your support and help with. The Colorado wheat industry looks forward to working with you.

Mr. Vernon Sharp, President of the Colorado Cattleman's Association agreed with Mr. Palser. ''We must increase access to international markets, eliminate unfair trade policies and reemphasize domestic trade policies through country-of-origin statutes and mandatory price reports. Stop using agriculture products as a bargaining chip,'' Sharp said. ''Trade barriers must be based on scientific research. We can't allow ourselves to become dependent on a foreign food supply like we are on oil,'' he said.

Our final panel, Mr. Speaker, addressed federal farm policies. Mr. Peter Sperry, Budget Policy Analyst with The Heritage Foundation, states that one cannot plan strategy around changing government policies. ''Government policy is misdirected and

fails to hit the targeted goal.'' Mr. Sperry asked, ''Should the federal government be in agriculture at all?'' He continued by emphasizing the enormous price tag for federal farm programs.

''The cyclical nature of the cattle industry makes if difficult for the federal government to maintain a fair support program. Let people keep the money they make.

''Farmers have difficulty planning rational policy in the face of federal meddling. The federal government should get out of agriculture. Be careful what you ask for, because you just might get it. If the agriculture community says 'stay with subsidies,' that's what we'll get.

State Conservationist, Steve Black, countered saying there was a definite role for the government. ''Government can provide agriculture assistance. The best assistance is generated from voluntary incentive-based programs such as conservation on private lands, abundant food, clean water, decreased greenhouse gasses, wildlife habitat, open space and wetlands habitat,'' he said. ''Seventy percent of land is managed by private farms and ranches. Good national resource management is important.'' Black said 88% of the nation's water runs off from private land.

''Farmers do a better job of preventing wind erosion and promoting carbon sequestration and wetlands preservation. When public money goes into agriculture, it's well spend.''

Mr. Lynn Shook, a state board member of the Colorado Farm Bureau brought the discussion back to less federal involvement. ''Federal farm subsidies shouldn't be allowed. The farmer should get a fair price first. The 1996 Farm Bill had too many regulations,'' he said. ''Farmers need help to increase trade markets.'' Mr. Shook went on to say farming is risky. ''The U.S. government needs to provide a real crop insurance program,'' he said. Mr. Shook's full testimony follows.

STATEMENT ON FARM POLICY—LYNN SHOOK

My name is Lynn Shook. I grow wheat and sunflowers near Akron, Colorado. I am a member of the Colorado Farm Bureau Board of Directors. I would like to thank Rep. Schaffer for the opportunity to discuss future farm policy. I would also like to thank him for representing farmers and ranchers like myself in Washington, D.C. In order to fully discuss current and future farm policy I think it is important to look back on how the current farm bill was created and passed.

The ''Freedom to Farm'' concept embodied in the 1996 farm bill has come under much criticism as the cause of the current economic problems in agriculture. People seem to have lost perspective on what the 1996 bill did and did not do and the circumstances surrounding passage of the legislation.

By 1995, producers had become increasing disenchanted with the acreage controls and the lack of planting flexibility that had evolved out of the 1977, 1981, 1985 and 1990 farm bills.

Planted acreage was restricted most years with acreage reduction programs (ARPs) while the rest of the world kept planting more acres. Base acreages had been locked in for most crops since 1985. The world was changing, but U.S. agriculture was locked into past planting patterns.

After the experience of the early and mid 1980s, producers were also well aware that we could not use the farmer-owned grained reserve to store our way to prosperity. The reserve was restricted in size and price influence in the 1990 farm bill, and elimination seemed to be the next logical step in 1995.

While these changes were going on with agriculture, a new farm bill was also faced with substantial federal budget pressures. As the farm bill debate began in 1995, President Clinton's budget proposal for fiscal year 1996, the budget year beginning on October 1, 1995, showed yearly budget deficits at $200 billion for the next five years. The Congressional Budget Office (CBO), the budget estimating arm of Congress, had a similar forecast.

The federal budget deficit had been a political issue for 20 years. The new Republican controlled Congress was determined to bring the issue to a head and resolve it. As 1995 progressed, President Clinton began overtures to the Republicans to find a budget compromise that would lead to a balanced budget.

The Republicans and the President were also talking about regulatory reform, tax relief and foreign market development, all issues important to farmers and ranchers.

Given producer concerns about planting flexibility, stocks, policies and the political winds of balanced budget efforts and other policy changes, a status quo policy based on extension of the 1990 farm bill became less and less achievable as the 1995 farm bill debate dragged into late 1995 and into 1996.

The Republicans in Congress promised that regulatory, tax and market development changes would be forthcoming, but a farm bill had to be passed to fit within a budget deal that was on a fast track for action in 1996.

Budget pressures on a farm bill were nothing new. The 1990 farm bill was passed and then immediately changed by the 1990 budget deal to fit within its budget restraints.

Agriculture was faced with a choice between greater program flexibility and fixed payment rates, agricultural market transition assistance (AMTA) payments, or trying to swim against the budget policy stream and less program flexibility.

The 1996 farm bill has also been criticized for lower loan rates for the major crops. That did not happen. Loan rates began moving down in 1986 with the implementation of the 1985 farm bill. That was continued in the 1990 farm bill. The 1996 farm bill did not mandate lower loan rates. It gave the Secretary of Agriculture the authority to lower loan rates. It did put in place loan caps to prevent the Secretary from raising loan rates.

Farmers and ranchers accepted the changes in farm policy, but Congress and the President did not delivery on regulatory reform, tax relief and market development. The regulatory burden on farmers and ranchers has gone up, not down. From the FQPA to wetlands to labor regulations, farmers and ranchers are more heavily regulated than ever before.

Farmers and ranchers received some tax relief in 1997 and 1998, but it was minor compared to the total impact of estate taxes and capital gains taxes.

Farmers and ranchers have received virtually no help on trade issues. Congress and the Administration have not delivered on trade negotiating authority, have not increased funding for USDA market development programs and have not worked out problems with existing trade agreements. Only recently has the Administration begun dealing with trade issues with Canada and removing trade sanctions with major potential trading partners like Iran.

The recently announced Farm Bureau AgRecovery plan outlines what we believe needs to be done in the short run and lays out where farm program policy must focus in the long run.

First, direct federal assistance will continue to be needed in the short and intermediate terms. We will not dig out of the current hole in a year or two.

Second, development of markets at home and abroad must be a high priority. Farmers and ranchers must be able to produce and sell. Direct federal assistance can help in the short run, but we must produce for markets to be profitable in the long run.

Third, agricultural production is a high-risk business. Crop insurance reform has been a constant refrain throughout the 1990s. The 1994 reforms were supposed to be the mother of all reforms. We tinkered again in 1998 and are now making further changes in 1999 to take effect for 2000 to 2004.

To effectively deal with risk management, we must focus more on risk management and less on just crop insurance. Risk management education is also important.

Farm and ranch risk management accounts (FARRM) supported by Farm Bureau is a step toward alternative ways of managing risks.

Revenue insurance may be a way to cover both crops and livestock. This may also be an approach to help producers without impacting land prices.

Fourth, Congress and the Administration must finally face up to the regulatory straight jacket they have placed on agriculture. Politicians love to talk about prices and what they believe they can do to increase prices. They hate to talk about the cost of government regulations.

U.S. farmers and ranchers operate in a global food economy. Every regulatory cost impacts their ability to compete. Farm Bureau has called for a regulatory impact payment of $5 billion per year as the first step in shifting the cost of the regulatory process run amok back to Congress and the President.

The AgRecovery plan does not address the issue of counter-cyclical income assistance. This idea has been given increased attention in the last few months and needs further attention as an intermediate and long-term policy direction. AMTA payments under freedom to farm are fixed payment regardless of income. The target price system focused exclusively on price and did not take into consideration the interaction between prices and production.

A program for counter-cyclical income assistance may be a complement to a more effective risk management program to help buffer against production and price risks.

New opportunities in conservation programs, including water quality, should also be explored.

The AgRecovery plan also speaks volumes about what we don't want in future farm program policy. We do not want to lose the planting flexibility provided by the 1996 legislation. We do not want increases in price supports that would make us non-competitive in world markets. We do not want to further build carryover supplies by recreating the farmer-owned reserve. We do not want to cut acreage to qualify for farm program participation. That would reduce the net benefit of the programs and encourage producers in other countries to increase output.

We must learn from the good and the bad of the last 20 years of farm program policy and build for a brighter future.

The President of the Colorado Association of Wheat Growers, Dusty Tallman, indicated the farm crisis is not going away. He said Freedom to Farm was good, but had some minor problems. ''The Endangered Species Act has helped to create the farm crisis,'' he said. ''The farm crisis is not going away. We need to work to improve farm programs, reform taxes, cut regulation and reform the Loan Deficiency Program.'' Mr. Tallman also submitted his testimony in writing which I now submit for the RECORD.

STATEMENT BY DUSTY TALLMAN, PRESIDENT, COLORADO ASSOCIATION OF WHEAT GROWERS TO FORUM ON AGRICULTURE IN THE 21ST CENTURY

On behalf of Colorado's wheat growers I wish to thank you for your continued support—in good times as well as bad. We especially appreciate your leadership and commitment.

