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House of Representatives

The House met at 10 a.m.

The Reverend Alpheus Townsend, Unity Temple of Peace, Bronx, New York, offered the following prayer:

''O God our help in ages past our hope for years to come our shelter from the stormy blast and our eternal home.''

Lord of Majesty, mercy and love we are grateful for this day and for the blessings it affords. We thank You for the bounty of this Nation and for its form of government. Thank You for inspiring its leaders over the years.

We ask Your blessing and guidance upon the membership of this assembly who are entrusted with the awesome task of helping to foster and preserve peace and justice in our world.

Father, bless and strengthen families, our youth, our schools and businesses with integrity and success, now and ever more for Your honor and glory, 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. NETHERCUTT) come forward and lead the House in the Pledge of Allegiance.

Mr. NETHERCUTT 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 has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 484. An act to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. Con. Res. 110. Concurrent resolution congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

The message also announced that pursuant to section 301(b) of Public Law 104–1, the Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, announces the joint appointment of Barbara L. Camens of the District of Columbia and Roberta L. Holzwarth of Illinois to five-year terms on the Board of Directors of the Office of Compliance.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. At this time the Chair will recognize the gentleman from New York (Mr. ENGEL). Other 1-minute speeches will be at the end of the day.

WELCOMING REVEREND ALPHEUS TOWNSEND TO THE HOUSE OF REPRESENTATIVES

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

Mr. ENGEL. Mr. Speaker, it is my great pleasure today to introduce my good friend, my constituent, and my minister who gave the prayer this morning, Reverend Alpheus Townsend of the Unity Temple of Peace in my district in the Bronx, New York.

Pastor Townsend is a wonderful American success story. He resides in my District with his wife Millicent and son William, and is truly a champion, living the American dream, as so many immigrants who have come to our shores and helped to make our country the great Nation that it is.

Reverend Townsend was born in Jamaica and came to the United States in 1965 and worked at a number of jobs in New York, at Bankers Trust on Wall Street for 5 years as an operations specialist and at Lenox Hill Hospital in Manhattan. But he knew that the ministry was really his call.

He attended Unity Ministerial School in Missouri and was ordained in 1981. He founded the Unity Temple of Peace in the Bronx, New York, in my district, in 1982 and continues to pastor there.

Just recently, he was elected president of the Clergy Coalition of the 47th Precinct in the Northeast Bronx, which serves all five boroughs of New York City. It is a wonderful organization, assists many, many people, young, old, all types of people. He assisted in writing the bylaws and charter for the organization.

He has provided college scholarships to high school students, and I have been pleased to work with him in this regard and to contribute to these scholarships because young people, as we know, of course, are our future. And Pastor Townsend has especially ministered to young people. He has worked with the council and the community and works with the police to enhance the quality of life in the community.

Mr. Speaker, I am honored and privileged to not only call Pastor Townsend, my constituent, but am honored and privileged to call him my friend. We have worked very, very closely together. He honors me and all of us with his presence today.

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I thank the Speaker for allowing him to give the prayer this morning so that the entire House of Representatives and, indeed the entire country of the United States, can see what a wonderful pastor he is and how truly he is doing God's work and truly doing work for all of us.

Again, it is people like the Reverend Townsend who have come here to this country as an immigrant, who have participated and have really helped to make this country the great country that it is. I thank the reverend.

CONFERENCE REPORT ON H.R. 2559, AGRICULTURAL RISK PROTECTION ACT OF 2000

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 512

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

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

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. REYNOLDS. Mr. Speaker, the legislation before us today provides for consideration of the conference report to H.R. 2559, the Agriculture Risk Protection Act of 1999.

Mr. Speaker, House Resolution 512 is a standard conference report rule that waives all points of order against the conference report and against its consideration.

Additionally, the rule provides that the conference report shall be considered as read.

Passage of this rule will allow the House to consider the conference report to the Agriculture Risk Protection Act.

The Agriculture Risk Protection Act enjoys broad bipartisan support from colleagues representing farmers and ranchers from all regions of the country. It is the right legislative response to the current plight of our Nation's farmers and ranchers.

Mr. Speaker, it is no secret that farmers, growers, and ranchers are not experiencing the prosperity that many other Americans enjoy today. Confronted by adverse weather and low prices, they are facing a second year of extreme economic crisis.

In fact, apple growers alone lost a staggering $760 million nationwide over the past 3 years, according to USDA statistics.

Representing Wayne County, New York, the largest apple producer in New York State and one of the largest in the Nation, this type of statistic is particularly troubling.

Growers in my district have been especially hard hit in recent years. Floods, storms, drought, and other severe weather have had a crippling effect on area specialty crop farmers.

Just last week, flooding destroyed onion crops that had been planted only days earlier in the Elba mucklands in Genesee County in my congressional district.

One local farmer estimated a 75 percent loss on 3,000 acres of onion crop, with an estimated value of $15 million annually.

Despite these and other disasters, crop insurance programs have historically been tailored to farmers who grow so-called traditional crops, such as wheat, corn, and soybeans.

It is for that reason that I am especially pleased with the conference report which, for the first time, earmarks funds and encourages the development of products for underserved commodities, including specialty crops.

This Nation has had a long and proud agricultural history. Agriculture has been and remains a vital part of our Nation's economy and way of life. America's farmers feed not only our Nation but also the world.

We must give agriculture producers the tools to manage risk responsibly, and this legislation does just that.

This bill provides better insurance coverage at a lower cost for our Nation's farmers. It provides affordable coverage at every level, with strong incentives to purchase higher levels of protection and new flexibility for producers to choose the level of coverage that best meets their needs.

This legislation promotes the development of new products for managing risk, empowering universities, co-ops, and individual farmers who work to develop successful policies.

It makes sure that every farmer and rancher has the tools necessary for risk preparation. Proactive steps such as these are needed at the Federal level.

Under current conditions, too many farmers are unable to afford crop insurance. When natural disasters strike, the Federal Government assists victims with taxpayer dollars.

By increasing Federal contributions to crop insurance, such insurance becomes more affordable and there is less need for taxpayer dollars for reactive solutions.

H.R. 2559 makes across-the-board reductions in farmer-paid premiums. The bill makes insurance that protects price as well as production more affordable to our farmers.

The bill also helps farmers who are hit hard by multiyear disasters to insure more of the yield of what they have proven that they can grow. These changes will help farmers from all regions growing all crops.

In short, Mr. Speaker, the Agriculture Risk Protection Act is a common sense, fiscally conservative bill. In passing the conference report, Congress goes a long way to properly prepare for natural disasters that impact agriculture production.

In conclusion, I would like to commend the gentleman from Texas (Mr. COMBEST), Chairman of the Committee on Agriculture, and the gentleman from Texas (Mr. STENHOLM) for bringing this measure before the House today.

Mr. Speaker, I urge my colleagues to support the rule and the underlying measure.

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

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

Mr. Speaker, I thank my dear friend, the gentleman from New York (Mr. REYNOLDS), for yielding me the time.

Mr. Speaker, I am in support of this rule. This rule waives all points of order against consideration of the conference report, H.R. 2559, the Agriculture Risk Protection Act of 1999.

This rule is necessary to allow the House to consider this conference report and will provide critically needed funding for rural America.

In essence, Mr. Speaker, this conference agreement will allow producers who participate in Federal crop insurance programs to buy better coverage for less money.

However, the conference report spends the funds set aside in the budget for crop insurance reform and for supplemental economic assistance. While these funds are badly needed in our ailing farm sector, the fact that for 3 years in a row the Congress has provided supplemental payments to agriculture points to the simple fact that our current farm policy is failing and needs a very thorough review.

Until there is such a review, Mr. Speaker, this conference agreement will help make crop insurance more useful to farmers who need protection from natural disasters and it will also provide a badly needed supplement to short-term farm income.

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

□ 1015

Mr. REYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in support of this rule and in support of the underlying conference report not only because of what the rule provides; I also want to make a comment about what the rule and the underlying measure do not provide. What they do not provide, what the underlying measure does not provide is the ability for this country and the agriculture economy that it serves to have an opportunity to have sanctions relief on food and medicine for five countries that we currently embargo unilaterally considered in the bill.

I have been actively engaged with our leadership and members of all committees of jurisdiction relative to the issue of lifting sanctions on food and medicine to try to accommodate some solution and reach some conclusion that would allow this marketing freedom to occur to our farmers. Unfortunately, my own leadership said no at the last minute. I am on the Committee on Appropriations and its Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

At the subcommittee level, we were able to insert language by an overwhelming vote that allowed sanctions on food and medicine to be lifted to assist our farmers and for humanitarian reasons as well. We went to the full committee a week or so ago and by a vote of 35–24 rejected a challenge to strip out this language that is going to help our farmers.

Now here we have come to the Committee on Rules and I understand later today there will be a rule on the agriculture appropriations bill. The language that was fairly and squarely passed through the appropriations process for literally the third year we have been working on this, but last night it was set up to be stripped out of the bill. So I am here to register my objection and my active participation in defeating the agriculture appropriations rule, not this rule. I am going to vote for this one and I am going to vote for the conference report.

But in reality, the lifting of food and medicine sanctions should be in this conference report. It is a vehicle that could have passed, but it was thwarted by our leadership. I am going to object to the Rules Committee action and hope my colleagues will vote against the rule on agriculture appropriations which comes up later today.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. COMBEST), the distinguished chairman of the Committee on Agriculture.

Mr. COMBEST. Mr. Speaker, I thank the gentleman for yielding me this time and for his comments and the comments of the gentleman from Massachusetts.

I want to say that I strongly support this rule and urge its passage and the accompanying conference report. I appreciate the Committee on Rules meeting so late yesterday evening and into the night in order to give us this opportunity today. This is a measure that we have been working on for about a year and a half. It is something that in fact needs as soon as possible to get into law so that the regulations can be written, so that the provisions of this program can be implemented for the coming crop year.

It is vitally important that American producers understand the assistance package that is coming, and it is very critical that this happen at this particular time. I want to again extend my appreciation for all of those members on the Committee on Rules who made this possible.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding me this time. This really is the second great day in a row for American farmers. Yesterday we passed PNTR, which will give us, our farmers better access to markets in China. Today we have a conference committee report that was signed by all 18 conferees. That does not happen very often here in Washington. And so in 2 consecutive days, we are seeing a tremendous display of bipartisanship on behalf of American farmers. Crop insurance reform is a very important issue. For too long it has been neglected by this Congress here in Washington, and so I am very happy to rise in support not only of the rule but of the bill. This is a great day for American agriculture. It follows on another great day yesterday. Hopefully, we can get those commodity prices up where they belong.

Mr. REYNOLDS. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. COMBEST. Mr. Speaker, pursuant to House Resolution 512, I call up the conference report on 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 512, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of May 24, 2000, at page H3763).

The SPEAKER pro tempore. The gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) each will control 30 minutes.

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

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

Mr. Speaker, I am extremely proud today to bring this conference report to the floor. With this single piece of legislation, we have the opportunity to strengthen farmers' ability to manage the risk the future may bring and to provide them the financial assistance that they badly need to cope with their immediate financial crisis.

H.R. 2559 began last year when the House provided the budget resources to overhaul and reinvigorate our ailing agricultural risk management system. The Committee on Agriculture then crafted, on a truly bipartisan basis, the most significant improvements in the crop insurance program in its history. The result last year was the House passage of legislation that makes risk management more affordable and more effective for more farmers. While the Senate was unable to pass a similar bill until this year, passage of this conference report today will ensure that producers will see the benefits of this major initiative beginning with the next year's crop.

In addition to sustaining the drive to secure future farm financial stability, this year's budget resolution also provides $7.1 billion in emergency economic assistance to farmers facing their third straight year of historically low prices. Recovering Asian markets and trade openings like yesterday's passage of permanent normal trade relations with China are optimistic signs for future prices.

But this year, farmers face a bleak situation. Providing temporary economic assistance now will bring a measure of economic stability to farm families as they struggle to regain markets and secure improved prices. Altogether, the elements contained in this conference report signal Congress' commitment to help America's farmers get through their current price crisis and to provide a more stable foundation of risk management for their future.

This has been a massive undertaking that would not have been possible without a broad bipartisan effort. I want to thank the gentleman from Texas (Mr. STENHOLM), the ranking Democrat on the committee who set aside partisan considerations to work for a year and a half to bring us to today's vote. His effort typifies the spirit of all 51 members of the House Committee on Agriculture to work tirelessly on behalf of American farmers. Our committee also owes a debt of gratitude to the whole House, who in two successive budget cycles recognized the need to focus special attention on one sector of our booming economy that is struggling. The work of the gentleman from Georgia (Mr. CHAMBLISS) and his colleagues on the Committee on the Budget made available the resources needed to bring this bill to the floor today.

Mr. Speaker, it is an honor to be a part of such a broad, sustained, and bipartisan effort to provide economic assistance and lay a stronger foundation

for the future of American farm families. I urge all of my colleagues to support the conference report to H.R. 2559.

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

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

Mr. Speaker, I rise in support of the conference report and to congratulate my colleagues on the Committee on Agriculture. I particularly want to thank the chairman for his work that he has put into this bill and for the inclusion of the minority and of all the members of the committee in the development of its provisions. The gentleman from Texas (Mr. COMBEST), the gentleman from Illinois (Mr. EWING), the subcommittee chairman, and the gentleman from California (Mr. CONDIT), the ranking Democrat on the subcommittee, are all to be commended for their efforts. While I support the conference report and encourage its adoption, I do have reservations about the manner in which the budgeted funds are being spent.

Mr. Speaker, the conference report's crop insurance provisions succeed in spending the funds that were allocated in fiscal year 2000 and 2001 budgets for risk management and income assistance. The bill's supplemental provisions succeed in spending the $7.1 billion reserve fund for agriculture as set forth in the fiscal year 2001 budget.

As someone who represents a rural agricultural area, I know how badly these additional resources are needed. Throughout the process of developing the crop insurance provisions of this bill, I have supported the idea that our crop insurance program needs to be strengthened and improved. While it was the will of our committee and of the House and Senate conferees that these funds should be dedicated to improvements in our current crop insurance program, the budget resolution made funds available for the broader purposes of income assistance and for risk management. In so doing, it provided a level of flexibility that would permit nearly any kind of agricultural assistance. I feel that this flexibility should have been used to meet a broader set of needs.

Likewise, Mr. Speaker, the reserve fund for agriculture in this year's budget could have been used for any manner of assistance for farm producers. Again, the conference report before us today ignores that flexibility. By spending the $5.5 billion available for this year entirely on additional AMTA payments, the bill fails to recognize other unmet needs. For example, payments to producers under last year's natural disaster assistance program were pro-rated because sufficient funds were not appropriated to make them whole. I would have dedicated some of the $5.5 billion to raising these payments, which would have provided assistance to producers of all commodities who suffered from disaster.

Without a doubt, the supplemental AMTA payments will provide assistance to agricultural producers who are suffering from economic disasters because of our failure to live up to our promises to provide them with opportunities from the marketplace. The criteria for receiving assistance are merely the possession of an AMTA contract, however; and this allows producers to receive a payment without demonstrating real need. I strongly believe that more fully funding the disaster payments would have been a better method for directing these funds to agriculture producers most in need. But my view was a minority view.

Mr. Speaker, I also believe that these allotted funds could be better utilized to establish an adequate safety net for producers. This year marks the third year in a row that Congress has been called upon to take extraordinary action to make up for the deficiencies of our current farm program. It is getting expensive. The fact that for 3 years in a row we are compensating producers for low prices seems to me to be a stark admission that our basic farm program is not working, just as multiple years of yield disaster aid shows that crop insurance is not working. Increases in the budget are a clear signal by our colleagues that these problems, income reductions as well as yield reductions, need to be addressed, and the crop insurance provisions of this conference report today do move in that direction.

In addition, Mr. Speaker, I must express my reservations in regard to the timing of this economic disaster assistance. As of right now, all we know for certain is that commodity prices are low. We have no hard numbers in regard to the extent to which we will need disaster assistance this year. Current outlook suggests that drought in the Midwest and the South will severely affect production. There is a possibility that supply and price relations could result in a situation where we have strengthened prices later this year.

I understand that these funds must be spent in a timely manner in order to meet budget requirements. However, I would have been more comfortable taking our time in order to fully assess the complete picture later this year. I am concerned that we may not be allocating the provision of economic loss versus crop loss in a manner that is most responsible to the actual conditions facing producers this year.

Our Nation deserves a long-term reliable farm policy. Taxpayers and agricultural producers alike should be able to know up front what kind of assistance they can expect and what the rules will be for distributing it. In terms of yield insurance, this bill makes some progress. Higher subsidy rates, for example, will lead to higher levels of participation in crop insurance, better indemnity performance for the producers who participate and hopefully less need for Congress to respond to weather disasters with emergency spending.

Absent from the bill, Mr. Speaker, is the other half of the picture. In this and the previous 2 years, our programs have left producers overexposed to price and weather disasters. The bill makes progress towards addressing yield disaster, but what about future price disasters? How much more will our government spend on ad hoc supplemental AMTA payments before we realize that a more rational, predictable policy needs to be in force?

Mr. Speaker, having pressed my reservations, I once again want to commend the gentleman from Texas (Mr. COMBEST) and all the members of the Committee on Agriculture and the conference committee for their work on this bill. Going into this progress, we agreed that short-term changes in crop insurance in this cycle would pave the way for a broad look at the entire program in the years ahead. I look forward to working with my colleagues in developing a crop insurance program that works better and a farm revenue program that meets producer and taxpayer needs.

Mr. Speaker, I strongly urge that my colleagues vote to adopt the conference report before the House today.

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

□ 1030

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

Mr. Speaker, one of the pleasures we have had in the past year and a half personally from this Member's standpoint has been the opportunity to work with and to have very open and frank discussions with not only my colleague on the committee, but my friend and my neighbor, the gentleman from Texas (Mr. STENHOLM), my neighbor not only the committee, but neighbor in Texas as well.

But there are a couple of points that I want to make, Mr. Speaker, in regards to the comments of the gentleman from Texas. I agree with the gentleman in the fact that we have problems in agriculture and problems that the program has its deficiencies. It was that recognition after the second year of the amount of money that was required in order to keep agriculture afloat in this country that our committee embarked on a series of hearings across this country to listen to farmers, to get their input on what is good and what is bad about current farm policy.

We have just concluded in the past 2 weeks 10 of those hearings, and I will say my friend and partner, the gentleman from Texas (Mr. STENHOLM), accompanied me on all 10 of those. We were the only two members on the committee able to attend them all. But it was for the express purpose of going out and listening to farmers.

We heard a number of suggestions, but a couple of the things we did hear, that I think resonated throughout, was the fact that it has been the assistance that Congress has provided over the

last couple of years that helped tremendously, keeping farmers in business. Another was the need for a dramatic reform in crop insurance. I think today's activity and legislation addresses both of those in a very significant way.

I think we need to have a better way to make this delivery, but I will say that given the fact that this is paid in this fiscal year, given the fact that it has to be deliverable in a timely fashion, there have been a lot of discussions with people from the outside and others about a need to make a change in the delivery process. I am very open to looking at that change. There has been a lot of discussion about it. It has not come forward. We will continue to look at it in any possible way we can do the job better.

But I do not want those listening to this conversation to believe that this is not something that is strongly supported by commodity groups all across this country. There has been virtually unanimous request for making the payments from commodity groups in the fashion that is provided for in this legislation. It does ensure that farmers do know exactly what it is they are going to get, they know exactly when they are going to get it, and that helps them tremendously in their financial obligations and considerations and concerns that they have to deal with today.

I think that, given the fact that we are dealing in an area that has tremendous concerns and problems, agriculture, that this is a very healthy and a very positive response to those concerns.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BARRETT), the vice chairman of the committee.

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, after 8 weeks of negotiations and countless hours of discussions between the House and the Senate Agriculture Committees, I am more than pleased to rise today in support of the conference report on the Agriculture Risk Protection Act. The conference report on H.R. 2559 is really an excellent piece of legislation that accomplishes what we set out to accomplish, that is, making crop insurance more affordable and easier to use for all of our producers.

Under the leadership of the gentleman from Texas (Chairman COMBEST), and, yes, the ranking member, the gentleman from Texas (Mr. STENHOLM), the House Committee on Agriculture listened to producers' suggestions, complaints and stories of fraud. We then developed and passed the bill, with the help of the Committee on the Budget, to address those concerns and greatly improve the program.

I am pleased that the conference report will increase premium subsidies for producers, address actual production history discrepancies, fund research and development for new insurance policies and products, and make certain that the program is not fraudulently used or abused. Producers have asked for many of these changes for many years, and I believe we have something that they will want to use and that is in fact helpful to them.