While it may sound like a broken record, the farm crisis continues to impact the lives of wheat growers every day. USDA figures show that Colorado wheat prices are averaging only $2.20 per bushel so far this marketing year. Wheat prices are now at 45 percent of the high achieved in the 1995–96 market year. Wheat prices this last summer hit a 22-year record low. That's worse than anything we say in the early 1980's—the era that saw numerous farm foreclosures and massive farm aid. And wheat prices have actually dropped another 22 cents per bushel since last summer.

After three years of low prices, the farm crisis is not going away. USDA's best analysts have predicted that wheat prices will not improve without some sort of adverse weather problem somewhere in the world. USDA will update its price projections at this year's Outlook Forum in late February. However, current estimates predict another 18 months of low wheat prices.

In the face of continued financial stress, some have started to blame the 1996 Farm Bill. While the Bill did not prevent this disaster, it is not fair to claim that it caused it. Colorado wheat growers support the concept of ''Freedom to Farm.'' We like having greater flexibility and the risk associated with it. Today's crisis would have been much more devastating had we been forced to abide by the old, top-down management of previous farm bills.

However, while we do not want ''Freedom to Farm'' repealed, there is clearly a need to improve federal farm policy before more farmers are forced off their land. The 1996 Farm Bill lacks a reliable farm safety net. With no floor, wheat prices continue to drop.

The Colorado Association of Wheat Growers (CAWG) believes that we must add a country-cyclical economic assistance payment to the farm bill. For two years, we have relied on emergency spending to provide the assistance we need. This ad hoc system should be replaced with a statutory payment triggered by low prices.

The National Association of Wheat Growers (NAWG) is currently developing an outline for just such a payment. The plan will be finalized at the NAWG annual convention in February and presented during the House Agriculture Committee's field hearings this spring and summer.

There are also other things you and your colleagues can do today to help wheat growers. We continue to await congressional action on tax reform, Permanent Normal Trade Relations with China; crop insurance reform and sanction reform.

I am pleased to be with you today and pledge the support of CAWG to help you find real solutions.

Overall, Mr. Speaker, it was a good forum. The information derived must be used to ensure agriculture is not forgotten.

As the House prepares to reauthorize the 1996 Farm Bill the conclusion of the Colorado agriculture forum should be considered by our colleagues.

INTRODUCTION OF CARE 21

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. RAHALL. Mr. Speaker, today I am introducing legislation to restore our Nation's historic commitment to insuring lifetime health care for retired coal miners. Joining me in introducing this bill, which will be known as CARE 21, is a bipartisan group of our colleagues: BOB NEY, SPENCER BACHUS, RICK BOUCHER, TIM HOLDEN, RON KLINK, ALAN MOLLOHAN, JOHN MURTHA, TED STRICKLAND, and BOB WISE.

Enactment this year of CARE 21, the ''Coal Accountability and Retired Employee Act for the 21st Century,'' is necessary if we are to avoid seeing a curtailment in health care coverage for thousands of retired coal miners and their widows. Indeed, this would not be the first time that Congress has acted in this matter. In 1992, in what is known as the ''Coal Act'' enacted as part of the Energy Policy Act, Congress established the UMWA Combined Benefit Fund (CBF) combining the union's 1950 and 1974 benefit plans. This action came in response to changes in the coal industry which created a large class of 'orphaned' miners whose benefits were no longer being paid by an active coal company. A key feature of the Coal Act was the financing of orphaned miner health care costs through an annual transfer of a portion of the interest which accrues to the unappropriated balance in the Abandoned Mine Reclamation Fund.

Simply put, in restoring abandoned coal mine lands we must not abandon the retired coal miner.

The Coal Act was working well, health care for retirees whose former employers could be identified would be financed by premiums paid by those companies while to date, $193 million in reclamation fund interest and a one-time $68 million additional appropriation has financed orphaned miner care.

However, a rash of recent adverse court decisions have been rendered which once again is threatening the financial integrity of the program. Among them, what is known as the ''Chater'' decision which overturned the Social Security Administration's premium determination reducing premiums by 10 percent. Another court decision ordered the CBF to refund about $40 million in contributions. And the Supreme Court's decision in the Eastern Enterprise case added some 8,000 retirees to the orphaned miner rolls. The result: Without a new source of funds, the CBF will face a cash shortage beginning next year forcing the curtailment and ultimately the cessation of health care coverage for some 70,000 retirees and widows whose average age is 78.

CARE 21 takes a relatively simple and straightforward approach to addressing this impending crisis. First, it would transfer the amount of interest that is currently languishing in the Abandoned Mine Reclamation Fund to the CBF that was not previously made available for orphaned miner health care. This would provide an immediate infusion of roughly $172 million. Second, it would lift the restriction in current law that reclamation fund interest can only be used for orphaned miner health care. This action would serve to cover future shortfalls in the CBF.

I would note that interest accrues to the Abandoned Mine Reclamation Fund at a rate of about $83 million a year. Meanwhile, there is a $1.7 billion unappropriated balance in the Fund. CARE 21 in no way adversely affects the abandoned mine reclamation program. The principal remains intact for that effort, and is fueled by annual reclamation fees assessed on every ton of mined coal which finances the program.

As such, one of the key features of CARE 21 is that the general taxpayer is not being called upon to pay for retired coal miner health care, but rather, the coal industry itself would provide for this coverage through the interest which accrues to the fees it pays into the Abandoned Mine Reclamation Fund.

Mr. Speaker, I noted earlier there is a historical commitment to providing health care for retired coal miners. This is a unique situation in that what would normally be a matter solely for the private sectors is not in this instance. The genesis for this situation dates back to 1946 in an agreement between then-UMW President John L. Lewis and the Federal Government to resolve a long-running labor dispute. At the time, President Truman had ordered the Interior Secretary to take possession of all bituminous coal mines in the country in an effort to break a United Mine Workers of America strike. Eventually, Lewis and Secretary Julius Krug reached an agreement that included an industry-wide, miner controlled health plan.

In fact, the 1992 Coal Act itself was formulated partly on the basis of recommendations from the Coal Commission, established by former Labor Secretary Libby Dole, which in 1990 recommended a statutory obligation to help finance the UMWA's Health Benefit Funds.

Mr. Speaker, the people covered by this health care program spent their careers producing the energy which powered this Nation to greatness. We must not forsake them. We must not cast them adrift in their later years, robbed of the health care they so desperately need.

PERSONAL EXPLANATION

HON. JACK METCALF

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. METCALF. Mr. Speaker, on March 28, I was excused from the business of the House. Had I been here, I would have voted ''yes'' on rollcall vote 76 (H.R. 2412); ''yes'' on rollcall vote 77 (H. Con. Res. 292); ''yes'' on rollcall vote 78 (H. Con. Res. 269); ''yes'' on rollcall vote 79 (H.R. 5), The Senior Citizens' Freedom to Work Act.

2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

SPEECH OF

HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes:

Mr. HILLEARY. Mr. Chairman, I am very pleased today to support this important amendment, which will help clean up methamphetamine labs and come to the aid of law enforcement across the country.

Last year, funding was ended for this support program, and the funds were entirely diverted into training. I feel that decision was a mistake. Local law enforcement needs this money directly in order to offset the high costs associated with meth lab cleanups. They need it in order to more effectively fight the war on drugs and clean up the contamination and environmental problems these labs leave behind.

In my own district, individuals like Sheriff Eddie Bass of Giles County in Tennessee have effectively used these dollars in the past. Working in conjunction with the Drug Enforcement Agency, Sheriff Bass has made great strides in reducing the number of methamphetamine labs in Giles County. But cleaning up these labs in expensive, very expensive for rural law enforcement agencies that have limited resources to begin with. Our rural law enforcement officers, like Sheriff Bass need our help to combat this national problem.

Sheriff Bass has already implemented state-of-the-art programs and facilities. I personally have toured the local jail in Giles County and can say from first-hand experience that it is deserving of every accolade as one of the model examples in the state. Now, I also want to provide him, and outstanding officials like him, the ability to continue the model meth lab cleanup programs that they had in place.

We must give officials like Sheriff Bass the support that they need. Otherwise, we will be sending them a message that it may not be financially worth their trouble to stop the production in these labs. Let's instead send a message to drug dealers and producers that we will stand behind the efforts of federal and local law enforcement in the war against drugs in our communities.

I encourage all of my colleagues to support this amendment so that these dollars will once again be able to be used by local law enforcement officials like Sheriff Bass.

VETERANS' HISTORIAN AL KADY PRESERVES CENTRAL NEW JERSEY'S CIVIL WAR HERITAGE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. HOLT. Mr. Speaker, I rise today in recognition of two veterans, of two wars, 80 years apart. Aaron Hush is an African-American Civil War veteran buried in South Brunswick. Al Kady is a World War II veteran and the military historian for the Veterans of Foreign Wars Post 9111 who located Hush's burial ground in South Brunswick, NJ. I commend Mr. Kady for his commitment to locating and preserving a significant piece of New Jersey history.

Aaron Hush was a resident of nearby Franklin Township. Upon his death on January 20, 1916, he was laid to rest in the Sand Hills Area of South Brunswick Township, also known as the Thompson Plot.

The Record of Officers and Men of New Jersey in the Civil War has recorded that Aaron Hush served from February 29, 1864 until August 22, 1865, in the 32nd regiment of the United States Colored Troops. He is one of nearly 3,000 New Jersey African-American soldiers to serve in the Civil War.

The Emancipation Proclamation permitted African-American soldiers like Aaron Hush to enlist, be drafted, or receive bonuses to serve as replacements. Records reveal that 2,872 New Jersey African-Americans wore the uniform of the Union Army. There were 469 African-American casualties from New Jersey.

Mr. Kady has brought to life the importance of the Hush burial ground. He has worked tirelessly to ensure that the cemetery is preserved and maintained. He is to be commended for his dedication and hard work. As a veteran of World War II and past commander of VFW Post 9111, he knows the importance of maintaining sites important to our national heritage.

Mr. Kady will present a copy of Aaron Hush's discharge papers to the South Brunswick Township Council on April 11 for display in the township. This is a wonderful opportunity for us to learn about our local heritage, as well as our national history.

Mr. Speaker, VFW Post 9111 military historian Al Kady represents what is right with central New Jersey and the United States of America. His discovery and preservation of Hush's gravesite is a wonderful reminder to the community and the country at large. Kady has served his country in times of great national crisis and continues to do so by preserving history in central New Jersey.

This is an important example of what makes America special. A veteran of one war preserving the memory of a veteran of a different war; our common history bridging our individual differences.

I urge my colleagues to join me in commending Mr. Kady for his hard work and dedication to the preservation of historical landmarks throughout central New Jersey.

SUPPORT FOR THE CRUSADER

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today in support of the Army's new advanced field artillery system, the Crusader. When fielded in 2008, Crusader will provide unprecedented fire support capability to the U.S. Army.

The DoD budget requests $355.5 million in Fiscal Year 2001 to continue the development of the Crusader system.

Field artillery is the one combat capability where the United States significantly lags behind its allies and potential adversaries. While the Abrams tanks and the Bradley fighting vehicle is recognized as the best in the world, the U.S. field artillery ranks 9th in the world in terms of systems and the current howitzers is outperformed by at least four more modern foreign systems. With Crusader that balance will be reversed.

In anticipation of the fielding of the Crusader, the Army dramatically reduced its field artillery organization by eliminating six howitzers from each cannon battalion. Additionally, the Army later reduced the number of tanks, infantry fighting vehicles and soldiers in its mechanized divisions. Again, this was done because of the offsetting capabilities of the Crusader advanced field artillery system. Should we not follow through with fielding the Crusader, then all these systems and soldiers would have to be added back to the Army organization and force structure to maintain its combat capability.

In recent testimony before our committee, General Shinseki, the Army Chief of Staff, emphasized the importance of the Crusader to the Army, both its counterattack corps and its transformation forces. He is fully supportive of its development and fielding and was the major architect of its modification to become more supportive of the Army transformation initiative and its objective force. General Shinseki insisted upon the maintenance of its key combat capabilities, (range, rate-of-fire, mobility and survivability) while enhancing its global, strategic deployability. With changes that will reduce the Crusader's weight to approximately 40 tons, two can be airlifted to any theater in the world on a single C5B aircraft. Those two howitzers will provide more fire support capability than six of today's Paladin systems. That six-gun Paladin unit with its 94 soldiers, like the one sent to Kosovo in Task Force Hawk, required 8 C–5B sorties to deploy, while a smaller, but more lethal Crusader capability would include just 31 soldiers and need only 4 C–5B sorties.

Mr. Speaker, the Army needs the Crusader to be developed and fielded without delay to enhance its capability to rapidly and globally respond to threats to the nation's interests and ultimately to win the nation's wars.

TRIBUTE TO THE NEW LOTHROP HORNETS GIRLS' VOLLEYBALL TEAM

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Michigan's new girl's highschool volleyball State Champions, the New Lothrop Hornets.

At the start of a long and challenging season, New Lothrop's girl's volleyball team set out to achieve their goal of being the best. They believed in themselves and knew that with their heart, drive and tremendous teamwork the state championship was within their grasp. With the support of their fans and the community these athletes fought a hard battle, never once doubting their amazing ability. With their motto ''Together we can,'' the women exemplified teamwork. Their combining passion for victory made them unstoppable.

At the recent championship match, the Hornets proved victorious and their coach Sheri Warner hoisted the championship trophy for their fans. This tremendous victory was well deserved. They have lead their community to new athletic heights and have become wonderful examples of good sportsman. They may now pride themselves not only with the spectacular honor of being Michigan's top women's volleyball team, but also carrying the title of New Lothrop's first prep volleyball champions.

Mr. Speaker, please join me and the New Lothrop community in congratulating these women on their excellent talents and leadership skills.

THE GAMING INDUSTRY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. NEY. Mr. Speaker, you hear many arguments surrounding the gaming industry in America. Some have merit, some do not. Some criticism is deserved, some is not. Mr. Speaker, before I make my statement today I want to make it abundantly clear that while I am not an ardent proponent of the gaming industry nor an ardent foe of the gaming industry, I am an ardent foe of illegal activity in the gaming industry. Furthermore, I am an ardent support of consumer rights and consumer rights is exactly what I intend to discuss today.

At the heart of my comments today is how certain gaming companies treat their patrons and how they conduct business. I believe that the vast majority of casino owners play by the rules, treat their patrons fairly, and provide quality entertainment for individuals and families. I have talked with many of these businessmen over the years who have conducted themselves in such a professional manner. However, there are a few bad apples out there who don't play by the rules and that is just plain wrong.

One such example is the case of Suncruz casino's based out of Florida. Florida authorities, particularly Attorney General Butterworth have repeatedly reprimanded Suncruz casinos and its owner Gus Boulis for taking illegal bets, not paying out their customers properly and has had to take steps to prevent Suncruz from conducting operations all together. In fact, a few years ago the Broward County Sheriffs Office, under the supervision of Mr Butterworth, raided Suncruz ships seizing their equipment.

Mr. Speaker, how Suncruz Casinos and Gus Boulis conduct themselves with regard to Florida laws is very unnerving. But the consumer rights issue is even more disheartening. On December 1, 1998 the Broward County Sheriffs department announced that they had uncovered evidence that dealers on SunCruz ships were ''cheating passengers by using incomplete decks of cards.'' This type of conduct gives the gaming industry a black eye and should not be tolerated.

Mr. Speaker, I want to repeat myself again. The vast majority of casino owners and operators are good honest people, but when an owner or operator stoops to this level to make a buck it hurts the public and it hurts the industry as a whole. I believe we can strike a balance here and our first step is to ensure that the average citizen is not hoodwinked by a dishonest casino operator.

There should be clear codes of conduct that are adhered to by every casino owner and operator. On the Ohio River we have gaming interests that run clean operations and provide quality entertainment. I don't want to see the actions of one bad apple in Florida, or anywhere else to affect the business aspect of this industry or hurt any innocent casino patron in our country.

Mr. Speaker, I hope that steps will be taken by the industry, and in the case of lawbreakers- by the appropriate authorities to weed out the bad apples so that we can protect consumers across the country.

WELCOMING PROBATE JUDGES

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SHAYS. Mr. Speaker, I rise to welcome members and guests of the National College of Probate Judges to the Capitol today.

The National College of Probate Judges is comprised of judicial office holders across the country who adjudicate estates of decedents, who appoint guardians for individuals with incapacities and who hear mental health cases and cases involving persons with developmental disabilities.

Recently, the College promulgated standards and model legislation addressing interstate transfers of guardianships and conservatorships. The College is sponsoring an International Conference on Courts and the Aging to be held in London in July in conjunction with the American Bar Association.

I am particularly happy to welcome Judge Richard E. Burke, president of the College, who resides in New Canaan, Connecticut and is a constituent of mine. I am equally pleased to acknowledge the contributions of the following office holders and members: Judge Mary Sheffield—Rolla, Missouri; Judge Nikkie DeShazzo—Dallas, Texas; Judge John Maher—Kingston, New Hampshire; Judge Haywood Barry—Lebanon, Tennessee; Judge Patsy Stone—Florence, South Carolina; Judge Larry Belskis—Columbus, Ohio; Judge Larry Kay—San Francisco, California; Judge Ray Eubanks—Spartanburg, South Carolina; Judge Frank Riddick—Huntsville, Alabama; and Judge John N. Kirkendell—Ann Arbor, Michigan.

CHRISTIAN EMBASSY 25TH ANNIVERSARY

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. WAMP. Mr. Speaker, this month marks the 25th anniversary of the founding of Christian Embassy, a spiritual resource to government and diplomatic leadership in Washington. I would like to congratulate its founders, Dr. and Mrs. William R. Bright, and honor them for their commitment to serving those of us who are public servants in our Nation's Capital.

Dr. Bright is also the founder and president of Campus Crusade for Christ, of which Christian Embassy is a part. He has authored numerous books and articles on the Christian life and has received a host of awards, among them the 1996 Templeton Prize for Progress in Religion.

His wife, Vonette, is co-founder of Campus Crusade. Her commitment to prayer for our nation and work in the Kingdom of God is a tribute to their family.

Dr. and Mrs. Bright have spent many hours with political leaders in Washington, offering encouragement and spiritual counsel. They feel strongly that leaders of integrity are vital in the task of strengthening the fabric of America and ensuring its stability for future generations.

In commemoration of the 25th anniversary of the inception of Christian Embassy, I ask my colleagues to join me today in paying tribute to the vision and faith of its founders, Dr. and Mrs. William R. Bright.