Also the conference report includes a much-needed economic assistance package for agriculture. As has been mentioned, while the economy as a whole has been booming, American producers have faced low prices for nearly 3 long years. With this conference report, we are responding with concrete policies and necessary financial assistance. Congress' willingness to provide assistance again this year demonstrates our commitment to farmers, ranchers and to rural America.

Even though many of my colleagues may not have farms or ranches in their districts, agriculture is vital to every American and every congressional district. So thank the farmer, when you can. They feed us all.

Mr. Speaker, I urge my colleagues to support this conference report. Combined with the economic assistance package, it will provide the help producers need to meet the challenges of today's poor agriculture economy.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I want to, first of all, thank the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. COMBEST), and the distinguished ranking member, the gentleman from Texas (Mr. STENHOLM), for the great work they have done and the leadership they have provided for all of American agriculture.

Mr. Speaker, I rise today in support of the Agriculture Risk Protection Act and in support of the emergency assistance contained in this bill. Food and fiber production in this country is a national security interest, second only to national defense. Every citizen of this country benefits from the safest, most affordable and most abundant food supply in the history of the world.

Americans spend less of their income on food than almost any other country in the world. This is a direct result of the productivity of American agriculture. When agriculture is suffering through difficult times, such as the times of low commodity prices that we face now, it is essential that Congress and the President act to preserve agriculture productivity. Farmers need emergency assistance right now to stay in business.

Mr. Speaker, I urge my colleagues to vote in favor of this bill, so that American agriculture is able to continue to fuel the economic development of this country by providing a reliable, reasonably priced food supply.

This bill also makes the Federal Crop Insurance Program a better risk management tool for America's farmers. Farmers will pay less for crop insurance at every level of coverage as a result of this bill. By offering increased premium subsidies, this bill encourages farmers to purchase crop insurance and protect themselves against low yields and weather disasters.

This bill also goes a long way towards reducing fraud and abuse in the crop insurance system. For years this has been a problem that has plagued the system by those who attempt to fraudulently gain payment through crop insurance. This bill provides stiffer penalties to attempt to root out this abuse. I have always believed that crop insurance was not a viable tool because it was ridden by this fraud and abuse, but this bill greatly helps this problem.

Mr. Speaker, I urge my colleagues to vote yes on this bill.

Mr. COMBEST. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. SMITH).

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

Mr. SMITH of Michigan. Mr. Speaker, American farmers and ranchers are at risk. Let me briefly try to explain what I see as the problem and how this legislation partially provides a solution to part of that problem. We are at record low commodity prices, some lower than they have been for 30 years. The world is overproducing some of these commodities and prices are way down.

Part of the problem for the survival of our agricultural industry in this country is going to be how much other countries subsidize their farmers. Right now we are in a situation where Europe, for example, subsidizes their farmers five times as much as we subsidize our farmers, and much of that encouraged production goes into what otherwise might be our markets. So the American consumer, America, this Congress, is faced with some decisions of are we going to do what is necessary to keep a viable, strong agricultural industry in America.

This legislation encourages farmers to take out more insurance, insurance that covers not only yields, helps to ensure against low-yield disasters, but also helps to ensure against the prices they might receive for that particular commodity. We do that by increasing subsidies for some of these farmers so that in the beginning, as we start experimenting in this new crop revenue insurance endeavor, we are better able to encourage more farmers to move into that arena.

This kind of legislation, I think, is very important as part of our effort to start remodeling, refashioning where we go in future agricultural policy.

Mr. Speaker, I thank the chairman and the ranking member for their leadership.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL), a sponsor of the biomass legislation in the House, H.R. 2819, and who also contributed to the biomass provisions that are contained

in this conference report. I want to thank the gentleman for his hard work on this issue.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, let me just begin by thanking the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their work on this important measure. I want to remember my friend Lou Entz from Colorado, who suggested in the spirit of this legislation that if you eat, you are involved in agriculture, and those of us that live in suburban districts need to remember that.

But let me talk about title IV, the Biomass Research and Development Act. Last year the gentleman from New York (Mr. BOEHLERT) and the gentleman from Minnesota (Mr. MINGE) joined me in introducing the House version of this legislation. We were joined shortly thereafter by the gentleman from Illinois (Mr. EWING), who introduced his own version of the legislation.

The two bills had much in common. Both recognized the increased contribution that biobased industrial products can make to our economy, if and only if appropriate research was put into place. Both realized the increased need for cooperation among the Departments of Energy and Agriculture and the private sector in conducting the research and ensuring it leads to new product and new jobs. Both recognized the importance of the conversion of cellulosic biomass, which consists of any plant or plant product.

Cellulosic conversion is particularly important to the State of Colorado because of the potential threat of wildfires. We have seen the effect of wildfires over the recent weeks in New Mexico, and there is much more we could do to make these materials available through commercial markets.

In Colorado, the Colorado Forest Service, the U.S. Department of Agriculture's Forest Service Laboratory, and the National Renewable Energy Lab began to study the possibility of developing ethanol or other bioproducts economically from this wood fiber.

I am especially pleased to see that the version of the legislation before us incorporates important concepts from the Udall-Boehlert-Minge bill. Peer-reviewed research, sensitivity to the effects of increased bioproduction on the environment, and an emphasis on the economics of bioenergy and biobased industrial projects are all featured prominently in the legislation.

The definition of biomass is limited to organic matter that is available on a renewing or recurring basis, and therefore would not include old growth forests or other environmentally sensitive ecosystems.

Mr. Speaker, I urge passage of this important bill.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS), a member of the committee who has been very involved in this entire process.

Mr. LUCAS of Oklahoma. Mr. Speaker, I would like to thank the chairman and ranking member for all their work and all their efforts on this legislation. It includes three initiatives that will greatly benefit Oklahoma producers. We reform the crop insurance system, we double the AMTA payments, and we include LDP graze-out language. This legislation is a big win for Oklahoma producers.

I would especially like to thank the gentleman from Texas (Chairman COMBEST) for his help in including the LDP graze-out language, which I introduced last August. This legislation is the single most important issue for Oklahoma producers.

Currently, producers are eligible for a loan deficiency payment if their wheat crop is hayed, put into silage, or cut for grain. However, if a producer chooses to graze out his wheat crop, he does not qualify for the LDP payment and is left at an extreme disadvantage. Oklahoma producers have been calling for Congress to correct this inequity for some time. H.R. 2559 includes language that will allow producers to collect a payment equivalent to LDP if they opt to graze out instead of putting their wheat into hay or through the combine.

I encourage all my colleagues to support this very important legislation. This legislation provides more flexibility and options for our producers.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, I also want to congratulate and compliment the chairman and the ranking member for their cooperation in working on this legislation, but also I want to congratulate all the conferees who were involved in this, because this has been an issue that our farmers nationwide have suffered through, in not having a way of managing risk. We are gathering some information right now from North Carolina to compliment what I am saying because I know in North Carolina the current structure did not allow for this risk management that we have now to speak to the needs.

□ 1045

We went through endless floods in North Carolina, so our farmers indeed not only suffered the risks of droughts they had years before, but they also had to manage losing their crops, and many of them lost their crops and found no way of having any compensation.

This bill is not perfect, but it is certainly moving in the right direction; it includes a broad base of opportunity for a larger number of people; it takes out some of the inequities that are in the current law; and it also is a welcome opportunity for the farm service people who are administering this program, because they find they are able now to respond more appropriately to the farmers.

Again, I want to congratulate all of the people who were involved in making sure that this came to the floor in a timely manner, and I hope that it will become law very soon so that our farmers can indeed benefit from this.

Mr. COMBEST. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, I am very pleased to rise today in support of the conference report on this important legislation. I particularly want to focus attention on a provision in this conference committee report in title 4, which encompasses legislation I previously introduced known as the Plant Protection Act.

This legislation is designed to address a very real problem facing American agriculture. The United States loses thousands of acres and billions of dollars in farm production each year due to invasive species. Exacerbating this serious problem are the outdated and fragmented quarantine statutes that govern interdiction of prohibited plants and plant pests. Our agricultural sector needs a modern, effective statutory authority that will protect our crops from these destructive invasive species.

It was for this reason that I introduced the Plant Protection Act. This legislation, crafted in consultation with the USDA, will help to prevent the introduction and dissemination of invasive plants and pests by giving the Animal and Plant Health Inspection Service greatly enhanced investigatory and enforcement tools. The Plant Protection Act will streamline and consolidate existing statutes into one comprehensive law and eliminate outdated and ambiguous provisions. It will also boost deterrents against trafficking of prohibited species by increasing monetary penalties for smuggling, and it will provide USDA with a comprehensive set of investigatory tools and ensure transparency for our trading partners.

Mr. Speaker, I believe that this provision of the conference committee report is an important step forward in protecting American agriculture, and I thank the chairman for his support for this.

Mr. STENHOLM. Mr. Speaker, I have no additional speakers on the floor at this time, and I reserve the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS), the vice chairman of the Committee on the Budget.

Mr. CHAMBLISS. Mr. Speaker I thank the gentleman for yielding me this time.

In 1996, we crafted a new farm bill wherein we told the American farmer

that the Federal Government is going to change the way that we participate in farming operations. At the same time we did that, we said we are going to do some other things. We are going to provide the farmer with tax relief. We are going to provide the farmer with regulatory relief. We are going to provide the farmer with crop insurance reform, and we are going to provide the farmer with better trade agreements so that farmers can, in fact, sell their products for a decent return on the open market.

Well, unfortunately, it has taken us a while to get there, but yesterday, with the vote that we had on the China trade agreement, we are now opening markets in China to the American farmer and it will be a tremendous benefit for farmers all across America.

Today, we are taking another giant step in the right direction. The gentleman from Texas (Mr. STENHOLM) is right in a couple of areas when he says we are not doing everything from a legislative standpoint to make farming easier and make farming more prosperous, because we cannot do that, but these are steps in the right direction.

What we are doing today with crop insurance reform is really significant, and every American farmer knows and understands that. This has been a team effort. It has been a team effort between leadership and the Committee on Budget as well as the Committee on Agriculture, and our two captains, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) have done a great job of leading the team down the field. I commend them for the work they have done on this with respect to crop insurance reform.

The other part of this bill in providing up-front money to our farmers for this year is extremely important also, because we know that 2000 is going to be a tough year for farmers all across America. I do not know how much money it is going to take to make sure that they can survive this year, but this is going to be another meaningful step in the right direction, because it is going to be money in the hands of the producer. That is critically important. It is critically important now, as we are facing droughts, as we are facing lowest commodity prices that we have ever seen.

So again, this bill provides a double hit for the American farmer with respect to crop insurance reform, as well as with respect to money in the hands of producers to help improve the year 2000. I commend the chairman and the ranking member for their great leadership.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CONDIT), the ranking member of the Subcommittee on Risk Management, Research and Specialty Crops, that did yeoman's work on the crop insurance portions of this.

Mr. CONDIT. Mr. Speaker, I would like, if I may, to engage the gentleman from Texas (Mr. COMBEST), the chairman of the committee, in a colloquy if he would agree to do that.

Before I do that, I would first like to thank the chairman for the hard work he has put in in bringing this conference report to the floor. He kept us focused and kept us at the table, and I appreciate that. I also would like to congratulate and commend the gentleman from Texas (Mr. STENHOLM) for his hard work and the time that he put in keeping us focused and at the table, as well as staff on both sides of the aisle. They are to be commended for their time and effort in this area.

Mr. Speaker, I know that the chairman is aware of the illegal activities undertaken by the Department of Agriculture employees at Hunts Point Terminal. These illegal activities have resulted in grave economic losses for produce growers throughout the country. I look forward to working with the chairman to determine the exact scope of the illegal activities so that we may adequately reimburse produce growers for their losses.

It is my hope that the committee can fully examine this matter as soon as possible, and I would encourage the chairman and wait for his response to indicate that he would be willing to take a look at this.

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

Mr. CONDIT. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Speaker, I appreciate the gentleman's comments. Not only is the chair aware but extremely concerned about what did go on in the grading program. While I regret that we were unable to include funding in this particular package for the economic damage that these growers incurred, I agree that both the House and the Senate committees should immediately consider ways that we can help these growers recover their economic loss. It is a travesty that this loss occurred as a result of illegal action by Federal employees. I assure the gentleman I will work with him in every way I possibly can.

Mr. CONDIT. Mr. Speaker, I thank the gentleman.

Mr. COMBEST. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Texas (Mr. COMBEST) has 15½ minutes remaining, and the gentleman from Texas (Mr. STENHOLM) has 16 minutes remaining.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE), a very important and active member of the committee.

Mr. THUNE. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I want to thank the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their leadership in bringing this to the floor.

Let me make a couple of observations, if I might, about this legislation. First of all, crop insurance should be the risk management tool that is used by our producers. Unfortunately, it has not been because it has not worked. Producers have expressed a lot of frustration about the crop insurance program and have asked for changes. In response to that, last year I introduced, along with the gentleman from North Dakota (Mr. POMEROY), legislation to do just that.

Many of the changes that are incorporated in the product that we will vote on today are consistent with those proposals, one of which deals with the premium schedule in providing more incentives for producers to buy up the higher level of coverage, and this legislation addresses that important point.

The second point that was a real concern to producers in South Dakota and other places in the Midwest was the computation of the actual production history. This legislation also makes important changes in that area that will make it more usable for producers.

So, Mr. Speaker, I would say that this is important legislation. The reforms that are included in here will be very helpful to our producers. It will give them what they need in terms of having a risk management tool in place that will allow them to ride out the storms that are often the case in agriculture across this country.

The other thing I would say, Mr. Speaker, is that the disaster legislation includes a provision which is very important to me and which I have been fighting for. And I appreciate the conferees and the chairman for including a piece in this disaster legislation on value-added agriculture, because I do believe that our producers need to be reaching up the marketing chain capturing more of that value by processing our raw commodities at the point of production. We need to encourage that in this country.

So this legislation, I think for the first time, lays down a marker and provides incentives for our producers to become more involved in value-added operations; and, furthermore, I think will help strengthen our rural economies by helping to create additional jobs and opportunity in rural America.

So, Mr. Speaker, I would simply say that this is a good piece of legislation. I appreciate the leadership by our chairman and ranking member, and I urge my colleagues to support it.

Mr. STENHOLM. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise today in support of this, and I appreciate the work of everybody that was involved. I want to especially thank the chairman and ranking member for all of their leadership in bringing this important piece of legislation to my district to the floor.

This crop insurance reform has been something we have been working toward for a long time, and it is going to

make some significant improvements. It is not as good as our people would like, but it is going to move us a long way in the right direction. We are going to be able to get at some of the problems that my producers have had where we have had losses 6 years out of the last 7; and the current system just, frankly, is too expensive and they cannot get enough coverage.

I particularly appreciate the conference committee yesterday including a provision that I have been concerned about that affects a lot of producers around the country where if one has a change in one's identification number, just because maybe one of two brothers were farming together and one of them happened to get out of the business and the one remaining changed that identification number, the remaining farmer is precluded from receiving disaster payments. In the conference report yesterday we adopted an amendment that I proposed that will allow those people access to the disaster program that they were denied.

Another provision that is in the bill that is going to be helpful to us allows the people that have had problems with scab disease up in our part of the world are going to be able to improve the APH so that they can get more coverage and be able to better and more adequately insure the risk to their crops. We are very appreciative that that language is in the bill as well.

This bill, as I said, does not go as far as I would like, but it is going to significantly improve the situation. I hope that we can continue to work on crop insurance to try to get a workable revenue coverage so that we can get farmers to be able to cover all of their crops.

Lastly, Mr. Speaker, I would like to comment on the assistance part of this. Yesterday in the conference committee, we tried to change a little bit of the assistance package. We are very appreciative that the assistance is in here. But if we were to use the 2000 payment levels, we would have had an additional $366 million that we tried to use to buy up last year's disasters where people were limited to 69 percent of the disaster that they actually had occur and bring that level up to 85 percent which is what we did in 1998.

Unfortunately, that was not accepted, and I think this would have been a much better bill. Had we made that change, we would have put more of this money out to people that really needed it that have had multiple-year disasters and are having a very tough time such as up in my part of the world, in the Northeast and Southeast and so forth.

Mr. Speaker, on the whole, this is a very good piece of legislation and I want to commend the chairman and ranking member and everybody else for their work; and I encourage the adoption of this conference report.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), a former member of the Committee on Agriculture and a gentleman who still has an extreme interest and is a tremendous amount of assistance on agricultural matters.

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

Mr. CAMP. Mr. Speaker, I rise today in support of this conference report. This legislation will provide needed protection for our farmers who have struggled with low commodity prices and weather-related disasters. I want to thank the chairman for his continued work to help our family farmers.

There is another part of this legislation that is very important to the farmers in my district and throughout the State of Michigan. This legislation will provide $6 million in emergency funds to combat bovine tuberculosis.

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Bovine tuberculosis has historically been a very rare disease in wild deer. However, extensive testing in Michigan found the disease had spread throughout the deer population, and these deer have passed on the disease to our cattle herds.

There is no vaccine for bovine TB, and cattle infected with TB are destroyed. In addition to the fear of losing their herds, Michigan farmers are now facing the news that USDA has taken steps to remove Michigan's bovine TB-free status. The loss of that status is expected to cost farmers $156 million over the next few years, and that is a conservative estimate.

The State of Michigan, USDA, and Michigan State University have worked hard to address this escalating problem. These emergency funds being appropriated today will assist in providing the tools necessary to continue fighting this disease and provide relief to Michigan farmers.

Again, I want to thank the gentleman from Texas (Mr. COMBEST). I would like to thank the entire Michigan delegation for their work on this issue, and I would especially like to recognize the efforts of the gentleman from Michigan (Mr. STUPAK) from the first district of Michigan. The first outbreaks of this disease began in the first and fourth districts, the districts he and I represent; and since that time his commitment to this issue has been unwavering and a great help.

Again, I urge my colleagues to support final passage.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding me this time.

Mr. Speaker, I rise today to voice my support for this conference report and express my gratitude to those who have included in this the $7.1 billion economic relief package for farmers. I do not need to tell anyone here how sorely this assistance is needed. For decades, North Carolina has been one of the most prosperous and productive agricultural States in our country, but then came the Asian economic crisis that sent commodity prices crashing down, followed by Hurricane Dennis, then Hurricane Floyd. Then came the floods which paralyzed eastern North Carolina. Then came Hurricane Irene. Then came steep cuts in tobacco programs.

Now what do we have to look forward to during this summer? The forecasters say that it will be another severe drought and another active hurricane season. Our farmers have been through a lot, and this emergency funding could not come any too soon.

Farming is more than a way of making a living. It is a way of life. It is our responsibility to take these actions that will protect the heritage and character of rural America and preserve our farming communities.

I want to thank the bill managers, the chairman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM), the ranking member, for their leadership in helping to craft and guide this assistance package. The Committee on Agriculture has a long history of bipartisan cooperation, and I am proud to be a part of that honorable tradition.

I believe the underlying crop insurance bill will reduce fraud and abuse and expand the insurance coverage and make premiums more affordable to our farmers. However, it will not solve all the problems facing the agricultural community.

Crop insurance reform and emergency funding is only a bridge leading us to the real issue, and that is fundamental reform of the 1996 Freedom to Farm Act which expires in 2002.

As Congress continues the debate on Federal farm policy, I remain hopeful that Congress can produce legislation that will strengthen our Nation's safety net for our farmers so emergency aid packages will no longer be necessary except in the most dire of circumstances. I look forward to that debate.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN), a very active and significant member of this committee.

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Texas (Mr. COMBEST) for yielding me this time.

Mr. Speaker, I thank the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their leadership. The longer I serve on the Committee on Agriculture, the greater respect I have for the leadership that is provided.

I particularly appreciate the hearings that have been held across the country and the willingness to listen to everyday producers, farmers, and ranchers across our Nation, including the hearing we held at the Kansas State Fair in September of 1999.

The provisions included in the crop insurance reform aspect of this conference report alone would be something that we could come to the House

floor very proud of today, and they do move us in the right direction. Crop insurance has needed reform for a long time, and this committee on the House side has worked long and hard to make that happen.

In addition to that, and I hope it does not get overshadowed, in addition to that this conference report will provide disaster assistance for farmers desperately in need of that assistance.

With the failure for us to reach agreements in WTO and reducing subsidies by the European communities and others, with the failure of our ability to reduce taxes and reduce rules and regulations that affect farmers in their everyday lives and their pocketbooks, and with continued low commodity prices, on top of increasing costs for fuel and the Federal Reserve continually raising the interest rate, there is no question but what we would lose another generation of farmers without the assistance provided in this package.