CONGRATULATING THE PEOPLE OF TAIWAN FOR SUCCESSFUL CONCLUSION OF PRESIDENTIAL ELECTIONS AND REAFFIRMING UNITED STATES POLICY TOWARD TAIWAN AND PEOPLE'S REPUBLIC OF CHINA

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2000

Ms. ESHOO. Mr. Speaker, I rise today in support of H. Con. Res. 292. On March 18th the people of Taiwan went to the polls for only the second time in their history to elect a national president. The U.S. has been stalwart in its support of democracies throughout the world and it is only fitting for Congress to congratulate Chen Shui-bian and the people of Taiwan for upholding democracy in the elections. In their first transfer of power, the voters have spoken and voiced their support for Mr. Chen.

Holding an olive branch on election night, Mr. Chen stated his desire to invigorate negotiations with mainland China. A peaceful resolution that will preserve democracy in Taiwan must be pursued. I urge the Chinese government to reconsider its rejection of Mr. Chen's proposed peace summit.

China and Taiwan have a unique opportunity to showcase their economic strength in the region. If negotiations are stifled, the economic future of both countries will remain uncertain but political stability will determine their success in the new economy.

Mr. Speaker, I congratulate Mr. Chen and his party for their historic victory and urge him to continue on the road to peace and ask my colleagues to join me.

A PROCLAMATION RECOGNIZING THE DEVELOPMENTS IN KAZAKHSTAN

HON. MARSHALL "MARK" SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. SANFORD. Mr. Speaker, I would like to bring to my colleagues attention the nation of Kazakhstan. This young nation has emerged, under the leadership of its President Nursultan Nazarbayev, as a bastion of democracy and free market economics in Central Asia. I am entering into the RECORD two articles written recently by R. Emmett Tyrell, Jr. of the Conservative New Service who just returned from Kazakhstan reporting on that nation's ethnic and cultural diversity, its free media, and its strategic importance to the United States.

I recommend these two articles to my colleagues and ask them to join me in saluting Kazakhstan's struggle to right itself after 70 years of Soviet repression.

THE FORGOTTEN REPUBLICS

ASTANA, KAZAKHSTAN.—This is the capital of Kazakhstan, once one of the feared republics of the Union of Soviet Socialist Republics, and the proving ground for much of the USSR's nuclear weaponry. Now it is a vast region—in terms of territory, the ninth largest nation on earth—populated by anti-Communists, many trained in Moscow. It was my pleasure the other day to visit the President's office and interview one of the country's most ardent anti-Communists, the President himself, Mr. Nursultan Nazarbayev, a co-conspirator with Mikhail Gorbachev in the decomposition of the Soviet Union. Somehow Nazarbayev landed on his feet.

Entering the President's newly constructed offices with two other American journalists for a televised interview, I am reminded of how earnest the Yank journalists traveling abroad are in displaying their high journalistic standards. Was it Dan Rather who, at the beginning of an interview with the President of a recently constituted African republic, asked—pen poised above his note pad—''Mr. President, how exactly do you spell your name?'' Oh, maybe it was not the earnest Dan. But surely some American at large in the faraway has popped such a question.

The journalists with whom I travel are not quite so self-conscious. In fact, we did not even ask Mr. Nazarbayev for his card. We remembered him from the last days of the Soviet Union. Now he is trying to bring stable, capitalistic growth to his country, to develop its rich natural resources (especially oil), to maintain cordial relations with the United States, and to ensure the development of a democratic regime in a country that was recently Communist and before that a collection of unstable principalities—mostly Moslem—governing nomadic tribes. This last goal is somewhat controversial. The President's critics, here and abroad, doubt his seriousness about making Kazakhstan democratic. Yet some of his critics abroad are obviously ill-informed.

A representative of the Helsinki Commission recently alleged that Kazakhstan has only two cardboard parties. It has four, apparently quite vital, political parties contending in the parliament alone. I have interviewed representatives from three, the last being an affable Communist, Professor (what did you expect?) Serikbolsyn A. Abdildin, chairman of the Kazakhstan Communist Party. We exchanged banter about the greatness of Marx. He was speaking of Karl, I of Groucho—though I also have a very high opinion of Harpo—who was a manifestly superior thinker than Karl, and whose philosophical errors led to at least a couple of hundred million fewer deaths. Professor Abdildin still thinks nothing of the hundred million or so whom Moscow's Marxists put to death. Mistakes were made, but now on to his new ''social agenda.''

On the outskirts of Astana there is a sobering monument that has been raised to the Kazakhstani victims of the Soviet concentration camps. Nazarbayev's government threw it up immediately following Kazakhstan's independence—there are not many Kazakhs in doubt as to the barbarism of ''Soviet times,'' a barbarism that many Westerners missed.

Though Nazarbayev is coy as to precisely why he came to disrelish the Soviet system and what brought about its fall, he has pushed pretty hard to eliminate it. He does say—as do most sophisticated Kazakhs—that by the 1980s he could see that, in economic terms, Marxism was a disaster. There can be no doubt he favors the market. ''The planned economy,'' he tells us, did not respond to market conditions, which reminds me of all the progressive American economists who told us ''the market'' was a fiction of Milton Friedman's imagination. Let them consult the President of Kazakhstan and his Moscow-trained allies who are welcoming American corporations along with what he calls ''small and middle-sized'' businesses.

Nazarbayev returns to the theme of democracy. He complains that a State Department human rights report critical of his government is fraught with errors, errors that he insists our Ambassador has acknowledged. He wants his country to be ''a strategic partner'' with the United States. And the expresses concern over terrorists at his border who claim to be Islamic fundamentalists. Nazarbayev sees them less as pietists than as terrorists and brigands. He worries that they are a potential threat to Kazakhstan's economic development.

I cannot say with utter confidence that Kazakhstan is a completed democracy. It has a multiplicity of political parties competing among the electorate and in parliament. It has religious tolerance. Islam and Christianity are practiced in public. There is a free press gaining strength, though how free it is remains a question to me. It does seem that Kazakhstan is well on its way under Nazarbayev to economic development along market lines and to some sort of democracy that is a long way from its recent Soviet past. Many of Nazarbayev's critics in the West were not nearly so vocal in their denunciations of the Soviet Union's democratic failures as they are of Nazarbayev's alleged failures.

What can he do to escape their complaints? My advice is for him to announce that he is returning to the Communist fold. Furthermore, he is re-arming his nuclear weapons. Under him, Kazakhstan, once the fourth largest nuclear arsenal on earth, became the first nation in history to disarm its nuclear force. Now he is the target of the West's perfectionists. They never treated his Soviet predecessors so rudely. And the only people I have met in Kazakhstan who share their critique are an Islamic Kazakh nationalist and the amusing Professor Abdildin.

And allow me one final report. As Vladimir Putin makes his way to the Presidency of Russia, I have been asking prominent Kazakhs, many of whom visit Moscow frequently, as Kazakhstan remains part of the Commonwealth of Independent States, if his election might prefigure a return to Russian bellicosity. The Kazakhs, having suffered two centuries of Russian aggression, have more reason to fear such a turn of events than most peoples. Economic conditions in Russia will not allow renewed Soviet expansion, they tell me, and the Russians know it. Maybe the Russians do not even yearn for such grim days. Mr. Putin, however, strikes me as an unusual world leader. He is tight-lipped in public. The roll of his shoulders when he walks should remind us that he is a conditioned athlete, a practitioner of the martial arts. One hopes he gets sufficient exercise in the gym.

[From the Washington Times, March 24, 2000]

AMERICAN MODEL FOR KAZAKHS

R. Emmett Tyrrell Jr.

ASTANA, Kazakhstan.—I am freezing here in the snow-covered capital of what was until 1991 one of the fearsome republics of the now-defunct U.S.S.R.

Kazakhstan had a large army, the fourth largest nuclear arsenal in the world, and a loyal Communist Party, propagating the word that the West was corrupt, overrun with gangsters and a constant threat to Kazakhstan's benevolent socialist society.

Today I am traveling along the potholed streets of that advanced society. Here, in the new Kazakh capital not far from the Russian border, and a few days ago in Almaty, an older and even bleaker city, I see the grim dilapidation of the banks of government housing, the aged infrastructure, and the sad victims of Soviet communism trudging the streets, and I remember.

Was it not John Kenneth Galbraith and like-minded progressive economists who told us as recently as 1985 that the Soviet economy was a robust competitor to the West? It was, and when a few months later Mikhail Gorbachev pronounced the Soviet economy a disaster, his remarks, you can be sure, made no dent in Mr. Galbraith's arrogance.

Were Professor Galbraith with me today what would his retort be to the dozen or so bright, optimistic government officials rattling off their programs for using the market economy to extract from Kazakh territory the valuable minerals and oil their communist predecessors wasted or ignored? Today's government officials, mostly the products of Moscow's universities during what they call ''Soviet times,'' all say that by the 1980s they recognized the futility of the communists' ''command economy.''

When in the early 1990s they had an opportunity to break with the Soviet Union, they did. They set off on the present program of economic development with free and global markets. They became the only nation ever to give up its nuclear arms. Western democracy became their model, and they opted for the American social system.

The American model of the melting pot that allows ethnic and religious pluralism is important to Kazakhstan. In ''Soviet times,'' its vast unpopulated territory, covering 4 times as much land as Texas, was used by Moscow to dump millions of peoples the Soviets deemed undesirable. Along with the indigenous Kazakhs, there are Germans, Koreans, Poles, Crimean Tartars, Ukranians and others. But the second-most populous of Kazakhstan's people are Russians.

Josef Stalin encouraged millions of idealistic Russian communists to come here after World War II to fortify the U.S.S.R.'s southern border against China and against Muslim fundamentalists who have lived in Central Asia for 1,000 years.

In the 1960s, millions more Russians came as part of Moscow's Virgin Lands policy to make Kazakhstan more profitable.

The consequence was environmental catastrophe. Nuclear experiments that included Moscow's first hydrogen bomb and other military experiments have rendered many areas of the country health hazards. The agricultural and industrial programs of the Virgin Lands imbecility left 20 million tons of industrial waste polluting the countryside and the Aral Sea drying up. Denied its water from rivers that were diverted to irrigate futile cotton plantings, the seabed has become a scab on the Earth.

Cleaning up from ''Soviet times,'' is a major burden on the government made all the more difficult by Russia's refusal to explain the nature of its military experiments. So, too, is maintaining a socially cohesive society, through that challenge seems easier. Everywhere one looks, one sees a society divided, essentially into two ethnic groups; the Russians, who look like Western Europeans and compose 38 percent of the population, and the Kazakhs, who look Asiatic and compose 51 percent of the population. Yet there seems to be little friction between these populations. Both seem bound together in contempt for the old Soviet system and hope for their country's future.

The Russian zealots who came here as colonists after World War II, and in the Virgin Land program have now mostly returned to Russia, 2 million tired and aged idealists looking, looking for retirement back home and graves in Russian soil—another of communism's sad chapters.

The elected president of Kazakhstan, Nursultan Nazarbayev, an erstwhile collaborator of Mr. Gorbachev's in perestroika, shares the hopes of other government officials. In interviewing him, I note he repeatedly speaks of his faith in free markets, democracy and a ''strategic partnership'' with the United States. Kazakhstan with its long borders beside Russia and China is strategically important to the West and has been since the 19th century when the British tangled with Russia politically in what history remembers as ''the Great Game.''

Equally important are the oil and other resources that Kazakhstan has in abundance and that American companies are developing. Some observers back in the States are critical of Mr. Nazarbayev's claims to democracy and perhaps even to friendship with the West. Their suspicions are understandable. Many in this government were trained by Moscow's totalitarians.

Yet from my observations, this developing country now has at least four highly competitive political parties, nearly 1,000 media organs mostly privately owned, the freedoms of our Bill of Rights, and commendable tolerance.

Moreover, Kazakhstan has something its critics in the West lack, the zeal of converts. In asking scores of Kazakhs how they came to their free-market and democratic values, the interviewer learns the Kazakhs were amazed by what they saw in the West as their closed society developed cracks in the 1980's. President Nazarbayev says he saw the Soviet system ''could not compete'' with the West economically. He and his younger political aides developed the convert's zeal to move their country to the model that was so manifestly superior to the Soviet model.

And, I ask my Kazakh hosts, how did those cracks develop in the closed society? They answer that the arms race launched by President Reagan bankrupted the Soviet Union. Meanwhile the Reagan administration's public information agencies got word of democracy and freedom through the cracks. Mr. Reagan's boasts about America being a ''shinning city on a hill'' resonated with those who today are leading Kazakhstan to Western prosperity.

Yet Mr. Reagan's eloquence had its limits. It never impressed John Kenneth Galbraith.

Daily Digest

HIGHLIGHTS

Senate passed Satellite Loan Guarantees bill.

The House passed H.R. 3908, 2000 Emergency Supplemental Appropriations.

Senate

Chamber Action

Routine Proceedings, pages S1925–S2027

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2328–2338, and S. Res. 279–280. **Pages S1986–87**

Measures Passed:

Launching Our Communities' Access to Local Television Act (Satellite Loan Guarantees): By 97 yeas to 0 nays, 1 responding present (Vote No. 50), Senate passed S. 2097, to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, after agreeing to the committee amendment in the nature of a substitute, and taking action on the following amendments proposed thereto:

Pages S1926–41, S1946–58, S1961–68

Adopted:

Baucus/Leahy Modified Amendment No. 2900, to make certain minor and technical changes.

Pages S1951, S1963–74

Gramm (for Hatch) Modified Amendment No. 2902, to strike certain provisions relating to the retransmission of local television broadcast stations.

Pages S1957, S1964

By a unanimous vote of 99 yeas (Vote No. 49), Johnson Amendment No. 2903, to address certain lending practices. **Pages S1965–66**

Withdrawn:

Gramm Amendment No. 2897, to address certain lending practices. **Pages S1934–40, S1954**

Subsequently, Johnson Amendment No. 2898 (to Amendment No. 2897), to improve the loan guarantee program, fell when Gramm Amendment No. 2897 (listed above) was withdrawn.

Pages S1935–40, S1954

Bunning Amendment No. 2896, to require that the entity, if any, that receives the entire amount of the available loan guarantee shall provide in each underserved area or unserved area in each State all the local television broadcast signals broadcast in such State. **Pages S1940–41, S1954–55, S1962**

During consideration of this measure today, the Senate also took the following action:

Senate sustained a point of order that Breaux Amendment No. 2901, providing for the approval and administration of loan guarantees relating to space launch vehicles, was not relevant (pursuant to the order of November 18, 1999). **Pages S1955–56**

Estuary Habitat Restoration Partnership Act: Senate passed S. 835, to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, after withdrawing the committee amendment, and agreeing to the following amendment proposed thereto: **Pages S2008–18**

Smith Amendment No. 2904, in the nature of a substitute. **Pages S2011–15**

Gas Tax Repeal Act—Cloture Vote: By 86 yeas to 11 nays (Vote No. 51), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to the consideration of S. 2285, instituting a Federal fuels tax holiday.

Pages S1968–70

Authority for Committees: The Committee on the Budget was authorized to file the congressional budget resolution during the adjournment of the Senate on Friday, March 31, 2000, from 10 a.m. to 11 a.m. **Page S2020**

Congressional Budget Resolution—Agreement: A unanimous-consent agreement was reached providing for the consideration of the Congressional Budget Resolution on Tuesday, April 4, 2000, providing the report is available Saturday morning, April 1, 2000.

Page S2020

Nominations Confirmed: Senate confirmed the following nominations:

50 Air Force nominations in the rank of general.

27 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S2019–20, S2026–27**

Nominations Received: Senate received the following nominations:

J. Randolph Babbitt, of Virginia, to be a Member of the Federal Aviation Management Advisory Council for a term of three years.

Robert W. Baker, of Texas, to be a Member of the Federal Aviation Management Advisory Council for a term of three years.

Edward M. Bolen, of Maryland, to be a Member of the Federal Aviation Management Advisory Council for a term of three years.

Debbie D. Branson, of Texas, to be a Member of the Federal Aviation Management Advisory Council for a term of three years.

Geoffrey T. Crowley, of Wisconsin, to be a Member of the Federal Aviation Management Advisory Council for a term of two years.

Robert A. Davis, of Washington, to be a Member of the Federal Aviation Management Advisory Council for a term of two years.

Kendall W. Wilson, of the District of Columbia, to be a Member of the Federal Aviation Management Advisory Council for a term of one year.

1 Army nomination in the rank of general.

Routine lists in the Air Force, Army, Navy. **Pages S2021–26**

Messages From the House: **Page S1980**

Measures Referred: **Page S1980**

Measures Placed on Calendar: **Page S1980**

Communications: **Pages S1985–86**

Petitions: **Page S1986**

Executive Reports of Committees: **Pages S1980–85**

Statements on Introduced Bills: **Pages S1987–96**

Additional Cosponsors: **Pages S1996–98**

Amendments Submitted: **Pages S2000–07**

Notices of Hearings: **Pages S2007–08**

Authority for Committees: **Page S2008**

Additional Statements: **Pages S1976–79**

Privileges of the Floor: **Page S2008**

Record Votes: Three record votes were taken today. (Total—51) **Pages S1965–66, S1967, S1970**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:39 p.m., until 12 noon, on Monday, April 3, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2020.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings on proposed budget estimates for fiscal year 2001 for the National Institutes of Health, after receiving testimony from Ruth L. Kirschstein, Acting Director, National Institutes of Health, Department of Health and Human Services, who was accompanied by several of her associates.

APPROPRIATIONS—TREASURY DEPARTMENT

Committee on Appropriations: Subcommittee on Treasury and General Government concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of the Treasury, receiving testimony in behalf of funds for their respective activities from James E. Johnson, Under Secretary for Enforcement, Raymond W. Kelly, Commissioner, U.S. Customs Service, Bradley A. Buckles, Director, Bureau of Alcohol, Tobacco and Firearms, Brian L. Stafford, Director, U.S. Secret Service, W. Ralph Basham, Director, Federal Law Enforcement Training Center, and William Baity, Deputy Director, Financial Crimes Enforcement Network, all of the Department of the Treasury.

APPROPRIATIONS—HUD

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of Housing and Urban Development, after receiving testimony from Andrew M. Cuomo, Secretary of Housing and Urban Development.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 1,137 nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005.