I am particularly delighted that it comes to us early in this session. I thank the Committee on the Budget, and I thank the Committee on Agriculture and the leadership of the House for making certain that our farmers and their bankers know early in this year whether or not there is going to be assistance that is provided to them.

So this is a good day. Crop insurances, disaster assistance and the many provisions contained in this legislation will make a difference in the everyday lives of farmers and ranchers across the country; and we will keep, in place, this generation of farmers now and for the future.

I look forward to working with this committee because our farmers want something more than disaster assistance. That is not what they really want. They want a price for their commodity.

We have a long way to go to help insure that that opportunity is there. This is a step in the right direction, and we have our work cut out for us. I look forward to working with the gentleman from Texas (Mr. COMBEST) today, tomorrow, and every year. I thank the gentleman for this conference report.

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Speaker, I would say to the chairman, the ranking member, the conference committee, I cannot express enough gratitude to them for finally completing the work in bringing this very, very important piece of legislation to the floor for the consideration of the full House.

We need a risk protection tool to repair the safety net that our farmers have had torn away from them. We have been working on this bill for some time, and I am just delighted that finally we are able to get to the point where we can go home and tell our farmers that we have accomplished our work.

This will repair that safety net. It will reward good farming experience, much as we reward good drivers for driving safely. It is more affordable. There will be more coverage, and it will pay for the cost of production losses when there is a disaster.

The most important thing that I like, and what our farmers in Georgia like, is the APH, the adjusted production history, which is a part of this bill; and we are very, very, very pleased with that.

We are pleased with the short-term relief that is being given in the emergency payments for the oil seed producers, the cotton seed producers, and for the disaster assistance for our peanut farmers.

I think we have done a very good job here, and I want to commend, again, the chairman, the ranking member, and the conference committee for a job well done; and I am so glad that we are finally able to get it accomplished.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CALVERT), another very active member of our committee.

Mr. CALVERT. Mr. Speaker, I rise today in strong support of this conference report, the Agricultural Risk Protection Act of 2000. This legislation goes a long way to assisting our farmers. I want to thank both the chairman and the ranking member, the gentlemen from the great State of Texas, for moving this conference report forward. I am especially pleased that $25 million was included to compensate growers for losses resulting from Pierce's Disease, plum pox, and citrus canker. My district has been hit hard by Pierce's Disease, which is transmitted by the glassy-winged sharpshooter. The disease attacks grapevines and is spreading at a rapid rate through Southern California, the gateway of one of the premier wine regions in California, as well as threatening the wine regions in the northern part of the State.

It is estimated that 25 percent of the 3,000 acres of vineyards in Temecula have been destroyed to Pierce's Disease. Pests are not new to California and to this country. It is estimated in California alone we will lose about $3 billion in losses just because of pests. Pests are introduced in California, new pests, every 60 days. This assistance will help our growers to fight these pests and to struggle through a tough period.

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding me this time.

Mr. Speaker, I want to begin by commending the gentleman from Texas (Chairman COMBEST) and the gentleman from Texas (Mr. STENHOLM), the ranking member, for this legislation and the inclusive process they initiated that brought this legislation about.

This is my fourth term as a Member of this Congress. In my view, the crop insurance piece of this package before us reflects the very finest dimensions of bipartisan corporation on difficult problems that I have ever experienced as a Member of this body. It really took extraordinary leadership from the gentleman from Texas (Mr. COMBEST) and I appreciate it very much.

Bottom line, this legislation brings farmers higher levels of coverage of premiums they can afford. Farmers risk an awful lot of capital every year, and they need to protect that risk with crop insurance that gets the job done. This higher coverage at affordable premiums will take a big part of that.

Additionally, when farmers lose several years in a row because of weather cycles beyond their circumstance, they require the ability to continue to have adequate coverage. We fix the APH flaw in the existing program with this legislation, and it will mean much better protection going forward for farmers in that regard.

Finally, as has been alluded to by previous speakers, the disaster response contained in this legislation responding to the continued low-price environment our farmers face is also extremely important. Imagine, when it costs more to grow the crop than one can get paid for at the elevator after harvest time. Nobody can stay in business very long under those circumstances.

We need to build over the long haul countercyclical price protection in the farm program so that we do not have to go through this exercise of appropriating every year disaster assistance; but in the meantime this help is desperately needed, very meaningful.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EWING), the chairman of the subcommittee where this process all started back a year and a half ago.

Mr. EWING. Mr. Speaker, my thanks to the gentleman from Texas (Mr. COMBEST) and to the gentleman from Texas (Mr. STENHOLM) for all the work and effort they have put in in coming up with a bill which really has a lot in it for American agriculture.

This is truly a remarkable week for agriculture. With the passage of permanent normal trade relations with China yesterday, today the passage of this bill, which has more in it than just crop insurance reform, and then possibly on to the appropriations process for agriculture, this truly is a remarkable week.

I want to comment just briefly on the bill and its underlying basic part, that dealing with crop insurance, because this is what we promised our farmers when we passed Freedom to Farm, one of the important things.

We would give them a safety net, and I believe that the provisions of the crop insurance bill, as amended in this bill, provide truly a magnificent improvement to that safety net.

We are going to allow our farmers to insure at higher levels. We are going to guarantee they can insure what they

grow or what they should be able to grow on their land, and we are going to do it at a cost that is significantly reduced.

Also in this bill, though, is a very important thing and other speakers have talked about how we are going to let our farmers know that they are going to have some help in these bad times, again in 2000. The lost market payments that are in this bill are very important to agriculture across the country and certainly in Illinois.

Finally, in this bill is a provision that was part of the bill that I introduced. We called it the biomass bill. Senator LUGAR introduced it in the other body and it has been incorporated into this bill, and it is going to provide research to find uses for what we grow in America, alternate products. This bill contains a lot of good parts and I certainly encourage everyone to vote for it.

The Conference Report to the Agricultural Risk Protection Act is of immense importance for America's agricultural producers. The $8.2 billion provided in the bill for crop insurance over the next 5 years will lead to increased program participation and help to decrease the need for ad hoc disaster bills.

This legislation will increase by 30 percent the amount of government assistance in purchasing crop insurance. Many producers have wanted to purchase higher levels of coverage, but because of the high costs of premiums they have been unable to afford the high costs of premiums. The bill will allow producers to buy levels of crop insurance that actually protect them from the unpredictable forces of mother nature.

The conference agreement also ensures that farmers' actual production history will be adjusted so that APH won't drop by more than 60 percent of the transitional yield in any particular year.

Further improvements will allow livestock producers to develop pilot insurance programs for the first time. This will be extremely important to those producers since livestock revenue accounts for nearly half of this nation's producer revenue.

One of the issues we heard over and over during Subcommittee and full Committee hearings throughout the country was that producers wanted cost of production policies. This bill provides the ability for the development of cost of production policies.

Additionally, the Conference Report makes revenue insurance such as CRC, which is important to producers in Illinois and many other areas of the country more affordable, thereby giving them the ability to protect their projected revenue flow.

Everyone involved in the federal crop insurance has stressed the importance of preventing fraud and abuse. The Agricultural Risk Protection Act deals with concerns voiced over program integrity.

The Risk Management Agency and the Farm Service Agency will be required to work together to ensure that records for crop insurance and other programs are accurate.

The Secretary of Agriculture is required to submit an annual report that identifies specific instances of fraud, waste, and abuse and outlines the steps taken to correct these problems.

The Secretary will have the power to use a broad range of sanctions against producers, agents, loss adjusters, and insurance providers who are committing fraud or abuse.

The conference agreement reflects the intention of the Committee to make the program more efficient and accountable in both its administration and development of new policies.

Rather than having the government develop all new insurance policies, this legislation gives producers and their representative organizations the ability to work with companies, agents, and universities to development crop insurance policies that they believe are more attractive and workable. These groups will be reimbursed for their costs if the end product is approved by the Federal Crop Insurance Corporation's broad and then offered to producers by an approved crop insurance provider.

Many specialty crops have indicated their desire to have policies that are better suited to their particular needs and this provision will help to accommodate their wishes.

For those underserved crops with limited resources, the FCIC may contract with private groups to help develop new policies.

These provisions are designed to provide that producers will be able to have policies that help them address their business risks.

The Conference Report to the Agricultural Risk Protection Act also contains a number of provisions that reach beyond crop insurance. I will briefly outline these provisions that are of considerable importance to my producers in Illinois.

Contained in the agreement is $7.1 billion in economic assistance to the agricultural sector. Nearly $5.5 billion dollars in Agricultural Market Transition Act (AMTA) payments will help our family farmers remain financially solvent as they weather through current low commodity prices in our agricultural economy. Many of my farming constituents have told me that without these market loss payments they have received in the past two years, their family farms would have been extremely difficult to hold onto.

This legislation also provides for a $500 million oilseed payment which will benefit farmers in my district as they continue to deal with soybean prices that are hovering at a nearly thirty year low.

The bill invests funds into the research of technology for reducing, modifying, recycling, and utilizing waste streams from livestock production and eliminating associated air, water, and soil quality problems. This research is vital as our suburbs expand into our rural areas, and the concerns of odor and sanitation issues take on a new importance.

The Conference Report contains legislative language comparable to a bill I introduced last year, H.R. 2827, the National Sustainable Fuels and Chemicals Act of 1999. Much of the language is similar and all of the goals are identical. The Biomass Research and Development Act of 2000 is a bicameral, bipartisan effort to authorize research into the transformation of biomass into biobased industrial products.

Biomass is any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues (including material removed from so-called old growth forests), plants, grasses, residues, fibers, animal wastes, municipal wastes, and other waste materials. By investing in research of biomass, we may be creating an additional market for farmers' products in the long term. Research created by this legislation will help to add in the expedited development of alternative fuels that are environmentally friendly.

The conference agreement both authorizes and appropriates funds to complete the construction of a corn-based ethanol pilot plant in Edwardsville, Illinois, at Southern Illinois University. This pilot plant will be beneficial to the ethanol industry and corn producers.

I urge my colleagues to support the Agricultural Risk Protection Act to help producers help themselves to better risk management strategies. The Conference Report to the Agricultural Risk Protection Act is of vital importance to all of agriculture.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, I would like to thank the ranking member and the staff for all of their hard work, and also the chairman of the subcommittee and the full committee for being able to work together in regards to these reforms. They have been a long time coming. The Agricultural Risk Protection Act of 2000 has a lot to commend it, but more can and should be done in the future.

We are seeing the failure of our current farm policy. The legislation that we have before us does not go far enough in providing risk management reforms to strengthen that safety net, but I would like to thank all those involved in working together to try to help raise the farmers' income, primarily with specialty crops.

The bill contains improvements to the noninsured disaster assistance program. It provides solid investment in research and development for new policies while benefiting specialty crops in underserved States. Those are reforms that my farmers can appreciate.

I am disappointed that we did not change the formula for the AMTA payments, and I would have rather seen a portion of that money being spent on the disaster programs that have occurred and particularly with apples and with potatoes.

Our farmers should not have to live with payments amounting to just 65 percent of their disaster losses.

Helping farmers add value to their crops is one sure way to stabilize the economies of rural America.

□ 1115

I would like to thank the conferees. I have submitted legislation and amendments dealing with value added, and the component of $15 million will go a long way in helping producers to be able to add values, both to their harvest and markets, and to help them to find those markets all with forest products, with potatoes, with blueberries, and cranberries.

The enactment of this section will go a long way to making sure that farmer cooperatives are going to be able to have value added and be able to have access to those markets. I think they are vitally important.

I want to thank the gentleman from Texas (Mr. COMBEST), chairman, and the gentleman from Texas (Mr. STENHOLM), ranking member, and the staff itself for working together on this; and I seek to work with them also as we advance into agriculture appropriations.

Mr. COMBEST. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from North Carolina (Mr. HAYES), a very valued member of our committee.

Mr. HAYES. Mr. Speaker, I thank the gentleman from Texas (Chairman COMBEST) for his tireless and enthusiastic effort for our farmers from Lubbock, Texas and the gentleman from Ericksdahl, Texas (Mr. STENHOLM), the ranking member.

Mr. Speaker, today I rise in enthusiastic support of the first comprehensive crop insurance reform since 1994 as well as much needed economic assistance to our farmers, and it could not have come at a better time.

Our Nation's farmers and ranchers are suffering from over 3 years of record-low commodity prices, drought, and many other natural disasters leading to financial stress. In North Carolina, USDA estimates an 18 percent drop in farm income this year for 1999 levels. In addition, our producers will continue to be greatly affected by increasing interest rates that make farm loans more and more expensive. I am happy to see that we have addressed these problems with disaster assistance also included in this bill.

The $7.1 billion slated to be paid to producers will help to offset the financial difficulties they are going through. The reforms made to crop insurance will also aid our farmers.

More than 2 years ago, the gentleman from Illinois (Mr. EWING) joined me in Laurinburg in the North Carolina eighth district to work on this issue of crop insurance, and here we are today. It is a great day for farm community. The chairman and ranking member and all the staff worked so hard for years to produce this very, very effective bill.

The bill increases premium subsidies in such a way to provide producers the incentive to buy higher levels of coverage and improve participation in the program.

In addition, the bill provides incentives through the development of new and innovative insurance products so that we continue to provide our producers with the best tools possible. Fraud, waste, and abuse also addressed in the bill go a long way towards restoring integrity to the program.

Mr. Speaker, again, I thank the gentleman from Texas (Mr. COMBEST), chairman, and the gentleman from Texas (Mr. STENHOLM), ranking member, and all involved for a wonderful bill. I encourage my colleagues' support.

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I rise today to thank the conferees for bringing forth this bill and the $6 million included in this bill for Michigan to fight bovine tuberculosis.

These funds are an important first step in combating an outbreak of bovine tuberculosis in Michigan. Bovine TB is spreading in Michigan's Lower Peninsula and threatening our beef and dairy cattle.

USDA has announced that Michigan will lose its bovine TB-free status effective June 1. This decision will have dire economic consequences.

It will require the testing of all 1.25 million Michigan beef and dairy cattle. It will place greater restrictions on their travel into other States. It is estimated that Michigan's economy will suffer losses of $156 million over the next 10 years.

Michigan's situation is complicated because the virus has been found in deer herds, which are more mobile and pose a greater risk to beef and dairy cattle. A quarantine zone exists in Michigan; however, positive deer have been found outside of the zone.

In addition, the disease has appeared in badgers, bobcats, coyotes, raccoons, and red foxes. When the disease is rampant, immediate action is necessary.

Compounding Michigan's crisis are the restrictions placed on Michigan's beef and dairy cattle from entering other States for sale or slaughter. In the last 4 years, more than 18,000 Michigan cattle have been exported to other States. Now over 43 States have restrictions on accepting Michigan cattle. Michigan farmers have lost their markets and cannot recoup them until TB is eradicated. Help is needed now, not tomorrow, not next month, and definitely not next year.

So it is essential that we stop bovine tuberculosis before it spreads to neighboring States. Prior to being downgraded, Michigan had been bovine free since 1979. We cannot, however, afford to wait another 21 years to regain a TB-free status, and these funds will help in that effort.

I thank all of the conferees for their work.

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

Mr. Speaker, when we started off on this endeavor, the idea was to listen to what farmers said was a problem in the current crop insurance program and to do everything we could to try to make for certain that we could correct as much of that as possible within the constraints that we had. As always is the case, when there is a pot of money, it becomes very tempting to try to divvy that up in a variety of ways.

The conference that was concluded yesterday was concluded in 2 hours and 45 minutes. Nine members of the Senate, nine members of the House and all 18 Members of that conference committee signed that report.

I think it does two things. Number one, I think it shows the significance of what this bill is doing. But I also think that it shows the significance of the amount of bipartisan effort that went into this bill; and as much as anything, it shows how well the staff of the House committee, both minority and majority, worked very closely together on this throughout the entire process and their work with the Senate staff and members of the Senate, and having us to a point that something of this magnitude could be concluded in such a short period of time.

Without the work that has gone on literally for weeks, many, many late hours by the staff, both the House and the Senate, majority and minority, this would have not been possible. There is no way that I can thank them enough for those long hours that they put in in creating this product that I think is going to have a significant bearing on the future of American agriculture.

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

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Speaker, I thank the gentleman from Texas for yielding me 1½ minutes.

Being on the Subcommittee of Risk Management, Research, and Specialty Crops that began the deliberations on this bill, I am proud to stand up here before the House today and support the conference committee report.

I want to thank the gentleman from Texas (Chairman COMBEST), and the subcommittee, and the gentleman from Texas (Mr. STENHOLM), the ranking member of the full committee, for their tireless work in putting this piece of legislation together. This is a very important piece of legislation because I think it heals the promises that were made in the 1996 farm bill.

My understanding, I was not here at the time, but my understanding of when we passed the Freedom to Farms bills, the Congress' obligation was twofold: First to provide a safety net and, second, to open new markets.

I think yesterday we took a major step in opening new markets for our rice producers and the other farmers across America; and maybe even today we will have another opportunity to continue opening markets in the area of Cuba and other areas in other countries.

But the second part was creating a safety net, a safety net that is so important to our rice producers and also our farmers across the country.

So I stand here to support the conference committee report because it makes it accessible and it makes it affordable. But, specifically, I want to thank the gentlemen from Texas, Mr. COMBEST and Mr. STENHOLM, both of which worked with me to provide a provision to help south Louisiana's rice farmers.

This year, we had a drought of a magnitude that we have not seen in many, many years in southwest Louisiana. Under present law, rice farmers were not covered under the drought

provisions. I just wanted to thank them for being able to put the rice provision in there for our rice farmers because it is so important to them.

Mr. Speaker, I urge my colleagues to support the conference committee report.

Mr. COMBEST. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Texas (Mr. COMBEST) has 2½ minutes remaining. The gentleman from Texas (Mr. STENHOLM) has 3 minutes remaining.

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

Mr. Speaker, just let me say in closing, again, I commend the gentleman from Illinois (Chairman EWING) and the ranking members on this side for the tremendous hard work that has gone into this package. There is no question that our producers all across the Nation will be very appreciative of this financial assistance once again this year.

I thank the actions, as the gentleman from Texas (Chairman COMBEST) has mentioned a moment ago, tremendous work of the staffs on both sides of the aisle who have been able to work together in resolving many difficult issues in which we do not always agree 100 percent. But this committee, under the leadership of the gentleman from Texas (Chairman COMBEST), I think, does as good and perhaps I would say best job of any committee in the House of working out differences between both sides when we, perhaps, have differences, not partisan differences, but honest differences in the manner in which various pieces of the legislation should be written.

This was a difficult task with the additions and all, but it has been done in a way in which I feel that can be recommended to our colleagues on both sides of the aisle for their support. Again, I thank the gentleman from Texas (Chairman COMBEST) for his work and cooperation.

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

Mr. COMBEST. Mr. Speaker, I yield myself the balance of the time.

Again, I thank the gentleman from Texas (Mr. STENHOLM), my friend and my neighbor there, for all the good work and the efforts that have gone into this, and, again, to the staff on the minority side for the efforts and for their work.

If I might just take a moment, Mr. Speaker, to, not only talk about the significance of this bill, but the significance of what happened in the House yesterday. One of the glaring concerns that agriculture has faced over the last 3 years has been a concern about the ability or inability to expand markets.

While I recognize and appreciate the deep-held feelings of those people who were opposed to the granting of permanent normal trade relations with China, I think it was one of the most significant votes that we could take in this House on, not only what is good for America, but what is good for our farmers when we have 1.3 billion people, the largest market in the world, that is now opening up to American production.

All of the groups that have come forward and have talked about the amount of increase and income for their producers and the amount of increase in the price of hogs or cattle, the number of exports that will become available to us, it was really, in my opinion, a no choice, that we have now made ourselves available to a market that everyone else in the world would have taken advantage of.

The gentleman from Texas (Mr. STENHOLM) in every one of the field hearings that we held across the country, not only asked the panel, but he asked the members in the audience, and this has been several thousand over 10 hearings, their position on providing PNTR. In all of those hearings, total combined, well over 90 percent of the people indicated that they supported that activity.

I think that shows the kind of recognition and support that American agriculture has, but I think it also shows the understanding that people have, number one, about what a great trade agreement that was, and number two, about its impact on agriculture.

It was, I think, a very thoughtful question that my colleague asked and carried through that, through the entire hearing process, and I think, continued to focus on it in its significance. It also, I think, gave us a recognition of the amount of support that was out there that otherwise would not have been done.

So I think, as was stated earlier, the last 2 days have been extremely positive days for American agriculture. I was glad to be a part of it and glad to be a part of it on a team that works so bipartisan.