CLIMATE CHANGE

Committee on Energy and Natural Resources: Committee concluded hearings on S.882, to strengthen provisions in the Energy Policy Act of 1992 and the Federal Nonnuclear Energy Research and Development Act of 1974 with respect to potential Climate Change, and S.1776, to amend the Energy Policy Act of 1992 to revise the energy policies of the United States in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, after receiving testimony from Mark Mazur, Director, Office of Policy, and Jay Hakes, Administrator, Energy Information Administration, both of the Department of Energy; Margaret Leinen, Assistant Director for Geosciences, National Science Foundation, on behalf of the National Science and Technology Council; Elbert W. Friday, Jr., Director, Board on Atmospheric Sciences and Climate, National Research Council; Samuel L. Maury, Business Roundtable, Richard L. Lawson, National Mining Association, Joe F. Colvin, Nuclear Energy Institute, Paul C. Bailey, Edison Electric Institute, Michael L. Marvin, Business Council for Sustainable Energy, and Daniel Lashof, Natural Resources Defense Council, all of Washington, D.C.; Kurt E. Yeager, Electric Power Research Institute, Palo Alto, California; and Charles D. Estes, Estes and Associates/Appalachian-Pacific Coal Mine Methane Power Company, Arlington, Virginia.

FOREST SERVICE ROADLESS POLICY

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management resumed oversight hearings on the President's October 1999 announcement to review approximately 40 million acres of national forest lands for increased protection, focusing on the Forest Services's Roadless Policy announcement and its decision to not honor the requests of several states for cooperating agency status under the National Environmental Policy Act, receiving testimony from Montana Governor Marc Racicot, Helena; and George T. Frampton, Jr., Acting Chair, Council on Environmental Quality.

Hearings recessed subject to call.

2001 BUDGET—EPA

Committee on Environment and Public Works: Subcommittee on Superfund, Waste Control, and Risk Assessment concluded oversight hearings on the President's proposed budget request for fiscal year 2001 for programs of the Environmental Protection Agency's Office of Solid Waste and Emergency Response, focusing on the current status and future direction of the Superfund, Resource Conservation and Recovery Act, Brownfields, and Underground Storage Tank programs, after receiving testimony from Timothy Fields, Jr., Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original bill entitled Marriage Tax Relief Act of 2000.

U.S. NONPROLIFERATION POLICY

Committee on Foreign Relations: Committee concluded hearings to examine nonproliferation threats and U.S. policy formulation issues, focusing on the prevention of further spread of weapons of mass destruction and the means to deliver them, a U.S. Ballistic Missile Commission report, and a review of North Korea policy, after receiving testimony from Donald H. Rumsfeld, Rumsfeld Associates, Chicago, Illinois, former Secretary of Defense; Stephen J. Hadley, Shea and Gardner, Washington, D.C., former Assistant Secretary of Defense; and Ashton B. Carter, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts, on behalf of the Harvard-Stanford Preventive Defense Project; former Assistant Secretary of Defense for International Security Policy.

UNITED NATIONS ROUNDTABLE

Committee on Foreign Relations: Committee met to discuss crucial issues before the United Nations with Arnoldo M. Listre, Permanent Representative of Argentina; Anwarul Karim Chowdhury, Permanent Representative of the People's Republic of Bangladesh; Robert R. Fowler, Permanent Representative of Canada; Wang Ying Fan, Permanent Representative of China; Jean-David Levitte, Permanent Representative of France; Mignonette Patricia Durant, Permanent Representative of Jamaica; Agam Hasmy, Permanent Representative of Malaysia; Moctar Ouane, Permanent Representative of the Republic of Mali; Martin Andjaba, Permanent Representative of the Republic of Namibia; Arnold Peter van Walsum, Permanent Representative of the Netherlands; Sergey V. Lavrov, Permanent Representative of the Russian Federation; Said Ben Mustapha, Permanent Representative of Tunisia; Volodymyr Y. Yel'chencko, Permanent Representative of Ukraine; Jeremy Quentin Greenstock, Permanent Representative of the United Kingdom; and Richard Holbrooke, U.S. Representative to the United Nations.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings on the nominations of Alan Craig Kessler, of Pennsylvania, to be a Governor of the United States Postal Service, and Carol Waller Pope,

of the District of Columbia, to be a Member of the Federal Labor Relations Authority, after the nominees testified and answered questions in their own behalf. Mr. Kessler was introduced by Senators Santorum and Biden, and Ms. Pope was introduced by District of Columbia Delegate Eleanor Holmes Norton.

LAW ENFORCEMENT RACIAL PROFILING

Committee on the Judiciary: Subcommittee on Constitution, Federalism, and Property Rights concluded hearings on S. 821, to provide for the collection of data on traffic stops, after receiving testimony from Senator Lautenberg; Representative Conyers; New Jersey State Assemblyman LeRoy J. Jones, Jr., Trenton, on behalf of the New Jersey Legislative Black and Latino Caucus; David A. Harris, University of Toledo College of Law, Toledo, Ohio, on behalf of the Center on Crime, Communities and Culture; Johnny L. Hughes, National Troopers Coalition, Annapolis, Maryland; John Welter, San Diego Police Department, San Diego, California; Rodney Watt, City of Highland Park Police Department, Highland Park, Illinois; Rossano Gerald, Ft. Hood, Texas; and Robert L. Wilkins, Washington, D.C.; and Curtis V. Rodriguez, San Jose, California,

ARCHITECT OF THE CAPITOL

Committee on Rules and Administration: Committee concluded oversight hearings on the operations, activities, and proposed fiscal year 2001 budget of the Office of the Architect of the Capitol, focusing on physical safety, customer services delivery, building preservation, utility, and security, and staff development, after receiving testimony from Alan M. Hantman, Architect of the Capitol.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again on Tuesday, April 4.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 4131–4148; and 1 resolution, H. Con. Res. 296 were introduced. **Pages H1628–29**

Reports Filed: Reports were filed today as follows:

H.R. 3671, to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts, amended (H. Rept. 106–554). **Page H1628**

Emergency Supplemental Appropriations: The House passed H.R. 3908, making emergency supplemental appropriations for the fiscal year ending September 30, 2000 by a yea and nay vote of 263 yeas to 146 nays, Roll No. 95. **Pages H1592–H1621**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report it back to the House with provisions that appropriate $262 million to the Office of National Drug Control Policy for grants to recognize national, state, and local prevention and treatment organizations by a recorded vote of 194 ayes to 220 noes, Roll No. 94. **Pages H1619–20**

Agreed To:

Weldon of Pennsylvania amendment, as modified, that provides $10 million for the Volunteer Fire Assistance Program and $80 million for a local government matching Fire Competitive Grant Program. The modification struck references to the Community Development Block Grant program (agreed to by a recorded vote of 386 ayes to 28, Roll No. 90); **Pages H1592–94, H1602–03**

Traficant amendment that expresses the sense of Congress that entities receiving assistance should purchase only American-made equipment and products; and **Pages H1603–04**

Taylor of Mississippi amendment that limits funding to support no more than 300 military personnel in Colombia. **Pages H1610–11**

Rejected:

Kasich amendment, printed in H. Rept. 106–549, that sought to withhold 50 percent of funding for military operations in Kosovo until the President certifies that the member nations of the European Commission, European Union and NATO have obligated or contracted a significant percentage of the financial and personnel assistance they committed to Kosovo (rejected by a yea and nay vote of 200 yeas to 219 nays, Roll No. 89); **Pages H1594–H1602**

Stearns amendment that sought to impose an across the board reduction of 10%, exempting emergency requirements and the Department of Defense (rejected by a recorded vote of 126 ayes to 291 noes, Roll No. 91); **Pages H1604–06, H1615–16**

Paul amendment, no. 5 printed in the Congressional Record, that sought to reduce Drug Enforcement Administration funding by $293 million; eliminate DOD Drug Interdiction and Counter-Drug funding of $186 million; eliminate Plan Colombia and Andean Regional Counternarcotics Activities funding of $1.1 billion; prohibit the use of military construction funds outside of the U.S. and its territories; and prohibit the use of funds for operations in Kosovo or East Timor, other than for the return of personnel and property to the United States (rejected by a recorded vote of 45 ayes to 367 noes, Roll No. 92); and **Pages H1607–10, H1616–17**

Tancredo amendment, no.16 printed in the Congressional Record, that sought to eliminate $20 million in funding for the construction of a FDA facility in Los Angeles, California (rejected by a recorded vote of 146 ayes to 267 noes with 1 voting "present", Roll No. 93). **Pages H1611–14, H1617**

Withdrawn:

Kaptur amendment was offered but subsequently withdrawn that sought to require that the Secretary of Energy acquire and store annually 300 million gallons of ethanol and 100 million gallons of biodiesel fuel as part of the Strategic Petroleum Reserve; and **Page H1607**

Baldacci amendment was offered but subsequently withdrawn that sought to make funding for weatherization available for other building technology assistance conservation activities. **Pages H1614–15**

Crop Insurance Program: The House disagreed to the Senate amendment to H.R. 2559, to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program and agreed to a conference. Appointed as conferees: Representatives Combest, Barrett of Nebraska, Boehner, Ewing, Pombo, Stenholm, Condit, Peterson of Minnesota, and Dooley. **Pages H1621**

Legislative Program: Representative Lazio discussed the Legislative Program for the week of April 3. **Pages H1621–23**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, April 3 for morning-hour debates. **Page H1624**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 5. **Page H1624**

American Folklife Center: The Chair announced the Speaker's Reappointment, upon the recommendation of the Minority Leader, of Mr. William L. Kinney of South Carolina to the Board of Trustees of the American Folklife Center in the Library of Congress. **Page H1624**

Senate Messages: Message received from the Senate today appears on page H1591.

Quorum Calls—Votes: One yea and nay vote and six recorded votes developed during the proceedings of the House today and appear on pages H1602, H1602–03, H1615–16, H1616–17, H1617, H1620, and H1620–21. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 3:20 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary, held a hearing on SEC. Testimony was heard from Arthur Levitt, Chairman, SEC.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs continued appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, on the Corporation for National and Community Service; and National Mediation Board. Testimony was heard from Ernest W. DuBester, Chairman, National Mediation Board.

MISCELLANEOUS MEASURES

Committee on Commerce: Subcommittee on Energy and Power held a hearing on the following bills: H.R. 2335, Hydroelectric Licensing Process Improvement Act of 1999; H.R. 1262, to provide that existing facilities located on the Pentwater River in Michigan, are not required to be licensed by the Federal Energy Regulatory Commission under part 1 of the Federal Power Act; H.R. 3852, to extend the deadline for

commencement of construction of a hydroelectric project in the State of Alabama; S. 422, to provide for Alaska state jurisdiction over small hydroelectric projects; S. 334, to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii; S. 1236, to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho; and S. 1937, to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Administration to join operating entities. Testimony was heard from Senator Murkowski; Representative Radanovich; the following officials of the Department of Energy: James J. Hoecker, Chairman, Federal Energy Regulatory Commission; and Allen Burns, Vice President, Requirements Marketing, Bonneville Power Administration; John D. Leshy, Solicitor, Department of the Interior; Penelope D. Dalton, Assistant Administrator, Fisheries, National Marine Fisheries Service, NOAA, Department of Commerce; Paul Brouha, Associate Deputy Chief, Forest Service, USDA; and public witnesses.

FY 2001 EPA PROPOSED BUDGET REQUEST

Committee on Commerce: Subcommittee on Finance and Hazardous Materials and the Subcommittee on Health and Environment held a joint hearing on the EPA's Proposed Budget Request for Fiscal Year 2001. Testimony was heard from Robert Perciasepe, Assistant Administrator, Office of Air and Radiation, EPA.

MISCELLANEOUS MEASURES; "MISSING WHITE HOUSE E-MAILS: MISMANAGEMENT OF SUBPOENAED RECORDS"

Committee on Government Reform: Ordered reported, as amended, the following bills: H.R. 4040, Long-Term Care Security Act; and H.R. 2842, Federal Employees Health Benefits Children's Equity Act of 1999.

The Committee also concluded hearings on "Missing White House E-Mails: Mismanagement of Subpoenaed Records". Testimony was heard from Beth Nolan, Counsel to the President; and Robert Raben, Assistant Attorney General, Legislative Affairs, Department of Justice.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 1304, amended, Quality Health-Care Coalition Act of 1999; H.R. 371, Hmong Veteran's Naturalization Act of 1999; and two private relief bills.

The Committee also began markup of H.R. 3767, Visa Waiver Permanent Program Act.

Will continue April 4.

BOUNTY HUNTER RESPONSIBILITY ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 2964, Bounty Hunter Responsibility Act of 1999. Testimony was heard from Representatives Hutchinson and Deutsch; and public witnesses.

MILITARY EXTRATERRITORIAL JURISDICTION ACT

Committee on the Judiciary: Subcommittee on Crime held a hearing on H.R. 3380, Military Extraterritorial Jurisdiction Act of 1999. Testimony was heard from the following officials of the Department of Defense: Robert Reed, Office of the General Counsel and Office of the Secretary; Brig. Gen. Joseph R. Barnes, USA, Office of the Judge Advocate General; and Brig. Gen. James R. Smith, USAF, Commander, 18th Fighter Wing; Roger Pauley, Director of Legislation, Office of Policy and Legislation, Department of Justice; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on the following bills: H.R. 3176, to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii; and H.R. 3292, to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana. Testimony was heard from Representatives Mink of Hawaii and Baker; Daniel Ashe, Assistant Director, Refuges and Wildlife, U.S. Fish and Wildlife Service, Department of the Interior; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, and Public Lands held a hearing on the following bills: H.R. 2919, National Underground Railroad Freedom Center Act; and H.R. 3241, to direct the Secretary of the Interior to recalculate the franchise fee owed by Fort Sumter Tours, Inc., a concessioner providing service to Fort Sumter National Monument in South Carolina. Testimony was heard from Senator DeWine; Representatives Sanford, Portman and Jones of Ohio; Denis Galvin, Deputy Director, National Park Service, Department of the Interior; and public witnesses.

OVERSIGHT—CVP OPERATIONS/CALFED PROGRAM

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on California Central Valley Project (CVP) Operations and the CALFED Program. Testimony was heard from David Hayes, Deputy Secretary, Department of the Interior; Tom Hannigan, Director, Department of Water Resources, State of California; and public witnesses.

HEALTHCARE'S CHANGING FACE—ELECTRONIC AGE

Committee on Science: Subcommittee on Technology held a hearing on the Changing Face of Healthcare in the Electronic Age. Testimony was heard from Raymond Kammer, Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

WORLD TRADE CENTER'S FUTURE

Committee on Ways and Means: Held a hearing on the Future of the World Trade Organization. Testimony was heard from Jesse Ventura, Governor, State of Minnesota; and public witnesses.

SOCIAL SECURITY PROGRAM INTEGRITY ACTIVITIES

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Social Security Program Integrity Activities. Testimony was heard from the following officials of the SSA: William A. Halter, Deputy Commissioner; and James G. Huse, Jr., Inspector General.

ENDEAVOR SHUTTLE MISSION ASTRONAUTS BRIEFING; FY 2001 GENERAL DEFENSE INTELLIGENCE PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a briefing with the Endeavor Shuttle Mission Astronauts. The Committee was briefed by the Astronauts.

The Committee also met in executive session for a hearing on Fiscal Year 2001 General Defense Intelligence Program Budget (DIA, S&T Centers, etc.). Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 31, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources: Subcommittee on Energy Research, Development, Production and Regulation, to hold oversight hearings to examine the Department of Energy's findings at the Gaseous Diffusion Plant in Paducah, Kentucky, and plans for cleanup at the site, 9:30 a.m., SD–366.

House

Committee on Government Reform, hearing on "Are the Financial Records of the Federal Government Reliable", 10 a.m., 2154 Rayburn.

CONGRESSIONAL PROGRAM AHEAD

Week of April 3 through April 8, 2000

Senate Chamber

On *Monday,* Senate will be in a period for morning business.

On *Tuesday,* Senate expects to begin consideration of the Congressional Budget Resolution.

During the remainder of the week, Senate expects to continue consideration of the Congressional Budget Resolution, and may consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Special Committee on Aging: April 3, to hold hearings to examine the rising demand for older workers, 1 p.m., SD–562.

Committee on Agriculture, Nutrition, and Forestry: April 6, to hold hearings on interstate shipments of state inspected meat, 9:30 a.m., SR–328A.

Committee on Appropriations: April 4, Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2001 for the Bureau of Indian Affairs and Office of the Special Trustee, Department of the Interior, 9:30 a.m., SD–138.

April 4, Subcommittee on Transportation, to hold hearings to examine the implementation of the Driver's Privacy Protection Act, focusing on the positive notification requirement, 10 a.m., SD–192.

April 4, Subcommittee on Foreign Operations, to hold hearings on Chechnya, Russia and U.S. Policy and aid programs, 10:30 a.m., SR–301.

April 4, Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of the Treasury, 2:30 p.m., SD–138.

April 5, Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of the Interior, 9:30 a.m., SD–124.

April 5, Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on Army programs, 10 a.m., SD–192.

April 6, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Veterans Affairs, 9:30 a.m., SD–138.

April 6, Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget

estimates for fiscal year 2001 for the Federal Trade Commission, 9:30 a.m., S–146 Capitol.

April 6, Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2001 for the Office of Drug Control Policy, 9:30 a.m., SD–124.

April 6, Subcommittee on Foreign Operations, to hold hearings on proposed budget estimates for fiscal year 2001 for the International Financial Institutions, 10:30 a.m., SD–192.

Committee on Armed Services: April 4, Subcommittee on Emerging Threats and Capabilities, to hold hearings on proposed legislation authorizing funds for fiscal year 2001 for the Department of Defense and the Future Years Defense Program, focusing on joint requirements, capabilities, and experimentation, 2:30 p.m., SR–222.

Committee on Commerce, Science, and Transportation: April 4, to hold hearings on proposed legislation authorizing funds for programs of the Export Administration Act, 2:30 p.m., SR–253.

April 6, Subcommittee on Aviation, to hold hearings to examine issues dealing with aviation security, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: April 5, Subcommittee on Forests and Public Land Management, to hold oversight hearings on the proposed five-year strategic plan of the U.S. Forest Service in compliance with Government Results and Performance Act. (Immediately following Full Committee Business Meeting), Time to be announced, SD–366.

April 5, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–366.

April 6, Full Committee, to hold hearings to examine the energy potential of the 1002 area of the Arctic Coastal Plain; the role this energy could play in National security; the role this energy could play in reducing U.S. dependency on imported oil; and the legislative provisions of S. 2214, to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound and job creating program for the exploration, development, and production of the oil and gas resources of the Coastal Plain, 9:30 a.m., SD–366.