Mr. GOODLING. Mr. Speaker, I rise in support of the conference report on H.R. 2559, the Agriculture Risk Protection Act. This legislation will provide important assistance to our nation's agricultural community and it will help our nation's children as well.

I was reared on a farm and know the hardships faced by our nation's farmers. I was also an educator and know the importance of ensuring that children eat nutritious meals. It is simple. Hungry children don't pay attention to their schoolwork, they pay attention to their growling stomachs.

Currently farmers in my Congressional district are experiencing problems with plum pox. I want to thank the conferees for including indemnification authorization for fruit growers affected by the plum pox virus in Adams County, Pennsylvania, as directed by Secretary Glickman in his March 2, 2000 declaration of Extraordinary Emergency.

Mr. Speaker, this legislation also includes several provisions affecting our federal child nutrition programs. I would like to highlight several of the key provisions.

The first provision is based on H.R. 3614, the Emergency Commodity Distribution Act of 2000. This legislation was introduced to restore recent cuts to the School Lunch Program. Since the 103rd Congress, 12 percent of the cost of school lunches was to be in the form of agricultural products purchased for schools.

Last session, this law was modified to allow the 12 percent commodity requirement to be met through a combination of entitlement and bonus commodities. The savings achieved as a result of this revision was used to help fund the ''Ticket to Work and Work Incentives Improvement Act of 1999.'' As a consequences, schools will receive fewer commodities because bonus commodities will be counted as part of the 12 percent commodity requirement rather than in addition to the commodities schools would receive under this requirement. At the same time, purchases of agriculture commodities will also be reduced.

The conference agreement restores $110 million for the purchase of commodities for school meal programs. Both the children and the agriculture community benefit from these purchases and I thank the conferees for agreeing to partially restore this important commodity funding.

The conference report also includes key provisions of H.R. 4520, the Child and Adult Care Food Program Integrity Act of 2000, legislation to combat fraud and abuse in the Child and Adult Care Food Program (CACFP). The Child and Adult Care Food Program provides nutritious meals and snacks to children in day care facilities and family day care homes. It operates in 37,000 day care centers and 175,000 day care homes.

Unfortunately, in recent years both the Inspector General of the U.S. Department of Agriculture and the General Accounting Office (GAO) have issued reports of widespread fraud and abuse and deficient management practices in the program. As a result, the full value of nutrition benefits the program delivers has been denied to many of the 2.7 million participating children nationwide.

Provisions included in the conference report, based on H.R. 4520, would address fraud and abuse in CACFP and improve program management. For example, the legislation will require the Agriculture Department to develop a plan for ongoing periodic training of state and sponsor staff in the prevention of fraud and abuse; require a minimum number of unannounced site visits for inspections; and permit the Secretary of Agriculture to withhold administrative funds to states that have not met their oversight responsibilities. It will also require child care provisions to notify parents if they are participating in the Child and Adult Care Food Program, so they can take action if they suspect fraud and abuse. These are but a few of the key provisions directed at eliminating fraud and abuse in the Child and Adult Care Food Program.

Enactment of this legislation will ensure that CACFP funds will be used to feed children and not end up in the hands of unscrupulous program sponsors and care providers.

Mr. Speaker, I urge my colleagues to support H.R. 2559, the Agriculture Risk Protection Act. It provides important assistance to our country's farmers and ensures the provision of vital nutrition assistance to our nation's children.

Mr. CONDIT. Mr. Speaker, I'd like to begin by thanking the Agriculture Committee members and staff for their hard work on the Agricultural Risk Protection Act of 2000. This bill goes far in providing much needed assistance

to farmers nationally, and for the first time effectively addresses the unique conditions of California specialty crops.

A main concern of specialty crop producers is the lack of insurance programs that meet their risk management needs. This bill prioritizes $25 million for research and development of new and improved insurance products for these growers. Additionally, new mandates on RMA to contract out and reimburse private sector research and development of crop insurance programs will expedite product development and reform. The streamlining of RMA's review and development procedures encourages new product availability in response to proposals and requests from producers and approved insurance providers. A specialty crop coordinator will be appointed to expand existing policies and coverage for specialty crops.

To increase specialty crop participation in crop insurance programs, cooperatives and non-profit trade associations are permitted to offer Catastrophic and additional levels of insurance to their members where state law allows licensing fees. Members of these cooperatives who are located in adjacent states also benefit from this provision. California farmers will benefit tremendously from this provision, since cooperatives will now be allowed to encourage farmer participation in crop insurance programs and assist in the payment of fees.

Participation is also increased by the elimination of an area-wide loss before disaster payments can be made to producers of currently non-insurable crops. In states with less than 50 percent of national participation average, the USDA Secretary is also instructed to take steps to study and develop other ways to increase participation.

I am very pleased with the reforms made in this year's crop insurance legislation and thank you on behalf of all California farmers for responding to their needs.

Mrs. CAPPS. Mr. Speaker, I rise today in support of Agriculture Risk Protection Act Conference Report. This bill provides important support for our Nation's farmers an ensures that Americans will have a steady, affordable food supply.

I want to address an issue that is of particular importance to my district—the spread of Pierce's Disease. I am pleased that this bill includes much-needed funding to combat Pierce's disease and the Glassy-winged Sharpshooter which spread it. This disease is having a devastating effect on California vintners, and needs to be brought under control before it does even greater damage.

Although outbreaks in my district have been limited, recent sightings of the Glassy-winged Sharpshooter are very worrisome. Just the other day eggs of the Glassy-winged Sharpshooter were found on plants at two northern San Luis Obispo County nurseries.

While we have been experimenting with different ways to combat Pierce's Disease, currently there is no known cure. Central Coast wine grape growers are banding together and contributing funds to fight this disease. We in the federal government need to support these efforts.

I joined members of the Wine Caucus in urging the Agriculture Subcommittee of the Appropriations Committee to increase funding for combating Pierce's Disease. I am pleased that the Subcommittee saw the importance of this issue and provided appropriate funding in the Agriculture Risk Protection Act Conference Report.

This bill provides the necessary support for our vintners with $7.14 million in funding for control and containment activities in California and $25 million to compensate growers for losses due to three different diseases including Pierce's Disease.

We cannot rest until a cure for this disease is found and the Glassy-winged Sharpshooter is eradicated. I'm glad that this bill takes a major step in that direction.

Mr. KIND. Mr. Speaker, I am extremely disappointed in H.R. 2559, the conference report on the Agriculture Risk Protection Act. While originally intended as a simple crop insurance measure, H.R. 2559 instead is a sad commentary of the state of our nation's current dysfunctional farm policy.

The crop insurance reform bill that this body is set to vote upon codifies some of the basic principles that many of us have been advocating—affordability, and buy-up coverage. I am happy that the measure authorizes an increase in the number of counties that can participate in the dairy options pilot program (DOPP), authorizes the creation of livestock insurance program, and improved coverage of specialty crops—including cranberries, apples, and vegetable crops grown in Wisconsin.

Unfortunately, the conference committee has unnecessarily included $7.1 billion in emergency farm payments in the bill. This legislation is not the proper vehicle for such outlays. Instead, the House should deal with these matters separately, in a more thorough and thoughtful manner.

The emergency farm assistance fails the American farmer and rural communities in a number of ways. Specifically, it fails to target the assistance to those producers and commodities that need it most. By distributing these funds through the inequitable Agriculture Marketing Transition Act (AMTA) formula, this legislation places a priority on wheat and feed grains grown on large operations in the Great Plains and fails to address the needs of family-sized operations.

According to a recent computer investigation by the Environmental Working Group, ''taxpayers have provided $22.9 billion in emergency subsidies (payments above normal farm bill receipts) during the first three years of the 'Freedom to Farm' law, but 10 percent of the recipients (144,000 participants) collected 61 percent of the money.'' Even President Clinton's Agriculture Secretary opposes this delivery mechanism, claiming that AMTA payments treat ''the farm economy as monolith, failing to consider the varying degree of market weakness across commodities.'' Sadly, this bill fails to correct this economic injustice.

In addition, the AMTA payments do not increase farm conservation programs. In a period when a growing segment of the American population is calling for improvements in clean water and air, as well as more sustainable agriculture practices in general, it is irresponsible not to allocate adequate funds to programs that address the growing concentrated animal agriculture industry and its related phosphorous and nutrient management problems as well as hazards associated with crop fertilizer use.

American farmers deserve more than this short-sighted, inequitable, shot-gun approach to farm policy. This nation, and this body, needs to have a thoughtful discussion of the commodity price problems facing rural America. H.R. 2559 short-circuits the deliberative process that is the great hallmark of democracy. Hopefully, rural America will see through this half-hearted approach and call on Congress to act in a more responsible manner.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of the conference report for H.R. 2559, the Agricultural Risk Protection Act, which provides for the reform of our Federal crop insurance program, and urges his colleagues to vote for it.

This Member would like to begin by expressing appreciation to the distinguished gentleman from Texas (Mr. COMBEST), the Chairman of the Agriculture Committee, and the distinguished gentleman from Texas (Mr. STENHOLM), the Ranking Member of the Committee, for their hard work on this important legislation.

As an original cosponsor of H.R. 2559, this Member is pleased that this conference report is being considered today. Agricultural producers throughout the country continue to suffer from disastrously low commodity prices and in some regions from adverse weather conditions. For instance, Nebraska farmers are confronting one of the most serious droughts in decades.

This Member believes that this conference report is an important step toward developing a more effective long-term approach to assisting agricultural producers. Improving crop insurance is certainly not the only solution to the current problems, but it does provide a more adequate safety net to farmers who are too often confronted with natural disasters and low prices.

The Agricultural Risk Protection Act will make crop insurance coverage more affordable at every level. It will offer producers significant incentives to purchase higher levels of protection and provide farmers with the flexibility to purchase the coverage that best meets their needs.

It is important to note that this crop insurance reform bill also improves the current risk management structure by providing better coverage for both production and revenue. It does so by making possible more affordable policies to protect farmers against price and income loss. The legislation also initiates a livestock pilot program to test the effectiveness of risk management tools to protect livestock producers.

This Member's constituents have made it clear that crop insurance is a necessary risk management tool. Unfortunately, it is often too expensive or offers too little protection to be of real value. This legislation takes these concerns into account and offers agricultural producers what they need—meaningful and more affordable crop insurance.

This Member is also pleased that this conference report includes funding for emergency payments to farmers. The 1996 Freedom to Farm Act was based on the premise of expanding international markets for the commodities produced by our nation's farmers. This clearly has not happened. Certainly, one of the root causes of the current low commodity prices was the drop in exports, especially to Asia as a result of the region's economic down-turn. Nobody could have predicted the Asian financial crisis or the contagion effect which is still being felt.

Also, because of the strength of our national economy relative to most other countries, the

value of our currency compared to others now makes our exports less price-competitive in Asian markets than our competitor exporters like Canada, Australia, Brazil, or the nations of the European Union. Thus, there is not only a dramatically reduced agricultural export market in Asia, we are also getting a reduced portion of the remaining Asian import business.

Clearly, an emergency agriculture relief package is needed immediately. Producers are in desperate need of a quick infusion of cash to help them deal with low prices and increasing costs. However, as important as that relief is, it is only a temporary fix. A long-term approach is clearly needed. This conference report, which includes significant improvements in the crop insurance program, is an important component of that effort.

This Member urges his colleagues to vote for the conference report for H.R. 2559.

Mr. LAHOOD. Mr. Speaker, I rise today in support of the conference report for H.R. 2559, the Agricultural Risk Protection Act of 2000. I believe that this legislation is paramount to providing much needed assistance to our nations farmers and ranchers.

In 1996, Congress passed the Freedom to Farm bill, which was designed to limit government's role in agriculture. This legislation addresses some of the short falls of Freedom to Farm by providing temporary economic relief to our farm community, as well as implementing crop insurance reform.

The reforms to the crop insurance program will strengthen the farm safety net by providing producers improved risk management tools to address the inherit risks associated with farming. I believe that these reforms are necessary, and that they will remove need for the type of emergency assistance Congress has provided agricultural producers over the past two years.

I am especially appreciative that this conference report contains the House crop insurance reform language calling for the implementation of livestock pilot programs. These pilot programs would provide livestock producers with the necessary risk management tools to cope with disasters, weather shifts, and other natural acts beyond their control without fear that the cost of doing the right thing will put them out of business.

I am also supportive of the anti-fraud provisions in the crop insurance legislation. These provisions direct the Federal Crop Insurance Corporation and the Farm Service Agency to work together to reconcile producer information on an annual basis, to identify producers and insurers who are abusing the program.

As I stated earlier, I believe that this is sound legislation. I want to commend all the conferees and committee staff for their hard work and dedication, particularly Chairman COMBEST and Ranking Member STENHOLM.

Mr. CLEMENT. Mr. Speaker, first of all, I would like to congratulate Congressman COMBEST of Texas for introducing the Agricultural Risk Protection Act of 2000. The conference report that we are voting on today will provide a badly needed overhaul of our crop insurance system.

All of us who represent and have grown up in rural areas know the importance of our nation's farmers. The weather over the past couple of years has not been very generous to Tennessee's farmers and now, more than ever, they need federal policy to help them these tough times.

Farming is not only a job that requires endless hours of hard work and planning. It also requires a substantial amount of courage to be a farmer. Our farmers take risks every year by putting their livelihood on the line in order to produce for their communities. They invest the money they have worked so hard to save in a crop or a number of crops with the hope that the rains will come and that a tornado and the insects will not.

But, as we all know, those conditions are never guaranteed. But my fellow Congressmen and I can guarantee them an affordable safety net. Providing our dwindling farming population with a cheaper and broader insurance program is the least we can do for the men and women who work to provide for each one of us in this House.

The provision in this conference report that makes catastrophic coverage available for all farmers for a simple fee is certainly appealing to Tennessee's farmers who have been hit by a recent wave of tornadoes and droughts over the past several years.

Tennessee's single crop and lower yield farmers are especially excited about the change in their actual production history formula. These farmers will now be able to insure more of their investments and feel more secure about their ability to support their families. Ladies and gentlemen these are only a few examples of the benefits of this legislation.

I call on each one of my fellow members of Congress to join me and support this conference report for America's courageous farmers.

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

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

There was no objection.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 2559 just passed.

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

There was no objection.

ADJOURNMENT OF THE HOUSE FROM THURSDAY, MAY 25, 2000 OR FRIDAY, MAY 26, 2000 TO TUESDAY, JUNE 6, 2000, AND RECESS OR ADJOURNMENT OF SENATE FROM THURSDAY, MAY 25, 2000 OR FRIDAY, MAY 26, 2000 OR SATURDAY, MAY 27, 2000 OR SUNDAY, MAY 28, 2000 TO MONDAY, JUNE 5, 2000 OR TUESDAY, JUNE 6, 2000

Mr. LINDER. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 336) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 336

Resolved by the House of Representatives (The Senate concurring), That when the House adjourns on the legislative day of Thursday, May 25, 2000, or Friday, May 26, 20000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 10:30 a.m. on Tuesday, June 6, 2000, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, May 25, 2000, Friday, May 26, 2000, Saturday, May 27, 2000, or Sunday, May 28, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 5, 2000, or Tuesday, June 6, 2000, as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

□ 1130

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MAPPING OF HUMAN GENOME

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

Ms. SLAUGHTER. Mr. Speaker, I would like to speak for a moment this morning on a measure that affects all Americans and about which I am afraid this Congress is doing nothing, and that is the mapping of the human genome.

It is expected to be finished within the next month. We will know more about our human body than we have ever known before, and it will be a wonderful way to present health care.

We expect that, once we understand the human makeup, we will be able to do much more for prevention of diseases, and diseases that have plagued us over the centuries will be no more.

Unfortunately, there is a downside to this wonderful scientific venture, and that is the issue of health insurance. Discrimination is already taking place against people who are afraid to find out what their genetic makeup is for fear that it would cause them to lose their health insurance or that the rates and conditions would change to such an extent that they could no longer afford it.

We have a bill, Mr. Speaker, H.R. 306, which has good bipartisan support in the House by 220 sponsors at this time, more than enough to pass. I would like very much to see this come to the floor on the suspension calendar, on which I am sure it would pass, simply to give the peace of mind to every American

that the genetic makeup with which they were born would not cause them to lose their health insurance.

It is important for us to make sure that people understand we are not talking about a different population, we are talking about us. Each one of us is believed to be born with between five and 30 faulty genes. And it is the rankest form of discrimination to deny health insurance on genetic grounds, because simply having a faulty gene does not ensure that they will get the condition and, if they did, it might be 40 years down the road. That discrimination is already taking place, Mr. Speaker.

I want to urge this House to take up as expeditiously as possible H.R. 306 so that we can assure Americans that their health insurance will be kept intact.

PARTIAL-BIRTH ABORTION BAN ACT OF 2000

Mr. CANADY of Florida. Mr. Speaker, pursuant to House Resolution 457, I call up from the Speaker's table the Senate bill (S. 1692) to amend title 18, United States Code, to ban partial-birth abortions, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The text of S. 1692 is as follows:

S. 1692

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 ''Partial-Birth Abortion Ban Act of 1999''.

SEC. 2. PROHIBITION ON PARTIAL-BIRTH ABORTIONS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 73 the following:

"CHAPTER 74—PARTIAL-BIRTH ABORTIONS

''Sec.
''1531. Partial-birth abortions prohibited.

"§ 1531. Partial-birth abortions prohibited

''(a) Any physician who, in or affecting interstate or foreign commerce, knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this title or imprisoned not more than two years, or both. This paragraph shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. This paragraph shall become effective one day after enactment.

''(b)(1) As used in this section, the term 'partial-birth abortion' means an abortion in which the person performing the abortion deliberately and intentionally—

''(A) vaginally delivers some portion of an intact living fetus until the fetus is partially outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the fetus while the fetus is partially outside the body of the mother; and

''(B) performs the overt act that kills the fetus while the intact living fetus is partially outside the body of the mother.

''(2) As used in this section, the term 'physician' means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions: *Provided, however,* That any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

''(c)(1) The father, if married to the mother at the time she receives a partial-birth abortion procedure, and if the mother has not attained the age of 18 years at the time of the abortion, the maternal grandparents of the fetus, may in a civil action obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

''(2) Such relief shall include—

''(A) money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

''(B) statutory damages equal to three times the cost of the partial-birth abortion.

''(d)(1) A defendant accused of an offense under this section may seek a hearing before the State Medical Board on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, illness or injury.

''(2) The findings on that issue are admissible on that issue at the trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

''(e) A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section, for a conspiracy to violate this section, or for an offense under section 2, 3, or 4 of this title based on a violation of this section.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 73 the following new item:

"74. Partial-birth abortions ..... 1531".

SEC. 3. SENSE OF CONGRESS CONCERNING ROE V. WADE AND PARTIAL BIRTH ABORTION BANS.

(a) FINDINGS.—Congress finds that—

(1) abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in Roe v. Wade (410 U.S. 113 (1973)); and

(2) no partial birth abortion ban shall apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that partial birth abortions are horrific and gruesome procedures that should be banned.

SEC. 4. SENSE OF CONGRESS CONCERNING A WOMAN'S LIFE AND HEALTH.

It is the sense of the Congress that, consistent with the rulings of the Supreme Court, a woman's life and health must always be protected in any reproductive health legislation passed by Congress.

SEC. 5. SENSE OF CONGRESS CONCERNING ROE V. WADE.

(a) FINDINGS.—Congress finds that—

(1) reproductive rights are central to the ability of women to exercise their full rights under Federal and State law;

(2) abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in Roe v. Wade (410 U.S. 113 (1973));

(3) the 1973 Supreme Court decision in Roe v. Wade established constitutionally based limits on the power of States to restrict the right of a woman to choose to terminate a pregnancy; and

(4) women should not be forced into illegal and dangerous abortions as they often were prior to the Roe v. Wade decision.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) Roe v. Wade was an appropriate decision and secures an important constitutional right; and

(2) such decision should not be overturned.

MOTION OFFERED BY MR. CANADY OF FLORIDA

Mr. CANADY of Florida. Mr. Speaker, pursuant to the rule, I offer a motion.

The Clerk read as follows:

Mr. CANADY of Florida moves to strike all after the enacting clause of the bill, S. 1692, and to insert in lieu thereof the text of the bill, H.R. 3660, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOTION TO GO TO CONFERENCE

Mr. CANADY of Florida. Mr. Speaker, pursuant to the rule, I offer a motion.

The Clerk read as follows:

Mr. CANADY of Florida moves that the House insist on its amendment to the bill, S. 1692, and request a conference with the Senate thereon.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES

Mr. CONYERS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. CONYERS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate bill, S. 1692, be instructed to meet promptly with the managers on the part of the Senate on all issues committed to conference.

The SPEAKER pro tempore. Pursuant to rule XX, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Florida (Mr. CANADY) each will be recognized for 30 minutes.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support the current motion to recommit by Mr. CONYERS.

Like the House Bill that was unfortunately passed in April, this act, despite its title is nothing more than an attempt to inhibit a woman's constitutional right to choose.

Although the majority conveniently skirts the issue of the 1973 Supreme Court decision of Roe v. Wade, this law is still in effect and we must recognize a woman's right to have an abortion especially if her life is threatened.

Yes, it is true that technological advancement in the medical field has enabled women to better monitor their pregnancies so that they may bring healthy children into this world. However, some pregnancies may involve problems that may threaten the life and/or health of the mother.

For example, continuing the pregnancy may result in severe heart disease, malignancies and kidney failure. In these situations, when a woman is faced with a life or death decision,

she must have the right to make a choice whether to continue her pregnancy.

The procedure referred to in S. 1692/H.R. 3660 has been used to protect the mother's life but many times these late term abortions are primarily done when the abnormalities of the fetus are so extreme that independent life is not possible.

Many times in the issue of abortion we tend to glorify a potential life but refuse to acknowledge the actual living human being that has conceived that life.

This actual living human being has rights enumerated in the Constitution that can not be infringed upon regardless of what type of abortion is being performed especially if it is to save the life of mother.

If society picks and chooses which type of abortion one should have then once again we are taking away the right of a woman to choose.

If this conference report is supported by the majority, this S. 1692/H.R. 3660 would put the government in the doctor's office and leave the health of women unprotected.

I would be amiss if I did not highlight the fact that the terminology being employed by proponents of this bill is a term with absolutely no medical or scientific meaning.

On the contrary, this term is a being used solely to enrange and misguide the public. In fact, this term was actually adopted from a speech given by an anti-abortion advocate. Hence, the attempt to assuage our concerns that this legislation is not an attempt to circumvent a woman's constitutional right is simply untrue.

Therefore, I will not use this propagandist term ''partial birth'' abortion, but instead give this bill the title it deserves, the ''Abortion Ban of 2000.''

S. 1692/H.R. 3660 is another attempt to put politics before women's health. The overwhelming majority of courts have to have ruled on challenges to state so-called ''partial-birth abortion'' bans have declared those bans unconstitutional.

Despite the passage of abortion bans in state legislatures throughout the country, on election day in both 1998 and 1999, ballot initiatives that would have enacted this type of law were defeated in Washington, Colorado and finally Maine. The people of this country do no support this type of law.

In fact, only 12 states have abortion bans in effect, but 9 of these states have not yet been challenged.

Furthermore, Six federal district courts have issued permanent injunctions against statutes virtually identical to S. 1692/H.R. 3660 and the Supreme Court is set to decide on this issue in Stenberg v. Carhart.

I agree with my democratic colleagues that any action by Congress would be premature and even mooted by the Court's decision.

Notwithstanding the potentially mootness of this discussion, proponents of this legislation not only mischaracterize the reasons underlying the use of late term abortions, but they failed to even recognize the constitutional rights espoused by the Supreme Court in roe and reaffirmed in Casey.

The ambiguity of this legislation further frustrates the rights of women in the Nation and chills legitimately protected rights.

This legislation could essentially ban more one type of procedure because is fails to distinguish between abortions before and after viability.

These are just some of the many problems with S. 1692/H.R. 3660 and these alone should make anyone question the appropriateness of such legislation.

We can not straddle the fence on this issue. It is either to protect the rights of women or take them away completely.

Women have fought hard and long to have autonomy over their bodies and by putting restrictions on what type of abortions she is allowed to receive would put women back in the era of Pre-Roe v. Wade.

By banning partial birth abortions not only are we taking the right of women to have autonomy over their bodies and the right of families to determine their future, but we are also taking the right of women to live their lives as healthy American citizens and treating them like prisoners in their own country.

Mr. CONYERS. Mr. Speaker, we have no speakers, and I yield back the balance of my time.

Mr. CANADY of Florida. Mr. Speaker, I have no objection to the motion to instruct conferees, and I yield back the balance of my time.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. CONYERS).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. HYDE, CANADY of Florida, GOODLATTE, CONYERS, and WATT of North Carolina.

There was no objection.

□ 1145

RECESS

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 12 of rule I, the Chair declares the House in recess for 10 minutes.

Accordingly (at 11 o'clock and 46 minutes a.m.), the House stood in recess for 10 minutes.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 11 o'clock and 57 minutes a.m.

PROVIDING FOR CONSIDERATION OF H.R. 3916, TELEPHONE EXCISE TAX REPEAL ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 511 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 511

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3916) to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 511 is a closed rule providing for consideration of H.R. 3916, the Telephone Excise Tax Repeal Act. This bill is designed to amend the Internal Revenue Code to repeal the excise tax on telephone and other communications services.

H. Res. 511 provides for 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted upon adoption of the resolution. Finally, the rule provides one motion to recommit, with or without instructions, as is the right of the minority.

Mr. Speaker, when it comes to unintended consequences in crafting tax policy, the Federal Government has shown a tendency to lead the way. If you remember, in 1991 the U.S. Congress passed a luxury tax on yachts to punish the rich, a tax that subsequently bankrupted American companies, forced sales in that sector to drop 75 percent, and resulted in the loss of about 30,000 jobs. That Congress thought that the luxury tax was a tax on the rich, and the unintended consequences of their actions resulted in a tax on American workers and the loss of their jobs.

□ 1200

Today we are going to discuss the telecommunications tax, a tax that is currently having the unintended consequence of limiting the opportunities of lower- and middle-income Americans to have affordable access to the information superhighway. In effect, it is a tax on talking and on access to the Internet.

This particular telecommunications tax was enacted by Congress in 1898 to help pay for the Spanish-American

War. While the war has been over for 102 years, like most temporary taxes, it is now a permanent tax. In 1990, the same tax-happy Congress that brought you the disastrous luxury boat tax, decided in its wisdom to make the telecommunications tax permanent.

The tax originally consisted of a penny tax on long distance calls costing more than 15 cents. It is important to note that in 1898 there were approximately 1,376 telephones in this entire country, and that, of course, this luxury tax would affect only the very, very rich. However, in the 21st century, 102 years after this temporary tax was initially enacted, this tax hits not just the rich, but all Americans.

In fact, this regressive tax hammers lower-income Americans the hardest. According to the Bureau of Labor Statistics, families earning between $10,000 and $30,000 a year spend between 3 and 4 percent of their incomes on telecommunications. Those Americans making $70,000 or more each year spend about 1 percent of their income on telecommunications.

Nonetheless, the truth is that all Americans must now pay a 3 percent tax on their phone bill, an estimated 252 million business and residential phone lines. The tax can be applied to telecommunications services such as general household phone lines, cellular phones, fax lines, computer modem lines, subscriber line charges, add-on features such as call waiting and caller ID, toll call services and directory assistance. As you may have guessed, all Americans, rich and poor, now have to pay the tax.

Mr. Speaker, this is just one more tax that makes the costs prohibitive for lower-income Americans to go online and participate in the new high-tech economy. As one who supports reducing the overall tax burden on American families, I wholeheartedly support this bill. H.R. 3916, which will reduce the tax to 2 percent beginning 30 days after enactment, reduces the tax to 1 percent on October 1, 2001, and repeals the tax entirely on October 1, 2002.

The high-tech revolution has changed the way that every American works and lives and has provided Americans with more freedom, prosperity, and job opportunities for the future. The foolish and shortsighted tax policies of the 101st Congress should not be permitted to act as an unreasonable toll against low- and middle-income Americans attempting to get on the information superhighway.

This Congress will repeal the telecom tax and ensure that excessive government taxation does not threaten the ability of all Americans to participate in opportunities that will be presented in the high-tech future.

This rule was unanimously approved by the Committee on Rules on Tuesday, and I urge my colleagues to support it so we may proceed with general debate and consideration of this bipartisan bill.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes.

Mr. Speaker, this is a noncontroversial measure that came out of the Committee on Ways and Means unanimously. The measure would repeal over 3 years the 3 percent telephone excise tax imposed originally to finance the Spanish-American War. Under the bill, the 3 percent tax would be reduced to 2 percent 30 days after it becomes law, it will drop to 1 percent October 1, 2001, and would be fully repealed on October 1, 2002.

The tax has been repealed on two previous occasions, but was brought back in different forms to pay for World War I and World War II, and then increased to help fund the Vietnam War. It was made permanent in 1990, with the money going into the general treasury.

Phasing out this excise tax is a worthy objective, as is it is becoming increasingly difficult to administer as technological advances blur the distinction between taxable and nontaxable communications services. I would echo the concerns expressed by the administration, however, that this revision should be enacted as part of an overall budget framework for maintaining fiscal discipline, for paying down the national debt and for extending the solvency of Medicare and Social Security. The administration estimates that Federal receipts would be reduced by $1.5 billion in fiscal year 2001 and $20 billion over fiscal years 2000 to 2005.

Mr. Speaker, again, I do not oppose the underlying bill, but the Committee on Rules missed a golden opportunity during consideration of this measure, an opportunity to address what is rapidly becoming a digital divide in our Nation between those who have access to technology and those who do not. Several of my colleagues offered amendments to tackle this divide, but the majority in the Committee on Rules chose to disallow their consideration.

I am going to urge Members to vote no on the previous question, and, if the previous question is defeated, I will offer an amendment to the rule to make in order the Towns-Waters-Dingell substitute and the Wynn substitute. Both of these proposals immediately cut the telephone excise tax from 3 percent to 1 percent, and then eliminate it altogether by September 30, 2002.

The Democratic amendments would use the revenues from the phased-out telecommunications excise tax to fund various programs and grants designed to bridge the digital divide. No one doubts that electronic commerce has the opportunity to dominate our country's economic future, but this will happen only if electronic commerce is available to everyone in the country. Electronic commerce cannot work if low-income populations in our urban centers, in our rural communities, as well as Native Americans, do not have access to it. The Federal Government has the responsibility for ensuring that our children and adults have the opportunity to acquire the skills needed to succeed in a digital work world.

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

Mr. LINDER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT.)

Mr. BLUNT. Mr. Speaker, here we are to talk about repealing a tax that was put on in 1898 to fight the Spanish-American War. We thought the war lasted 8 months. I used to teach history at high school and then later at college, and I suggested that was one of our quickest wars, only to find out as we look at how many dollars have been collected on this tax over the years that in any measure of dollars, the Spanish-American War turned out to be the most expensive war in the country's history; $5 billion collected last year in a tax that was put on in 1898 to fight the Spanish-American War.

Of course, it was a tax on only the rich, because in 1898 only the rich had telephones. Now it is a tax on the people whose telephone is the lifeline of their life. It is a tax on people who use the telephone only for the most basic necessity, because it is a tax on the local service only. If you are on a fixed income, if you are a senior citizen, if you have a telephone to call your family, to call the doctor, to make an emergency call, if you never make a long distance call, if you try to pay only the smallest amount you can possibly pay and have a telephone, you pay this tax.

Because we have a surplus, because we have balanced the budget, the old arguments of we need this money, how would we replace it, what program would we cut, no longer work.

This is a reaction to what can happen when you show fiscal responsibility. It is a reaction to what happens when the Congress begins to use the yardstick of common sense. It is a reaction of what can happen when you take a tax that has now been on the books for almost every telephone bill for the last 102 years, occasionally phased out for a brief period of time, but always snatched right back. If we pass this bill, this rule today, which I am for, and if we pass this bill today, within the next few months, Americans that have on their telephone bill the line that says Federal tax or excise tax on their local phone service, will no longer have that. We eliminate this tax on the rich from 1898 that became a tax on those in the most difficult circumstances in the year 2000.

I am pleased that the Committee on Rules has brought this rule to the floor today, and pleased that the Committee

on Commerce is bringing this bill to the floor. I urge passage of both.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Commerce.

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

Mr. DINGELL. Mr. Speaker, I rise to support the repeal of the telephone excise tax, to thank the dear gentlewoman from New York (Ms. SLAUGHTER), but to oppose the rule.

I do not quite understand why my Republican colleagues, who profess to wish to give the consumers a tax cut, have denied us an opportunity to offer an amendment which would give consumers an even bigger tax cut than the bill reported by the Committee on Ways and Means in the amendment which would have been offered by the gentleman from New York (Mr. TOWNS), the gentlewoman from California (Ms. WATERS), and myself.

The interesting thing is the leadership on the majority side seriously miscalculated if they believed that this is a tax reform that most Americans want. I know constituents care about tax cuts, but they want them to put money in the pockets of the citizenry, rather than making Republican Congressmen look good.

The Towns-Waters-Dingell amendment, which is widely supported on this side, would save consumers about $1.5 billion more than the committee bill over the next 2½ years. During the phase-out period, our amendment also puts revenues from the excise tax into a trust fund to pay for programs that create digital opportunity for Americans who live in underserved rural and urban areas.

Why are my colleagues on the other side of the aisle afraid? Why do they not desire our approach? We give the tax cut earlier on in larger amounts, but we also put the money to work in spending for creating a tax fund which would enable us to begin to provide for access to the Internet and advanced telecommunications services for people of low income in rural and in underserved urban areas. That is what we should be really doing here.

Unfortunately, the need which has to be met cannot be met without active assistance of the Government in terms of opening up these kinds of services by putting revenues collected from this excise tax into funds which will expand opportunity to receive services and to eliminate the digital divide. Without government help, Mr. Speaker, there are major areas of the country, major urban areas, as well as rural communities, where broad band services will simply not be provided. For our children to know how to use on-line services, resources and devices, we have to have this kind of intercession; not to establish any Federal preference, but, rather, to expand opportunities for service and to expand opportunities for all people involved in delivering this kind of service and an opportunity to compete fairly.

I hope that when the previous question is raised, my colleagues will vote no. I hope that when the question is raised, Members will vote no on the rule, so that we can get down to a proposal which in fact will benefit the country.

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

Mr. Speaker, I would like to point out to the gentleman that in 1993 and 1994 with overwhelming majorities in both bodies and a Democrat President, he could have done anything he wanted with that 3 percent and solved all of those problems.

Mr. Speaker, I yield such time as he might consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend from Atlanta for yielding me time.

Mr. Speaker, I would first like to, since he has entered the Chamber, congratulate my very good friend, the gentleman from Cincinnati, Ohio (Mr. PORTMAN), for having taken the lead on this extremely important issue. He has done a great job in pointing to the importance of it and putting together a coalition that has included my colleague, the gentleman from California (Mr. MATSUI).

Mr. Speaker, creating digital opportunity is the priority that we have. I do not like to call it the digital divide. What we want to do is we want to make sure that we create opportunities for every single American to be able to have access to this information economy.

We have this information-based economy, and we all know that it is tied to virtually everything that goes through some sort of telecommunications area, and the hindrance that is there is a tax. Our great historian, the gentleman from Missouri (Mr. BLUNT), talked about the cost of the Spanish-American War and the fact that last year $5 billion was collected for that. We are finally going to declare victory; and at the same time, we are going to reduce that one burden that has stood in the way of enhancing digital opportunity.

The fact is, again, telecommunications is the foundation of this information-age economy that we have developed. In my State alone, it is amazing to look at the number of jobs, the number of families that are able to maintain and expand their standard of living because of these opportunities. It is about 800,000 in my State that have been created since 1993; and nationwide it is approaching 5 million, about 4.8 million.

□ 1215

We want to do everything we can to expand that.

Again, in California, 45 percent of small businesses, and the small business sector, as we all know, is the backbone of our economy; 45 percent of those small businesses say that they use the Internet to do business, and anything that stands in the way to expand that, we very much want to repeal and address.

So I believe that we have a great opportunity here to strike a blow for our quest to expand opportunities for every single American, to get in and enjoy this economy, because when we look at a family that has earned $25,000 or less, they have said that the one thing that stands in the way of their getting into this information-age economy is the cost. So this is one step, a very important step, that we can take towards decreasing that cost and enhancing opportunity.

Mr. Speaker, I urge an aye vote. This will be another wonderful accomplishment when we move this through to the leadership, the Speaker of the House, the gentleman from Illinois (Mr. HASTERT) and this great and very, very, very successful 106th Congress.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise to urge defeat of the previous question, because it undermines our efforts to bridge the digital divide. I want to thank the gentleman from New York (Mr. TOWNS), the gentlewoman from California (Ms. WATERS), and the gentleman from Michigan (Mr. DINGELL) for coming up with an ingenious and innovative approach to providing a response to this very important and very serious problem.

It is good to eliminate the excise tax and reduce telephone bills across the country, but what if one does not have a telephone in the first place, as we found on so many of our Indian reservations around the country where 50 percent of the people did not have telephones at all and, where in so many of our low-income communities, rural and urban, that same problem persists where telephone lines are not available to even begin to think about Internet access.

More and more, America is transforming into a technology-driven nation, with every institution being impacted by the Internet and e-mail. In this new tech-driven economy, computers are becoming the crucial link to education, to defense, to information, and training, and to commerce.

For all Americans, personal and economic success will depend upon having the ability to understand and use these powerful information tools. However, according to the Commerce Department report, Defining the Digital Divide, a large segment of the population have no access to technology at all.

Unless this changes, these poor families in both urban and rural areas will

be left behind. Millions of Americans will not have the tools necessary to compete in the new economy and will become the first second-class citizens of the information age.

But let us not kid ourselves. The digital divide is not just a problem for the residents of these distressed and rural areas and these urban communities. It is a problem for the entire national economy as a whole. If we do not extend technology access to all Americans, our skilled labor force will continue to be depleted, millions of tech jobs will continue to go unfilled, and private industries and the military will continue to have problems recruiting and retaining highly skilled individuals.

H1B visas are not the answer. Hiring foreign workers will not solve our growing, long-term needs for highly skilled workers. Surrendering our Nation's pre-eminence is also not an option. The answer is to eliminate this digital divide and ensure that all Americans are given access to technology and training.

The private and public sector both understand the importance of bridging the digital divide in America and are taking steps to bring technology to schools and libraries across America. I applaud them for their efforts. However, these efforts are not enough.

To truly bridge the digital divide and improve the way our children learn, the Federal Government must step in and help provide funds to bolster these efforts and extend technology access to every home in America. Only then can we assure that all of our children will have the tools necessary to compete in this tech-driven economy.

I and many of my colleagues have numerous bipartisan legislative proposals to address the digital divide and extend technology for access to schools, libraries, computer centers and homes of all Americans. Many of these proposals would require Federal funding.

Mr. Speaker, a defeat of the previous question will allow my colleagues and I to vote on the amendment of the gentleman from New York (Mr. TOWNS) to set aside the phasing out of the telephone excise tax in a separate digital divide fund, a fund that can be used to finance the massive effort needed to extend technology. We cannot and should not let the opportunity to set aside these revenues pass us by. I urge defeat of the previous question.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Cincinnati, Ohio (Mr. PORTMAN), the sponsor of the underlying bill.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Georgia very much for his support of this legislation and for allowing me to speak today on the rule. We are talking about the telephone excise tax. I want to get back to that and then perhaps address a couple of the points that have been made by my friends on the other side.

First of all, to take us back to where we are here, this is a bipartisan effort that the gentleman from California (Mr. MATSUI) and I started some time ago; it has been bipartisan from the start. It is an attempt to look at our Tax Code in a time of prosperity and budget surpluses and see what makes sense and what does not. It is our sense that this is a perfect candidate for repeal.

The gentleman from California (Mr. DREIER) spoke earlier, the chairman of the Committee on Rules, and he has also been a leader on this and also on the general issue of bringing to the attention of this Congress that telecommunications is indeed, as he said, a foundation of our economic growth. This is one part of that.

This particular tax started back in 1898 at a time when the U.S. was engaged in a war with the Spanish and we wanted to get a little revenue, so we went after a luxury item called a telephone that very few Americans had, only the wealthy; and we said, let us put a tax on this telephone, that very few people have, to help pay for this war. Teddy Roosevelt was just emerging as a national figure, as a war hero, and it was 102 years ago. It has gone up and down over the years.

The history is actually very interesting, including the fact that during the Vietnam War, this tax was increased to 10 percent to help defray the costs of the Vietnam War. In fact, people were burning their phone bills on the street, as well as their draft cards, to try to protest the Vietnam War. But it is also a great example of what seems to me to be a truism, which is once you put a tax in place in this town, it is very difficult to get rid of it. In this case, it was a temporary luxury tax on an item that is no longer a luxury, a telephone.