Committee on Finance: April 5, to hold hearings on the pattern of improper payments in the school Medicaid program, 10 a.m., SD–215.

Committee on Foreign Relations: April 4, to hold hearings on the nominations of Donald Arthur Mahley, of Virginia, for the rank of Ambassador during his tenure of service as Special Negotiator for Chemical and Biological Arms Control Issues; and Gregory G. Govan, of Virginia, for the rank of Ambassador during his tenure of service as Chief U.S. Delegate to the Joint Consultative Group, 10:30 a.m., SD–419.

April 4, Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine the international trafficking of women and children, 2 p.m., SD–419.

April 5, Subcommittee on International Operations, to hold hearings on United Nations peace keeping missions and their proliferation, 9:30 a.m., SD–419.

April 5, Full Committee, to hold hearings on legacies of the Holocaust, 2 p.m., SD–419.

Committee on Indian Affairs: April 5, to hold hearings on S. 612, to provide for periodic Indian needs assessments, to require Federal Indian program evaluations, 9:30 a.m., SR–485.

Select Committee on Intelligence: April 4, to hold closed hearings on pending intelligence matters, 3 p.m., SH–219.

April 6, Full Committee, to hold closed hearings on pending intelligence matters, 2:15 p.m., SH–219.

Committee on the Judiciary: April 5, Subcommittee on Administrative Oversight and the Courts, to resume oversight hearings on the handling of the investigation of Peter Lee, 9:30 a.m., SH–216.

April 6, Subcommittee on Criminal Justice Oversight, to hold oversight hearings to examine the Federal Bureau of Prisons, 2:30 p.m., SD–226.

Committee on Rules and Administration: April 5, to hold hearings to examine political parties in America, 9:30 a.m., SR–301.

House Chamber

To Be Announced.

House Committees

Committee on Agriculture, April 6, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing on H.R. 3453, Emergency Food Assistance Enhancement Act of 1999, 10 a.m., 1300 Longworth.

Committee on Appropriations, April 4, Subcommittee on Labor, Health and Human Services, and Education, on Children and Environmental Health, 10 a.m., and on public witnesses, 2 p.m., 2358 Rayburn.

April 4, Subcommittee on Treasury, Postal Service, and General Government, on Customs—Oversight Automated Commercial Environment, 10 a.m., and on U.S. Postal Service, 2 p.m., 2359 Rayburn.

April 4, Subcommittee on VA, HUD and Independent Agencies, on National Science Foundation, 9:30 a.m., 2359 Rayburn.

April 5, Subcommittee on Commerce, Justice, State, and Judiciary, on U.S. Trade Representative, 10 a.m., H–309 Capitol.

April 5, Subcommittee on Interior, oversight on Everglades, 10 a.m., B–308 Rayburn.

April 5, Subcommittee on Labor, Health and Human Services, and Education, on public witnesses, 10 a.m., 2358 Rayburn.

April 5, Subcommittee on VA, HUD, and Independent Agencies, on Department of Veterans Affairs, 9:30 a.m. and 1:30 p.m., 2359 Rayburn.

April 6, Subcommittee on Commerce, Justice, State, and Judiciary, on Bureau of the Census, 10 a.m., 2358 Rayburn.

April 6, Subcommittee on Foreign Operations, Export Financing and Related Programs, on Under Secretary of Defense for Policy, 9:30 a.m., 2359 Rayburn.

April 6, Subcommittee on Interior, on public witnesses—Natural Resources, Energy, and other programs, 10 a.m., B–308.

April 6, Subcommittee on VA, HUD and Independent Agencies, on Federal Emergency Management Agency, 9:30 a.m., H–143 Capitol.

Committee on Banking and Financial Services, April 6, to mark up the following bills: H.R. 2764, America's Private Investment Companies Act; and H.R. 2848, New Markets Initiative Act of 1999, 10 a.m., 2128 Rayburn.

Committee on Commerce, April 5, Subcommittee on Energy and Power, hearing on H.R. 2641, to make technical corrections to title X of the Energy Policy Act of 1992; to be followed by a hearing on H.R. 380, National Oilheat Research Alliance Act of 1999, 10 a.m., 2322 Rayburn.

April 6, Subcommittee on Oversight and Investigations, hearing on Third Party Billing Company Fraud: Assessing the Threat Posed to Medicare, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, April 4, Subcommittee on Employer-Employee Relations, hearing on Modernizing ERISA to Promote Security, 10:30 a.m., 2175 Rayburn.

April 4, Subcommittee on Oversight and Investigations, hearing on Fiscal Year 1999 Audit of the Corporation for National Service, 2 p.m., 2175 Rayburn.

April 5, full Committee, to mark up H.R. 4141, Education Opportunities To Protect and Invest In Our Nation's Students (Education OPTIONS) Act, 1 p.m., 2175 Rayburn.

April 5, Subcommittee on Oversight and Investigations, hearing on Rulemaking at the U.S. Department of Labor: OSHA's Employee Work at Home Policy, 10 a.m., 2175 Rayburn.

Committee on Government Reform, April 4, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing on Drug Treatment Options within the Criminal Justice System, 10 a.m., 2154 Rayburn.

April 5, Subcommittee on the Census, oversight hearing of the 2000 Census: Mail-back Response Rates and Status of Key Operations, 2 p.m., 2247 Rayburn.

April 6, full Committee, hearing on Autism: Present Challenges, Future Needs—Why the Increased Rates? 10:30 a.m., 2154 Rayburn.

Committee on International Relations, April 4, Subcommittee on International Economic Policy and Trade, to continue hearings on the Future of the Export Administration Act, Part 2, 3 p.m., 2128 Rayburn.

April 5, full Committee, hearing on Haiti: Prospects for Free and Fair Elections, 10 a.m., 2172 Rayburn.

April 6, to hold a hearing on Tibet, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, April 4 and 5, to continue markup of H.R. 3767, Visa Waiver Permanent Program Act; and to mark up the following bills: H.R. 3244, Trafficking Victims Protection Act of 1999; and H.R. 3125, Internet Gambling Prohibition Act of 1999, 10 a.m., 2141 Rayburn.

April 6. Subcommittee on the Constitution, oversight hearing on the Fourth Amendment and the Internet, 2:30 p.m., 2226 Rayburn.

April 6, Subcommittee on Crime, hearing on H.R. 4051, Project Exile: The Safe Streets and Neighborhoods Act of 2000, 1 p.m., 2141 Rayburn.

April 7, full Committee, to continue oversight hearings on Solutions to Competitive Problems in the Oil Industry: Part 2, 9:30 a.m., 2141 Rayburn.

Committee on Resources, April 4, hearing on the following bills: H.R. 3291, Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act; and H.R. 3468, Duchesne City Water Rights Conveyance Act, 2 p.m., 1324 Longworth.

April 4, Subcommittee on Forests and Forest Health, oversight hearing on the Effect of the New Forest Rules on National Recreation, 2 p.m., 1334 Longworth.

April 4, Subcommittee on National Parks, and Public Lands, hearing on the following bills: H.R. 2249, Corinth Battlefield Preservation Act of 1999; H.R. 2773, Wekiva Wild and Scenic River Act of 1999; and H.R. 2833, Yuma Crossing National Heritage Area Act of 1999, 10 a.m., 1324 Longworth.

April 5, full Committee, to consider pending business, 11 a.m., 1324 Longworth.

April 6, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on Section 118 of the Marine Mammal Protection Act, 10 a.m., and to hold an oversight hearing on Section 119 of the Marine Mammal Protection Act, 2 p.m., 1334 Longworth.

April 6, Subcommittee on National Parks, and Public Lands, the Subcommittee on Forests and Forest Health and the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, joint hearing on H.R. 3661, General Aviation Access Act, 10 a.m., 1324 Longworth.

April 6, Subcommittee on Water and Power, hearing on the following bills: H.R. 1787, Deschutes Resources Conservancy Reauthorization Act of 1999; and H.R. 1113, Colusa Basin Watershed Integrated Resources Management Act, 2 p.m., 1324 Longworth.

Committee on Rules, April 3, to consider the following: H.R. 3671, Wildlife and Sport Fish Restoration Programs Improvement Act of 2000; and H.R. 2418, Organ Procurement and Transplantation Network Amendments of 1999, 6:30 p.m., H–313 Capitol.

Committee on Science, April 6, Subcommittee on Energy and Environment, hearing on the Human Genome Project, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 5, hearing on Cash versus Accrual: The Policy Implications of the Growing Inability of Small Businesses to Use Simple Tax Accounting, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 6, Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Preparedness Against Terrorist Attacks Involving Weapons of Mass Destruction, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 5, Subcommittee on Health, hearing on VA Capital Asset Planning, 10 a.m., 334 Cannon.

Committee on Ways and Means, April 6, Subcommittee on Social Security, hearing on the 2000 Social Security Trustees Annual Report, 10 a.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: April 4, to hold hearings on the deteriorating freedom of media and speech in Organization for Security and Co-operation in Europe, 1 p.m., 334 Cannon Building.

Next Meeting of the **SENATE**

12 noon, Monday, April 3

Senate Chamber

Program for Monday: Senate will begin a period of morning business, during which four Senators will be recognized for speeches.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

12:30 p.m., Monday, April 3

House Chamber

Program for Monday: To be announced.

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