From a tax policy perspective, it is even worse. First, it is, of course, regressive. Families with lower incomes pay a disproportionate share of their family budget for the phone bill. Practically every family in America has a phone now. Ninety four percent of Americans have telephones. The seniors are particularly hard hit by this. They are on fixed incomes. They rely on the telephone as a lifeline, as a lifeline to the outside world, so their budget is particularly hard hit by this. So it is regressive.

Second, it is not like other Federal excise taxes used for any purpose. It goes into general revenues. It is a revenue-grab, rather than, for example, the gas tax which goes to repair our roads and bridges. It is not even a sin tax, and there are some Federal excise taxes on alcohol and cigarettes. Again, this one goes to no particular purpose. So from a tax policy perspective, at a time when we have the luxury to sit back and look at our Tax Code, what makes sense and what does not, it makes all the sense in the world to repeal this one.

Finally, and most importantly, I think, in addressing the questions that have been raised today, it is a tax on telecommunications. Mr. Speaker, 96 percent of the Internet goes over phone lines, as we heard earlier today. The gentleman from California (Mr. DREIER) talked about it as the foundation of our economic growth. There is no more important catalyst to the economic growth. We are hearing today about our first quarter results, over 5 percent growth, this is because of technology; and telecommunications as a real driver in our economic growth.

This is a tax on every single Internet user. It is a tax on every small company in America. The large companies often have private lines, they are not paying this tax, but the small companies get hid the hardest. So at a time when we are concerned about the digital divide and access to the Internet, I think this is a great product.

Now, I understand there is another proposal coming from the gentleman from New York (Mr. TOWNS); and he is a friend, a good friend. I have not talked to him about the proposal. It has not been through our committee, I do not think it has been through the Committee on Commerce yet either, nor have there been any hearings on it. So I, frankly, do not know much about it.

Again, we have been at this for several months, and I have not heard of it yet. But I am perfectly willing to sit down with the gentleman and others and talk about this, because I agree that we need to address the digital divide. The gentleman from California (Mr. BECERRA) and I, for instance, have a bill that we have been trying to get through that expands the ability to give a computer to a school. Right now it is a tax deduction, we think it ought to be a tax credit. We think other computers in the current status, which is computers only 2 years old, ought to be eligible. So I am very sympathetic to that general notion.

But the thought of taking this phone tax and getting rid of it and giving those revenues back to those families, particularly those families again on the lower income scale that really pay a disproportionate share to me is what we ought to be doing here today, not taking that money and putting it into a trust fund that the government may use, as the gentleman from Michigan (Mr. DINGELL) said, I understand, for underserved areas, rural areas and so on. Let us look at that another day. Let us let this process proceed.

Mr. Speaker, I hear a lot on this floor about how, gee, we are so partisan in the House of Representatives, and then when we bring a good bipartisan bill to the floor that has been bipartisan from the start, and I see my colleague from Texas who has been part of this from the start, and others, I think we ought to, as a group, come together and actually get something done for the American people and send it to the Senate with a strong bipartisan vote. Let us not slow this down or stop it or make it a confused product by adding new things at this point that are not items

that have been vetted in the process or frankly that have been part of this process. Let us move this on to the Senate with a strong bipartisan vote so that we can actually get it to the President's desk and get it done for our constituents.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. TOWNS).

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

Mr. TOWNS. Mr. Speaker, I rise today to urge my colleagues to defeat the previous question and to allow the House to make in order a substitute that I would like to offer with the gentlewoman from California (Ms. WATERS), the gentleman from Michigan (Mr. DINGELL).

Given the opportunity, I do believe many of my colleagues on both sides of the aisle would enthusiastically support our substitute which would give Americans a bigger tax cut than H.R. 3961 and begin to close the digital divide, with no new costs to taxpayers. We cannot ignore the digital divide issue; we must improve the way our children learn.

Specifically, our proposed amendment would immediately reduce the telecommunications excise tax from 3 percent to 1 percent, and would repeal the tax entirely by September 30, 2002. This tax cut would give Americans over $1.5 billion, that is B as in boy, more in tax relief than they would get under H.R. 3961.

Mr. Speaker, I think all Americans would benefit from the repeal of this regressive tax on talking, and a vote in support of the previous question is a vote against giving Americans greater tax relief than the bill currently gives. I believe this is an important improvement.

Our proposed amendment would also dedicate the funds collected by this tax to telecommunications projects to help close the digital divide. Just as money collected from the gasoline tax is used to improve our Nation's highway infrastructure, money collected from the telephone excise tax should be devoted to improving our telecommunications infrastructure.

For example, money in our Digital Divide Bridge trust fund could be used to fund grants and loan guarantees to accelerate private sector deployment of broadband networks in rural areas such as California, Louisiana, and the western United States. The projects may also include supporting wireless high-speed Internet development to schools in underserved urban areas like Brooklyn, for instance.

We believe the revenue generated from this telecommunications tax should be earmarked for telecommunications projects, instead of getting lost in the general revenue and allowing the digital divide to continue to go unabated. Therefore, Mr. Speaker, I conclude by urging my colleagues to defeat the previous question and to make our proposed amendment in order.

Mr. Speaker, I would like to say to my good friend from Ohio that this amendment would really, really move us in the right direction and begin to make certain that people that are left out will now be in. I think he would support that, so I am hoping that he will read it quickly and then join the band.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise to take a strong stand to urge defeat of the previous question. There is a lot of rhetoric about the digital divide, but no one is really doing anything about it. We now have an opportunity to back up our rhetoric with an investment in our future.

Specifically, there are proposals, one by my colleague, the gentleman from New York (Mr. TOWNS), which I support and one which I have introduced which would say that yes, we ought to cut the excise tax, but we ought to take a small portion of the excise tax and make an investment in closing the digital divide.

Is the digital divide real? Absolutely. Consider a family making over $75,000 is 20 times more likely to have a computer than a poor family.

□ 1230

Consider that in public schools, wealthy school districts have a ratio of seven students to one computer. Poor school districts have a ratio of 16 students to one computer. We can do something about it by taking a small portion of this tax and directing it not to the general fund but to the specific purpose of bringing our young people into the 21st century by providing computers that can be used in schools, in recreation centers, for training programs, for broad-band, for other uses. We are making a sound investment in our future.

It is time that we eliminate the empty rhetoric about the digital divide and really did something about it. This is our opportunity. I hope my colleagues will defeat the previous question, allow the substitute amendments to be considered by this body and allow us to really work toward closing the digital divide that everyone is so happy to talk about.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 3916, the Telephone Excise Tax Repeal Act of 2000. I am pleased to be an original co-sponsor of this bill.

Mr. Speaker, this is a tax whose time has come and it is time to be repealed. It was started over 100 years ago, during the Spanish-American War, to raise revenues; and it was started as, in effect, a luxury tax when only 2 percent of Americans had telephone service.

I can remember as a boy some years ago being at my grandparents' place up in east Texas, and they still used a party line, and people did not have many phones. Well, today about 97 percent of Americans have phone service in their home or they have cellular service, and also now with the rise in the use of the Internet people are being taxed there.

I think it is a little bit more simplistic than our colleague, the chairman of the Committee on Rules, pointed out, that somehow this is going to leverage an increasing boom in the high-tech market; but I think it is very important that this is one of the first tax breaks that we have seen come to the floor that is not a targeted tax break in one direction or does not just benefit the top 2 percent of the people with higher income. This is going to benefit the broad majority of American citizens out there since most Americans have some form of telephone service, some are on the Internet; but this is something that is going to put money back in the pockets of working American families, and that is why I cosponsored this bill. It is time to get rid of this tax.

I do want to say to my colleague from New York, I think he raises a very important issue, and his approach may well do more in trying to deal with the digital divide, but underlying all of this it is time that we repeal this tax and put some money back in the pockets of working Americans and send this tax back to where it goes. We have dealt with the deficit. We are not in a period of war, and so it is time that we do away with it; and I urge my colleagues at the end of the day, depending on what we do with the rule, to pass this bill.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in opposition to this rule because it allows us to continue the pattern of fiscally irresponsible legislation that will squander the budget surplus drip by drip. Once again, we are being asked to waive the Budget Act in our rush to pass politically popular and, I might add, common sense legislation without regard for the consequences on our promises to retire the national debt and on our ability to strengthen Social Security and Medicare.

I submitted an amendment to the Committee on Rules that would have

added very modest protection to ensure that this legislation does not jeopardize fiscal discipline. My amendment would allow the repeal of the telephone excise tax to take effect so long as Congress and the President maintain our course of fiscal discipline. Specifically, my amendment would have made the implementation of the telephone excise tax repeal contingent upon certification that Congress and the President have taken actions to ensure that we are on a path to eliminate the publicly held debt by 2013 and to protect the integrity of Social Security and Medicare.

This amendment represents a common sense principle that should be supported by Members on both sides of the aisle. In fact, a bipartisan majority of this House has already voted in favor of the provisions of my amendment when we adopted the Shadegg amendment to H.R. 701, the Conservation and Reinvestment Act. I agreed with many of my colleagues on the other side of the aisle when they argued during the debate on CARA that they should make sure that we are on a course to pay off the national debt and protect Social Security and Medicare before we spend the surplus on a new program.

I would ask my colleagues on the other side of the aisle who agreed with me on that principle when it applied to spending bills, why they are not willing to even consider applying this principle to tax cuts? If they believe that repeal of the telephone excise tax is more important than eliminating the national debt and protecting the integrity of Medicare and Social Security, vote for this rule.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I am here to applaud the Committee on Rules for giving us the opportunity today on the floor of this House to have the first, and given the way the Republican leadership runs this place, perhaps the only vote in this new millennium on genuine campaign finance reform. We are going to do that today through the motion to recommit, because what has happened in American politics is more distasteful than ever. It made a little fun of it last year in Roll Call referring to the 527 loophole airbus. It is a giant loophole that has been committed in our campaign finance laws, and now it is being used to hammer people into giving huge contributions to political organizations to conduct character assassination of people with hate ads on the airwaves throughout this country.

One can hammer a person to give $100,000 or a million dollars after they think they have gotten what they call fair treatment in this House. What they can tell that person they are hammering is that no one will be able to trace the money because they are going to run it through something called a 527, a giant loophole in the campaign finance laws. Some have referred to this loophole as the political equivalent of a Swiss bank account, and we have already begun to see how these 527 organizations operate. They operate in secret.

Common Cause has referred to them as stealth PACs. One leading reformer in this country has said, this is the latest manifestation of corruption in American politics. That is JOHN MCCAIN, and we are going to put a stop to it today, at least in part, thanks to the Committee on Rules providing for a motion to recommit.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Staten Island, New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me this time.

Mr. Speaker, again, the focus here is 102 years, 102 years of a temporary tax. I do not know about other Members here, but I can say that people back home, when they get that phone bill and they have difficulty understanding all those charges that appear and they ask why, and we are forced to tell them, well, believe it or not 102 years ago Congress passed a temporary tax. Now this Congress, I sense in a bipartisan way, will do the right thing and repeal that unnecessary tax that impacts every American family, and there may be people who have and will come to the floor to defend it and that is their right; but one has to ask themselves, I think, if we are not willing to repeal a 102-year-old temporary tax today, when we are enjoying the surplus generated by the American people, then when will we do it?

So I applaud those who have introduced this legislation.

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

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

Mr. KLECZKA. As I looked over the history of this tax, I thought I read that after the Spanish-American War this tax was repealed, and then at the start of World War I it was put back on; repealed after World War I; then it was put back on for World War II and then broadened to include the entire phone bill and that is where we are today. It is still around. Is that accurate?

Mr. FOSSELLA. The gentleman's point being that we should not repeal it today?

Mr. KLECZKA. No. The point being that it is not 102 years old and around since the Spanish-American War. It was repealed after that war in 1902. So the gentleman is inaccurate on that point.

Mr. FOSSELLA. Reclaiming my time. So much for semantics. The gentleman has every right to cast his vote to keep this tax alive, to say to the American people that he wants to keep this tax alive. I, in good measure and in good faith, say to the people of America that they deserve a break.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the Committee on Rules for allowing this motion to recommit on the issue of section 527 political organizations, because this will be the first vote of the new year, really the first vote of the new millennium, on the issue of campaign finance reform.

Time and time again I hear the Republican leadership state that the only way to fix our campaign finance system is through disclosure, but it is very cynical and hypocritical that they make that claim when at the same time they conduct themselves and their political cronies through the auspices of these section 527 political organizations.

We have seen report after report of the Republican Party structure creating and funding secret political organizations to funnel corporate dollars to further the agenda of the extreme right. To do this, they use section 527 of the Tax Code which allows the right wing to hide the names of their donors and also hide how their money is spent.

What is particularly disturbing about this is that the Republican leadership is allowing this cynicism to pervade the campaigns of their new candidates throughout the country.

In my own reelection campaign in 1998, my Republican opponent used one of these section 527 groups to funnel $5 million, I stress $5 million, in undisclosed and unaccountable dollars to malign me and try to defeat me.

My campaign had a lot of success in tracking down the corporate sources given to the group on our own. It was not disclosed, but we were able to find out about some of them, and many of the corporate CEOs whose corporations gave to these groups; and I spoke to them, had no idea how their own dollars were being donated and spent because of the lack of disclosure.

Two years after my campaign now, this same young Republican candidate that I ran against has now moved to a new district in New Jersey and is using these same methods in another run for the House, and here in the Capitol I am reading news reports that Republican leaders of the Congress are publicly pressuring lobbyists to donate to these same secret groups.

Mr. Speaker, it is nice to have a vote on the floor to repeal an antiquated tax provision like the telephone excise tax. I am, in fact, a co-sponsor of H.R. 3916. However, I also think it is equally important to strip our Tax Code of these provisions which undermine our political process and our electoral integrity, and I challenge the Republican leadership, the self-described disciples of disclosure, they keep talking about disclosure, to bring a bill to the floor to end the abuses of section 527.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER), and I thank the ranking member of the Committee on Rules for the opportunity to be able to speak to the legislation and the speed and expeditiousness of the Committee on Rules to bring this to the floor. Let me thank them very much for their hard work, realizing the work we had yesterday, the importance of their meeting to get this done.

This is a great day for Americans, and this is a great day for Texans and a great day for the constituents that I represent in the 18th Congressional District. It is not often that we can come forward in a bipartisan way to say to those who monthly and sometimes weekly, depending on the structure they have for their telephone bill, to try to look in the hidden print and find a small percentage of dollars that are taken out of their hard-earned income; and we are now glad to say today we pronounce with the passage of this legislation the opportunity to return those dollars to them.

The removal of the telephone excise tax is a value to all Americans, and because it was a tax that was indiscriminate and thereby reached those hardest hit Americans who work every day to make ends meet, to provide for their children, work at hourly wage jobs, of which we hope to increase the minimum wage, this is, of course, a bounty and a much appreciated repeal.

The key here is that this tax was even. No matter what one's income was, it was an excise tax that one probably could not track as to what it actually did, and I hope that as we repeal this tax we will also give consideration to the idea of utilizing dollars to end the digital divide. It is an area of interest, as a member of the Committee on Science and Committee on the Judiciary dealing with H1B visas, that I realize is key; but I think that this valuable repeal of the tax is one that helps to give consumers right now a tax cut that they can experience and appreciate, and I would hope that as we do this we would realize that these random, undisclosed taxes, are ones that we can repeal in a bipartisan manner.

I am gratified that this bill is on the floor, and I hope that it will ultimately pass to give relief to all taxpayers in America.

Mr. Speaker, I rise in support of H.R. 3961. This is a good bill that would close the digital divide. I also support the Towns-Dingell amendment that would reduce the telecommunications excise tax from 3% to 1%, and would repeal the tax entirely—effective September 30, 2002. This tax cut would give Americans over $1.5 billion more in tax relief than they would get under H.R. 3961.

In addition, this amendment would dedicate the funds collected by this tax for telecommunications projects to close the Digital Divide. See—just as money is collected from gasoline taxes to improve our Nation's highway infrastructure, money collected from the telephone excise tax should be devoted to improving our telecommunications infrastructure. For example, money in the Digital Bridge Trust Fund could be used to fund grants and loan guarantees to accelerate private sector deployment of broadband networks rural areas throughout the United States. In addition, the projects may also include supporting wireless high-speed Internet deployment to schools in underserved urban areas like Houston. See—no matter the specific project, the revenue generated from this telecommunications tax should be earmarked for telecommunications projects and closing the digital divide, instead of getting lost in the general revenue.

As you may know, Houston is home to over 1,000 technology companies and NASA. In fact, there are many technology companies that have developed due to the presence of the Johnson Space Center. Despite the heavy concentration of technology companies in Houston, not all our citizens are reaping the benefits of the digital economy. In fact, to ensure that all in society participate in the 21st century economy, it is imperative that information technology be accessible to all. Access to computers and use of the Internet is necessary for one's full participation in America's economic, political and social life. Today, use of information technology is rapidly becoming a requisite skill for employment, and the technology industry generally pays 80 percent more than the average private sector job.

Like many other locales in our nation, the City of Houston is experiencing a ''digital divide''—a gap between those individuals and communities that have access and training in information technology and those who do not. A defeat of the previous question and a vote on the Towns-Dingell-Waters substitute will ensure that in this new millennium, Congress is indeed serious about providing equal access to technologies for all Americans.

In closing and for these reasons, I urge my colleagues to defeat the previous question and to make the Towns-Dingell-Waters amendment in order.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I welcome this reform to the Tax Code, and I am pleased that this motion to recommit will be the first vote on campaign finance reform this year. The shadowy political hit squads being set up under section 527 of the Tax Code should be required to disclose their contributors. I agree with the majority whip, the gentleman from Texas (Mr. DELAY), who during the campaign finance debate last year said, and I quote, ''What reform can restore accountability more than an open book?''

□ 1245

So it is baffling why he opposes opening the books on these section 527 groups.

The gentleman from Kansas (Mr. MOORE) and the gentleman from Texas (Mr. DOGGETT) have legislation to require disclosure of these stealth political groups. Good government demands that we approve that bill.

One section 527 organization is called Citizens for Better Medicare. This is a front group set up by the pharmaceutical industry designed to give the impression that regular citizens want to keep seniors' drug prices as high to maintain the industries profit margins.

Here is how they work. Citizens for Better Medicare gathers the database of names that it claims are concerned citizens and then sends postcards on their behalf, often without their knowledge, to Congress with the message that seniors do not deserve prescription drug discounts.

Then they hire a telemarketing firm to make unsolicited phone calls to these seniors to tell them why their drugs should not be cheaper and then swiftly connect them to Members of Congress. This practice is confusing and deceptive.

The latest telephone scheme by Citizens for Better Medicare is to prey on children. A new web site, callyourgrandma.com, offers children phone cards with 10 free minutes of long distance so they can call their grandmother and explain why she does not deserve cheaper drugs. The catch, the kid has to submit personal information, a name, address, and phone number.

Developing a database of children to exploit and in order to justify their discriminatory pricing practices, that is what the drug companies are doing through Citizens for Better Medicare. I am pleased that we are going to have a chance today to stop that practice.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of the motion to recommit and in support of the base bill. This motion to recommit would add to the pending bill language requiring full disclosure by 527 organizations, these 527 groups that collect secret money and never disclose who gave or how much they gave.

Our system of government is based on openness, disclosure, and accountability. Our system of government is threatened by secret money. Nondisclosure allows special interest groups with unlimited funds to bid for seats in Congress and to buy seats in Congress.

A patriot from Arizona who ran for President of United States this year is a champion and a strong supporter of full disclosure.

This should not be a partisan issue. People on both sides of the aisle should come to the support of this kind of responsive campaign finance reform.

Mr. Speaker, we owe this to the American people.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I want to give one of the examples of what our motion to recommit will address. It is called Shape the Debate. This is the Web page from Shape the Debate, one of these clandestine organizations whose specialty is character assassination.

Shape the Debate advertises to those who might contribute $100,000, $1 million or more. It advertises on the World Wide Web, so this can be Iraqi money or Cuban money or Chinese money or just homegrown special interest corporate treasury money, that the good thing about contributing to Shape the Debate is that it will not disclose to anyone who gave how much.

That is the beauty to those who have discovered the 527 loophole, because their idea of shaping the debate is to do something that no one else of any political persuasion is doing in America today, and that is to use a secret stealth attack. The hitman can take the blood money to engage in that character assassination and one never knows, one never is able to trace the money.

That is why our Republican colleagues think they cannot control the House in the future unless they rely on the money passing secretly by stealth to these 527 committees that totally subvert the Federal election laws.

We have called on them. I have called on them. The gentleman from Kansas (Mr. MOORE) has called on them to join us in a bipartisan correction of this loophole. At every opportunity, no matter how much we had pled, they said, no, wait till next year. Wait until we have won the next election by using character assassination with secret money that no one will be able to trace. Wait till that happens, and maybe next year we will think about doing something about it.

I think the American people want reform now. That is what this motion to recommit is all about; it represents the first vote of the new millennium on the floor of this House for campaign finance reform. Despite the efforts of this Committee on Rules at every turn to block us from discussing campaign reform, despite the fact that the use of 527 secretly funded ads has been called another example of corruption in American politics by JOHN MCCAIN, the Republican leadership has blocked us from considering reform. Today, finally we have a tiny opening to do what is right for the American people by beginning to clean up this mess.

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

Mr. Speaker, I will have to confess, when he started talking about all that Chinese money, I thought he was showing us President Clinton's 1996 disclosure.

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

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

Mr. Speaker, I urge Members to vote no on the previous question. If the previous question is defeated, I will offer an amendment to the rule to make in order two substitutes. The Towns substitute phases out the telecommunications excise tax more quickly than the underlying bill and sets aside the proceeds in a Digital Bridge Trust fund.

The Wynn substitute also sets aside the revenues to fund various programs to overcome the digital divide.

If the previous question is defeated, Members will have the opportunity to vote up or down on those proposals.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment to the resolution and extraneous materials into the CONGRESSIONAL RECORD immediately prior to the vote.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge a no vote on the previous question so that we may debate all the issues.

Mr. Speaker, I include the amendment to the resolution and extraneous material that I referred to earlier, as follows:

AMENDMENT TO H. RES. 511, THE RULE PROVIDING FOR CONSIDERATION OF H.R. 3916, TO REPEAL THE TELEPHONE EXCISE TAX

On page 2, line 7, after ''Ways and Means;'' strike ''and (2)'' and add the following:

''(2) without intervention of any point of order, one hour of debate on the amendment in the nature of a substitute printed in section 2 of this resolution to be offered by Representative Towns of New York, equally divided and controlled by the proponent and an opponent; (3) without intervention of any point of order, one hour of debate on the amendment in the nature of a substitute printed in section 3 of this resolution to be offered by Representative Wynn of Maryland, equally divided and controlled by the proponent and an opponent; and (4)''

On page 2, after line 8, add the following:

Section 2.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3916, AS REPORTED

OFFERED BY MR. TOWNS OF NEW YORK, MS. WATERS OF CALIFORNIA, OR MR. DINGELL OF MICHIGAN

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF FEDERAL COMMUNICATIONS EXCISE TAX.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) PHASE-OUT OF TAX.—Paragraph (2) of section 4251(b) of such Code (defining applicable percentage) is amended to read as follows:

''(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means 1 percent with respect to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this subparagraph and before October 1, 2002.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''COMMUNICATIONS SERVICES AND''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(d) EFFECTIVE DATES.—

(1) REPEAL.—The amendments made by subsections (a) and (c) shall apply to amounts paid pursuant to bills first rendered after September 30, 2002.

(2) PHASE-OUT.—The amendment made by subsection (b) shall apply to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this Act.

SEC. 2. DIGITAL BRIDGE TRUST FUND.

(a) IN GENERAL.—The National Telecommunications and Information Administration Organization Act is amended—

(1) by redesignating part C as part D; and

(2) by inserting after part B (47 U.S.C. 921 et seq.) the following new part:

''PART C—DIGITAL BRIDGE TRUST FUND

''SEC. 131. TRUST FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Digital Bridge Trust Fund, consisting of such amounts as may be appropriated or credited pursuant to subsection (b) or (d).

''(b) TRANSFER OF AMOUNTS EQUIVALENT TO CERTAIN TAXES.—There are hereby appropriated to the Digital Bridge Trust Fund amounts equivalent to 100 percent of the taxes received in the Treasury under section 4251 of the Internal Revenue Code of 1986 (relating to tax on communications) pursuant to bills first rendered on or after the 30th day after the date of the enactment of this part.

''(c) EXPENDITURES.—Amounts in the Digital Bridge Trust Fund may be made available only for the benefit of rural and urban areas, and Native Americans, in a manner that targets such assistance for areas, communities, and populations (including low-income families and individuals) that are underserved with respect to information technology needs, employment, and education, and only in accordance with provisions of law enacted after the date of the enactment of this section that provide for the availability of such amounts.

''(d) TREATMENT AS TRUST FUND.—For purposes of subchapter B of chapter 98 of the Internal Revenue Code of 1986, the Digital Bridge Trust Fund shall be considered to be a trust fund established by subchapter A of such chapter.''.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3916, AS REPORTED

OFFERED BY MR. WYNN OF MARYLAND

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Computers in Our Community Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) There is a growing gap, commonly referred to as the digital divide, between individuals who have access to computers and the Internet and individuals who do not have such access.

(2) Households with incomes of $75,000 or greater are more than 20 times more likely to have access to the Internet, and more than 9 times more likely to have a computer at home, than households with the lowest income levels.

(3) Although 58.9 percent of Americans earning over $75,000 annually frequently use the Internet, only 16 percent of Americans earning between $5,000 and $10,000 annually use the Internet.

(4) Black and Hispanic households are ⅖ as likely to have home Internet access as white households.

(5) The digital divide is an emergency that will detrimentally affect the economy and society of the Nation absent immediate corrective action.

(6) The e-rate program of the Federal Communications Commission ensures that schools and libraries receive telecommunications services at a discounted rate. Although tremendously successful, this program is insufficient because there is twice the demand for funding as there is funding available.

(7) According to statistics by the Department of Education, there is a dire need for additional computers in some schools. Schools with the highest concentrations of poverty had an average of 16 students per instructional computer with Internet access, compared to 7 students for each such computer in schools with the lowest concentrations of poverty.

(8) The computer industry is the fastest growing industry in our country. There is a documented shortage of information technology workers. Increasingly, workers in all fields of employment will need to be computer literate. Ensuring that classrooms have computers that are used effectively to teach students will help meet this need.

SEC. 3. AMENDMENT TO THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION ORGANIZATION ACT.

The National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended—

(1) by redesignating part C as part D; and

(2) by inserting after part B the following new part:

"PART C—COMPUTERS IN OUR COMMUNITY PROGRAM

"SEC. 131. PURPOSE.

''It is the purpose of this part to establish programs to advance the computer skills of American workers in the global economy and to use computer technology to advance the general educational performance of American students.

"SEC. 132. STATE EDUCATIONAL AGENCY GRANT PROGRAM.

''(a) PROGRAM AUTHORITY.—From 85 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall make grants to each participating State educational agency for allocation among local educational agencies in such State.

''(b) ALLOCATION OF FUNDS.—

''(1) STATE ALLOCATIONS.—The Secretary shall allocate to each participating State educational agency an amount that bears the same ratio to such 85 percent of the amount made available under section 137 for a fiscal year as the total amount allocated to such State educational agency under title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the total amount allocated to all such participating State educational agencies under such title I for such fiscal year.

''(2) LOCAL ALLOCATIONS.—Each participating State educational agency shall allocate to each participating local educational agency an amount that bears the same ratio to the amount allocated to such State for a fiscal year as the total amount allocated to such local educational agency under title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the total amount allocated to all such participating local educational agencies in such State under such title I for such fiscal year.

''(c) ELIGIBILITY.—

''(1) PARTICIPATING STATE EDUCATIONAL AGENCIES.—In order to qualify as a participating State educational agency for purposes of this section, a State educational agency shall create or modify and submit to the Secretary a technology plan that—

''(A) identifies the current ratio of students to computers in each school district in the State, and specifies the Internet connectivity of the computer systems in such districts; and

''(B) complies with such other criteria as the Secretary, in conjunction with the Secretary of Education, shall prescribe to assure that the funds provided under this section are being used properly in schools to advance the use of technology to effectively teach students computer skills and improve the general educational performance of students.

''(2) PARTICIPATING LOCAL EDUCATIONAL AGENCIES.—In order to qualify as a participating local educational agency for purposes of this section, a local educational agency shall create or modify and submit to the State educational agency a technology plan that proves such local educational agency is meeting the goals of the technology plan of the State educational agency.

''(d) USE OF FUNDS.—Funds provided under this section may be used for the following:

''(1) The purchase of computers that meet a minimum standard as determined by the Secretary.

''(2) The electrical wiring that schools may require to connect computers to each other and to the Internet.

''(3) Hiring technological assistants to ensure that each school has access to a trained computer professional to provide technology training for teachers and perform maintenance of computer systems. A maximum of 1 technological assistant per 5 elementary schools, 1 technological assistant per 3 middle schools, and 1 technological assistant per 2 high schools may be paid for with such funds.

"SEC. 133. DIGITAL DIVIDE WORKFORCE TRAINING INITIATIVE.

''(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to nonprofit organizations for the establishment of job training programs for preparing individuals for computer and technology related jobs.

''(b) CRITERIA.—The Secretary, after consultation with the Secretary of Labor, shall establish the criteria for administering the grants under this section, which shall include the following:

''(1) Grants under this section shall be for 2 years.

''(2) Grant applicants shall serve low income individuals, as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).

''(3) Grant applicants may submit an application under this section only after consulting with the appropriate local workforce investment board under such Act, and obtaining a favorable recommendation of the application by such board.

''(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications that—

''(1) are submitted by nonprofit organizations that have experience in providing technological training;

''(2) propose job training programs that will serve individuals most in need of computer and technology training, as determined by the Secretary; and

''(3) provide flexibility in training in order to accommodate a greater number of individuals.

''(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary, in conjunction with the Secretary of Labor, may reasonably prescribe. Each such application shall provide a system for tracking the employment success of individuals who attend any proposed job training program.

''(e) FOLLOW-UP.—The Secretary shall review the success of the program under this section and submit a report to Congress thereon not later than 2 years after amounts are first available for implementation of the program.

"SEC. 134. COMMUNITY CENTERS AND LIBRARIES TECHNOLOGY ACCESS GRANTS.

''(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to provide assistance to community centers and libraries to provide greater access to, instruction on, and assistance with computers and the Internet

''(b) CRITERIA.—The Secretary shall establish the criteria for administering the grants under this section, which shall include the following:

''(1) Any entity requesting funds under this section shall provide such assurances as the Secretary may require to demonstrate that the entity will provide, from other sources (which may include contributions from State or local government), an equal amount of funds for carrying out the purposes of the grant.

''(2) Eligible recipients of grants under this section shall be community centers that receive Federal, State, or local government funding, public libraries, and nonprofit organizations working in conjunction with such centers and libraries.

''(3) Each recipient of grant funds under this section shall use such funds to establish a program for providing greater access to, instruction on, and assistance with computers and the Internet.

''(4) Grants under this section shall be for 3 years.

''(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications that demonstrate that the program for which funds are sought—

''(1) will be able to sustain funding in the absence of Federal funding; and

''(2) will serve areas with a low rate of access to computers and the Internet.

''(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably prescribe. Each such application shall include—

''(1) a description of the proposed program, including how the program would will make technology available to areas with a low rate of access to computers and the Internet;

''(2) a demonstration of the need for computers and access to the Internet in the area to be served; and

''(3) a description of the type technology that will be provided.

''SEC. 135. COMPUTER CURRICULUM PARTNERSHIP.

''(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to institutions of higher education that create successful partnerships between their education and computer departments to create software or Internet applications—

''(1) to train teachers in using computers, and using computers to teach students; or

''(2) to use in the classroom to teach students.

''(b) CRITERIA.—The Secretary, after consultation with the Secretary of Education, shall establish the criteria for administering the grants under this section. Such criteria shall include priorities for awarding funds under this section—

''(1) based on the need of the schools being served and their educational priorities; and

''(2) giving preference to those applicants that will operate their programs in conjunction with local educational agencies.

''(c) CLEARINGHOUSE.—The Secretary shall, in conjunction with the Secretary of Education, develop a clearinghouse to make available information derived from the activities of recipients of funds under this section to other schools throughout the United States.

''(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary, in conjunction with the Secretary of Education, may reasonably prescribe. Each application shall include a description of the format of the software or Internet applications to be created.

''SEC. 136. ADMINISTRATIVE COSTS.

''Of amounts available to carry out a program to award grants under each of sections 133, 134, and 135, the Secretary may not use more than 1 percent to pay administration costs under that section.

''SEC. 137. REGULATIONS.

''The Secretary may prescribe such regulations as may be necessary to carry out this part.

''SEC. 138. APPROPRIATIONS AUTHORIZED.

''There are authorized to be appropriated to carry out this part for any fiscal year an amount not to exceed the amount deposited to the Computers in Our Communities Trust Fund for such fiscal year pursuant to section 9511 of the Internal Revenue Code of 1986.

''SEC. 139. DEFINITIONS.

''As used in this part—

''(1) the terms 'State educational agency' and 'local educational agency' have the meanings provided such terms in section 14101 of the Elementary and Secondary Education Act of 1965; and

''(2) the term 'institution of higher education' has the meaning provided such term in section 102 of the Higher Education Act of 1965.''.

SEC. 4. COMPUTERS IN OUR COMMUNITIES TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by inserting after section 9510 the following:

''SEC. 9511. COMPUTERS IN OUR COMMUNITIES TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Computers in Our Communities Trust Fund', consisting of such amounts as may be appropriated or credited pursuant to this section or section 9602(b).

''(b) TRANSFER TO COMPUTERS IN OUR COMMUNITIES TRUST FUND AMOUNTS EQUIVALENT TO CERTAIN TAXES.—There are hereby appropriated to the Computers in Our Communities Trust Fund amounts equivalent to 100 percent of the taxes received in the Treasury after September 30, 2000, under section 4251 (relating to tax on communications).

''(c) EXPENDITURES FROM COMPUTERS IN OUR COMMUNITIES TRUST FUND.—Amounts in the Computers in Our Communities Trust Fund shall be available for making appropriations to carry out the provisions of part C of the National Telecommunications and Information Administration Organization Act.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter A is amended by adding at the end the following new item:

''Sec. 9511. Computers in Our Communities Trust Fund.''

SEC. 5. REDUCTION OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Section 4251(b)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means 1 percent.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts paid pursuant to bills first rendered after September 30, 2000.

Amend the title so as to read: ''To amend the National Telecommunications and Information Administration Organization Act to establish a program to distribute funds to State educational agencies to advance the use of technology to effectively teach our students computer skills and improve the general educational performance of students, and for other purposes.''.

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

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

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 agreeing to the resolution and also on agreeing to House Concurrent Resolution 331 postponed from yesterday on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 201, not voting 12, as follows:

[Roll No. 229]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
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)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Forbes

Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—12

Bateman
Becerra
Clyburn
Coburn
Hilliard
Johnson, Sam
Kennedy
McInnis
Minge
Scarborough
Spence
Weiner

□ 1312

Messrs. MOAKLEY, SPRATT, ROEMER, CUMMINGS and NEAL of Massachusetts changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 404, noes 15, not voting 15, as follows:

[Roll No. 230]

AYES—404

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

NOES—15

Berry
Dingell
Engel
Hinchey
Klink
Markey
Meeks (NY)
Obey
Owens
Stenholm
Taylor (MS)
Tierney
Towns
Waters
Wynn

NOT VOTING—15

Bateman
Becerra
Clyburn
Coburn
Hilliard
Johnson, Sam
Kennedy
McInnis
Meek (FL)
Minge
Scarborough
Schakowsky
Spence
Taylor (NC)
Weiner

□ 1321

Mr. BERRY and Mr. MARKEY changed their vote from ''aye'' to ''no.''

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

The SPEAKER pro tempore (Mr. LATOURETTE). The unfinished business is the question of agreeing to the concurrent resolution, House Concurrent Resolution 331, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 3, answered ''present'' 2, not voting 26, as follows:

[Roll No. 231]

YEAS—403

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

NAYS—3

DeLay
Goodling
Paul

ANSWERED ''PRESENT''—2

Barr
Wicker

NOT VOTING—26

Bateman
Becerra
Bereuter
Berman
Brady (TX)
Capps
Clay
Clyburn
Coble
Coburn
Cooksey
Hilliard
Houghton
Johnson, Sam
Kennedy
LaFalce
McInnis
Minge
Mink
Owens
Pitts
Scarborough
Spence
Talent
Weiner
Wexler

□ 1331

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BEREUTER. Mr. Speaker, on rollcall No. 231, I inadvertently missed the vote. Had I been present on the floor I would have voted ''aye.''

Mrs. CAPPS. Mr. Speaker, I was unavoidably detained and missed rollcall 231, passage of H. Con. Res. 331. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, on May 25, 2000, I was unavoidably detained during rollcall votes: No. 229, on Ordering the Previous Question on H. Res. 511, Providing for the Consideration of H.R. 3916, to Amend the Internal Revenue Code of 1986 to Repeal the Excise Tax on Telephone and Other Communication Services; No. 230 on Agreeing to the Resolution, H. Res. 511; and No. 231 on Agreeing to the Resolution, H. Con. Res. 331, Commending Israel's Redeployment from Southern Lebanon. Had I been present for the votes, I would have voted ''nay'' on rollcall vote 229, and ''aye'' on rollcall votes 230 and 231.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 2001

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. REGULA. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

TELEPHONE EXCISE TAX REPEAL ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 511, I call up the bill (H.R. 3916) to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 511, the bill is considered read for amendment.

The text of H.R. 3916 is as follows:

H.R. 3916

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

SECTION 1. REPEAL OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''COMMUNICATIONS SERVICES AND''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid pursuant to bills first rendered more than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 3916, as amended, is as follows:

H.R. 3916

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

SECTION 1. REPEAL OF FEDERAL COMMUNICATIONS EXCISE TAX.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) PHASE-OUT OF TAX.—Paragraph (2) of section 4251(b) of such Code (defining applicable percentage) is amended to read as follows:

''(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means—

''(A) 2 percent with respect to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this subparagraph and before October 1, 2001, and

''(B) 1 percent with respect to amounts paid pursuant to bills first rendered after September 30, 2001, and before October 1, 2002.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''COMMUNICATIONS SERVICES AND''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(d) EFFECTIVE DATES.—

(1) REPEAL.—The amendments made by subsections (a) and (c) shall apply to amounts paid pursuant to bills first rendered after September 30, 2002.

(2) PHASE-OUT.—The amendment made by subsection (b) shall apply to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER) and the gentleman from California (Mr. MATSUI) each will control 30 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 3916.

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

There was no objection.

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

Mr. Speaker, today Congress will vote to repeal the 102-year-old Federal excise tax on telecommunications services. This is a bipartisan bill introduced by the gentleman from Ohio (Mr. PORTMAN) and the gentleman from California (Mr. MATSUI). It repeals an excise tax which is regressive and hits low-income families and people on fixed incomes like older Americans the hardest and it is a tax that has truly outlived its usefulness. The telephone tax is a showcase example of bad tax policy and its endurance over the century proves again that once the Government gets its hands on the taxpayers' money, it is hard to get it back to the people.

In addition to helping people today, repealing this tax will help avoid a potentially big tax increase in the future. It used to be that each household had only one phone, and that was it. But today homes have at least one phone line, many have two. Mom and Dad and maybe one of the kids has a cell phone or a pager, and the family might have a computer and use e-mail. So they are paying this tax on a number of telecommunications services, not just on their one telephone anymore.

The point is, as more Americans use more and more telecommunications services, this tax must surely not continue to grow. That is why I am pleased that we are taking this action today to repeal a tax first levied in 1898. As the old saying goes, Better late than never.

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

Mr. MATSUI. Mr. Speaker, I yield myself 3 minutes.

First I would like to thank the gentleman from New York (Mr. RANGEL), the ranking Democrat on the Committee on Ways and Means, for yielding to me and allowing me to manage this bill. I would like to commend the gentleman from Texas (Mr. ARCHER), the chairman of the committee, for bringing this bill up in an expeditious fashion.

Mr. Speaker, as the gentleman from Texas has mentioned, this tax is a tax that should have been repealed years ago. It started in 1898 to actually pay for the Spanish-American war. It had been repealed and reinstated numerous times over those years, but the fact of the matter is this tax is a tax on telephone service communications between Americans.

When it was first instituted in 1898, 102 years ago, there were, believe it or not, 1,356 telephones in America. It was clearly a luxury tax. It was a method that very wealthy people used to communicate with each other probably more as a novelty than as a real source of communication. The fact of the matter is today that 94 percent of the American public of 270 million people now use telephones. Now they pay a 3 percent tax. As we know, this tax hits across everybody, low-income people, moderate-income people, the rich; but everybody pays the same percentage. This is probably one of the most regressive taxes that the Federal Government has. It should be repealed, particularly in a time of surpluses.

I might also mention that there is another aspect of this as well. As we know, we have numerous different modes of communication in America and throughout the world today. We have the Internet, we have cable modems and everything else. At this time the IRS and the Treasury Department is having a very difficult time on how to apply this tax. Some can use the Internet with cable modems to avoid the tax, and others who use the basic telephone service end up paying the tax. As we know, average low-income Americans are the ones that do not have access to the Internet. And so again this tax is even more regressive,

given the fact that many Americans cannot afford the new technology that we have. This tax is currently at approximately over a 5-year period $20 billion. This is not just a small amount. This is a very large tax on American citizens.

Mr. Speaker, this tax needs to be repealed. I urge my colleagues to vote yes on this repeal effort.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time. I salute my colleague from Ohio and my colleague across the aisle from California for bringing this forward. Credit is also due to a new Member of our institution, the gentleman from California (Mr. GARY MILLER), who brought this to our attention last year.

As the chairman of our committee pointed out, Mr. Speaker, this is an object lesson on tax policy in our constitutional Republic. One is almost tempted, Mr. Speaker, to return to my profession of broadcasting, ''This bulletin just in. The Spanish-American war is over. We won. But in the process American consumers lost.''

As my colleague from California correctly points out, this has been a stop-start, on-again off-again procedure. Yet it is compelling because it was a tax levied for the most noble of purposes over a century ago; but it has stayed around and, far from a luxury, we know today the telephone is a necessity. We know today that as we live in the information age, as we depend on computers more and more, information so vital to our everyday lives need not be taxed. Especially egregious, these funds from this luxury tax are not even devoted to the telecommunications process. No, they go into the general fund.

And so it is long overdue that we repeal this Spanish-American War telephone tax, this tax on talking; and in much the same way, we need to continue our review and one day reform our overall tax policy because historians note that the current taxation on personal income made possible by the 16th amendment to our Constitution was preconditioned through judicial review on the notion that it is temporary.

Well, today the temporary century-plus telephone tax will be repealed. Again, as we congratulate each other in a bipartisan fashion, Mr. Speaker, the American people ask, What took you so long? We are finally getting the work done for the people.

Mr. MATSUI. Mr. Speaker, I yield 4½ minutes to the gentleman from Wisconsin (Mr. KLECZKA), a member of the Committee on Ways and Means.

Mr. KLECZKA. Mr. Speaker, let me thank the gentleman from California for yielding me this time.

Mr. Speaker, I am really tickled pink to have the opportunity to come down here and talk about this repeal of the phone tax. As was indicated, this repeal will cost some $20 billion to the treasury, or putting it another way, Americans will be saving $20 billion over a 5-year period. To put that into perspective, the President has recommended this Congress pass a drug benefit for the senior citizens on Medicare. The 5-year cost of that is $40 billion. But my Republican colleagues do not support that so we probably will not do it for the seniors; but this phone repeal could fund one-half of that Medicare drug benefit for seniors, just to put it into perspective.

Now, I guess people are going to ask, what is this worth to me? I have a copy of a phone bill here from the State of Virginia from the Bell Atlantic Phone Company. This is for the other services and charges. If I could direct Members' attention to number seven, it is tax and Federal, the savings to the consumer here, 97 cents. People ask me, where did this idea come from to repeal the tax? Clearly the gentleman from California (Mr. MATSUI) introduced a bill, but we also had an advisory commission established by Congress to look at the Internet tax.

□ 1345

It was headed up by the governor of the State of Virginia, Governor Gilmore. His colleagues not only wanted to put a moratorium on Internet tax, but they also had this real thing about the Federal phone tax. They pushed and shoved, and part of the recommendation to Congress was to repeal this 97 cent tax here.

As I look at this bill, Governor Gilmore, my eyes dropped to the next line, and that is the State sales tax on your phone bill. That is $7.00, 700 percent more, and I do not recall the governor saying anything about knocking that down, but he is so gracious to help us out by eliminating this 97 cents on the phone bill.

I just read in the Post today that Governor Gilmore wants the taxpayers of the country to give him another half a billion dollars to rebuild the Wilson Bridge, which is in part Virginia and in part Maryland. I say we could sure help him out if we had this $20 billion, but we have to give that back. But the point here is the consumers by our action today are going to save 97 cents on this phone bill, but we are not doing anything about the $7 tax going to Richmond.

So this is a great day. We are really going to do something for the consumers. Massive tax relief. Great day.

I have got some bad news. Bell Atlantic, same company, sent out a letter, and they sent out the letter to the phone people, to those who use their telephone, and they say, hey, important notice, folks. Optional wire maintenance price plan increase. What is that? Well, for the phone wire inside your house, these folks are currently paying $1.25 a month. The phone company is telling them, effective June 17 of this year, we are going to increase that almost 100 percent to $2.45, $1.20 a month.

But, wait a minute. We just saved 97 cents, and the phone company took it away. Before we got the savings, this phone company took it away. So right now, as we stand here, we are 23 cents in the hole, because after we give you this phone tax relief, your bill is going to go up 23 percent anyway.

So now I am thinking, my gosh, how are we going to help the consumer out? Well, I came up with a couple of ideas. It is going to cost some money to change the Tax Code. There will be some administrative costs once this bill is signed into law. I am thinking of producing an amendment today to amend the bill, and instead of sending the 97 cents back to the consumers, send the $20 billion to the phone company. My friends, they are going to get it anyway.

The other idea is to move the previous question, which means cut off all the debate, because the longer we sit here today and talk about this, the less the consumers are going to save.

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

Mr. Speaker, I appreciate that my friend from Wisconsin has pointed out some other potential targets. Unfortunately, the U.S. Congress will not be able to do much about it. Maybe some State legislators from Virginia were watching, maybe some of our regulators downtown were watching from the FCC, and maybe even some members of the Committee on Commerce are here.

But I know that it is very important to most Members of this Chamber that we go ahead and reduce that 97 cents, which is $6 billion a year on the consumers of this country; and regardless of what States may do or what other regulations may require, I am delighted that this has been, from the start, an effort that has been supported broadly on a bipartisan basis.

I want to point out the gentleman from California (Mr. MATSUI) in particular. He is my partner on this legislation, has been from the start. He makes some very good points every time he speaks on this issue. He just made them previously about the difficulty we are having at the IRS right now even identifying what is a telephone tax and what is not, given the emerging technologies and given the very fast pace of change out there.

The gentleman also has talked, I know, about the history of this legislation. I do not want to go over all of it, but I hope people understand that this was a temporary luxury tax put in place during the Spanish-American War to pay for that war at a time when very few Americans had telephones, only the wealthiest of Americans. This temporary luxury tax, which was put in place at a time when the country was just being introduced to the glamorous young war hero, Teddy Roosevelt, has lived on. It has gone up, it has gone down, it has gone all around.

But it is a classic example of a tax in Washington that just will not die, and in this case a temporary tax on a luxury item that is no longer a luxury item, rather something all of us use every day in our lives and is clearly a catalyst to the economic growth we are all enjoying.

So at a time of prosperity, at a time when we can look out to the future with budget surpluses projected, and have the luxury of looking at our Tax Code, what makes sense and what does not, this should be for this Congress a target for repeal.

It is a 3 percent Federal excise tax; you will see it on your phone bill. Sometimes it is called FET. Look at the bottom of that bill, if you can look past all the other charges and so on that the gentleman from Wisconsin talked about. This is one this Congress can do something about and should do today.

From a tax policy perspective, there are number of reasons why this does not make sense, in addition to the fact that it is no longer necessary, since the Spanish-American War is 102 years ago. One is it is regressive. Lower-income families, of course, pay a higher percentage of their family budget than most Americans do on the telephone use. Everybody has a phone. Ninety-four percent of American families have it. Seniors are particularly hard hit by this on fixed incomes who need the telephone as a lifeline to the outside world.

Second, unlike other Federal excise taxes that go for some specific purpose, this simply goes into general revenues. The gas tax is a Federal excise tax, but it goes to fix our roads and our bridges. We also have Federal excise taxes on sin, being the sin taxes, so-called sin taxes, on alcohol and cigarettes.

But this is something that we should not be discouraging, telephone use. In fact, just the opposite. We should be encouraging it, again, because it is such a fundamental driver in the economic prosperity we now enjoy.

Finally, and perhaps most importantly, this is anti-Internet, having this tax in place, anti-telecommunications, at a time when that ought to be encouraged. Ninety-six percent of Internet goes over phone lines.

So at the very end of the day, all I can say is this is a great example where the Congress gets together, reflects on our Tax Code, what makes sense, what does not, comes together on a bipartisan basis, making it bipartisan from the very start, then brings it to the floor in a bipartisan way, to send a strong message to the United States Senate, which sometimes needs a strong message, and to the President, because I hope it will end up on his desk, hope it will happen in the next month. I hope it will happen before we go out of session certainly this year, so we will be able to give our consumers a little break and help our economy and get rid of this, again, outdated part of our Tax Code. The Spanish-American War is long over, but in the 21st century, the telecommunications revolution is very much on. We need to assist that.

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

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I thank my colleague from California, the original Democrat sponsor of this bill, for yielding me time.

As a cosponsor of H.R. 3916, the Telephone Excise Tax Repeal Act, I am proud to not only support it, but also be a cosponsor. It adds $6 billion annually to our bills and about $2.00 a month to our constituents' phone bills.

While this tax was created to fund the Spanish-American War and has been reinstituted during different conflicts, telephones were a luxury. Well, that is not the case anymore. In fact, it has long since not been a luxury. So this regressive tax should be repealed.

This is a broad tax cut that I think a lot of us can support, and that is why you have a broad number of Members that are cosponsoring it. It covers everyone, but particularly it covers senior citizens in my own district who can see when their bill comes in after this is effective, their Federal tax will be reduced.

I do share with my colleague from Wisconsin the concern about whether their regular phone bill will be increased, but hopefully they will deal with their State legislature and their regulation on that. The only funds that should be collected from the telecommunications device should be the digital divide.

I am also glad we are having a motion to recommit to close the 527 loophole that requires 527s to be able to list who is giving to them and how they are spending their money.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), my colleague on the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his efforts as well as those of the gentleman from California to move forward to repeal this fantastically antiquated tax.

Mr. Speaker, recently I had the opportunity in visiting Egypt for the first time to do something that every archeology buff wants to do, and that is visit the pyramids. As I descended into the bowels of the great pyramid of Cheops, I developed a fresh appreciation for the ancient Egyptian belief in resurrection.

Mr. Speaker, as we move to inter this tax finally, we are looking at a provision in the Tax Code that would reaffirm the beliefs of the Old Kingdom in resurrection. This tax was first introduced in 1898, before income taxes were levied. It was designed as a temporary tax to pay for the Spanish-American War, as the last speaker noted. Since then, this tax has been repeatedly resurrected by Congress to no end.

Mr. Speaker, I rise in strong support of this legislation and urge my colleagues to vote in favor of repealing this outdated tax on our most basic communications. In my home State of Pennsylvania, this would mean $245 million in tax relief, with $75 million of that going to families who earn less than $30,000. The time has long passed to eliminate this regressive tax on the American people and on small business.

For the first time in decades, with the Federal Government running a budget surplus, it is particularly perverse to continue this tax on talking when telecommunications play such a vital role in the information superhighway. The revenues from this tax, as the last speaker noted, are not even earmarked to support telecommunications infrastructure. It goes to the general treasury.

Mr. Speaker, I would urge every one of my colleagues to vote for this bill, and, in doing so, vote for tax fairness, for tax relief, and for easier Internet access. I urge the passage of the legislation.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), a member of the Committee on Ways and Means.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in support of the motion to be offered by my good friend and colleague on the Committee on Ways and Means, the gentleman from Texas (Mr. DOGGETT), the motion to recommit. It simply says that section 527 political organizations will not get the benefit of the telephone excise tax repeal unless they disclose their donors. It is that simple.

The gentleman from Texas (Mr. DOGGETT) had tried to offer this amendment in the Committee on Ways and Means twice, once today and once during the debate on the Taxpayers' Bill of Rights. Both times, the Republicans have voted it down and blocked it from coming to the floor.

Every person in America realized the importance and necessity of fixing our system of financing elections. The Doggett amendment is an attempt, but an important attempt, a necessary attempt, to bring about campaign finance reform. It will close another loophole in campaign finance disclosure laws. It will clean up the mess created by section 527 political organizations. These organizations can take unlimited money from almost any source, even foreign money, and make expenditures without any disclosure to anyone. It is a sham, it is a shame, and it is a disgrace. The American people deserve better.

The Doggett amendment only requires simple open disclosure by these organizations, these 527 organizations. The American people have a right to know. They have a right to know who is funding political campaigns in our country. They have a right to know who is behind the attack ads. The American people have a right to a free and fair election process.

There is already too much money in the political process. There is no room for secrecy too. We need to fix the mess. I urge my colleagues to support the motion to recommit.

Mr. PORTMAN. Mr. Speaker, I yield 2 minutes to my slow-talking, fast-thinking friend, the gentleman from Georgia (Mr. COLLINS).

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Mr. COLLINS. Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. Speaker, when Theodore Roosevelt issued the order to charge, he was referring to the Rough Riders and ordered them towards San Juan Hill. Well, evidently the Congress heard the order of charge at the same time, and they implemented this 3 percent luxury tax on those at that time who had a telephone. Well, that time in Congress and Theodore Roosevelt have passed, the Spanish American War is over, and it is time that we cease charging, charging the American people this ridiculous tax on their telephones.

The charge was to pay for the war. The war had a cost of about $250 billion. Today, we are collecting better than 20 times the cost of that war each year. This is just another example of excessive taxation, but Congress too is responsible for the excessive taxation because of our excessive spending habits. But it is an excessive cost to families and to business. At a time that we have a savings rate that is negative in this country, at a time that we are trying to encourage investments, and at a time when we are trying to compete in a global market, it is time for us to repeal and/or change tax provisions that will assist families and business.

Mr. Speaker, it is time to end this charge. The war is over. Let us sunset this tax.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I ask rhetorically one question on this issue: why would anybody not want to repeal this tax? And then I thought about it and I came to the conclusion, with 4 teenage children, maybe I am wrong. Do we really want to encourage them to stay on the phone longer? But even after that, I have come down on the side of repeal, primarily because changing technology, as the gentleman from Ohio (Mr. PORTMAN) has pointed out, will make the collection of this tax more and more difficult and digital technology will continue to blur the lines between audio, video, and tech transmissions. In the coming era, we will ask ourselves what will define telephone service. It is a bad tax, and we have an opportunity to get rid of it.

Mr. Speaker, let me shift gears for a second to stand in support of the gentleman from Texas (Mr. DOGGETT) who is going to speak in a few minutes. In the late 1960s and the early 1970s after Watergate, the American people recoiled in their anger at the idea that in the basement of the White House there were suitcases full of cash, unacknowledged by the donors, and we are headed down the road to that same practice unless we do something about the idea of disclosing who gives what.

The gentleman from Texas (Mr. DOGGETT) is right on target, and to my friends on the Republican side and my colleagues on the Democratic side, these groups are bipartisan political assassins. We should know where their money comes from. The idea of disclosure was that it would be a disinfectant to campaign money. People would have an opportunity to examine where the money originated, for what purpose it was given, and then they would cast their decision.

Well, we know now that there are independent expenditures that are made against many Members of this Congress, not only on issues, but just as importantly, directed at the candidates. The public should know who gives the money.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. WELLER), a distinguished member of the Committee on Ways and Means.

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

Mr. WELLER. Mr. Speaker, let me begin by saluting the gentleman from Ohio (Mr. PORTMAN) and the gentleman from California (Mr. MATSUI), my friends, for offering this legislation, legislation that is so important. Let me begin by just sharing a couple of statistics that illustrate why it is so important.

Today, there are 100 million U.S. adults using the Internet. There are seven new Internet users every second. Think about that, seven new Internet users every second, more millions of families in America. Of course, school kids at home use the Internet as a way of doing their homework, accessing the Library of Congress.

Today, we are responding to a pretty important question and that question is, do we want the information superhighway to be a toll way or a freeway. I believe, of course, that we want it to be a freeway. Today we are voting to remove one of those toll booths on the information superhighway by voting to repeal the telephone excise tax.

Mr. Speaker, when we think about and look at who has Internet access at home, the higher their income, the more likely they have it. Families with incomes of $75,000 or more are 20 times more likely to have Internet access. If we ask those with low or moderate means why they do not have Internet access, they tell us it is because of the cost, that the cost is the barrier which denies their children the opportunity to use the Internet for school work. Today, we are eliminating one of those barriers.

I think it is important to note that 96 percent of those who access the Internet use their telephone line, so by lowering the cost of telephone use, we are increasing digital opportunity for millions of Americans.

I am proud of the leadership this House has shown in creating more digital opportunity and eliminating that so-called digital divide. Just a few weeks ago, we passed a 5-year extension of the Internet tax moratorium that specifically prohibited new fees and taxes on Internet access at the State and local level. Just 2 weeks ago, we passed legislation which cut off at the pass the FCC's authority to impose new fees and taxes by the FCC; and I am proud to say that today, we are going to eliminate the telephone excise tax, one of those toll booths. So we are removing three toll booths on the information superhighway with this legislation.

Mr. Speaker, I say to my colleagues, let us remove those toll booths on the information superhighway. Let us do the right thing. This bill has bipartisan support. Let us send it with a strong vote to the Senate. Let us create digital opportunity by lowering cost to access the Internet. By eliminating the telephone excise tax, we lower the cost, we remove a toll booth, we increase digital opportunity, and we are going to help millions of Americans gain the opportunity to join the information superhighway.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I rise in support of this legislation that will repeal the 3 percent telephone Federal excise tax. The tax should be repealed, it has outlived its use, it passed originally, as has been stated by several colleagues as a luxury tax. Virtually every home in America now has a telephone, even those that can afford very few luxuries.

Indeed, the tax was first passed a century ago when the telephone was a new and simple device. Today, at the dawn of another century, telecommunications has changed so much that it is impossible to apply the tax even fairly. If consumers use a telephone line to access the Internet, they will pay this tax. If they use a cable modem, they will not. Furthermore, how does this tax apply to new delivery systems? Will people who use delivery systems like DSL be taxed when they use DSL for telephoning, but not be taxed when they use the Internet?

I think our responsibilities include repealing old, outmoded laws and also make it possible for our constituents to enjoy new advancements in technology. This legislation does both.

In the recommittal, I urge my colleagues to vote for disclosure. The American people deserve it, they deserve the right to know. None of us can brag that this campaign finance system is something that is good for the country. Vote for disclosure.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. COX), the chairman of the Republican Policy Committee.

Mr. COX. Mr. Speaker, I thank my colleague, the gentleman from Ohio (Mr. PORTMAN) for the extraordinary work that he has done in a bipartisan fashion to bring this legislation to the floor. I am pleased to join with him and the rest of my Republican and Democratic colleagues today in support of this legislation to repeal the Spanish American war tax. It is no longer a luxury tax. It is not fair; it is extremely regressive. The reason for its enactment, to fund the war with Spain, no longer exists.

In preparing for this debate, I did some research into the genesis of this tax. I went to the report issued on April 26, 1898, 102 years ago, in the Committee on Ways and Means, and I found that the author of this bill, a Representative Dingley, not DINGELL from Michigan, not my good friend and colleague who is the dean of the House, because even he has not been here anywhere near that long, but a Representative Dingley who said about his bill which was entitled, Revenue to Meet War Expenditures, ''All of these additional taxes are war taxes which would naturally be repealed or modified when the necessities of war and the payment of war expenses have ceased.''

Well, I think we can all agree today that that time has come, 102 years later. This tax was created over a century ago to pay for a war in which the father of General Douglas MacArthur, a commander of note in his own right, capped his career. Some years later, a half century ago, his son stood here in this chamber and told us in one of the most memorable addresses ever given in this Chamber, that old soldiers never die, they just fade away. But this old tax will neither die nor fade away. So today, more than a century after Spain and the United States signed a treaty of peace in Paris, we need to invoke the memory of those rough riders who charged up San Juan Hill and mount a charge on this unnecessary and unfair confiscation, run a bayonet through it, and kill it.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I am a cosponsor of the act to repeal the telephone excise tax, but I am rising now in support of the motion of the gentleman from Texas (Mr. DOGGETT) to recommit, because we need to make the public aware of section 527.

So-called 527 groups are tax-exempt, political organizations that try to influence elections. They can spend millions of dollars on negative ads, direct-mail campaigns, and phone banks. Not too long ago, I had never even heard of section 527s of the IRS code. Now, our constituents face the possibility of a negative ad campaign streaming into their homes paid for by undisclosed, far-off donors, distorting their elections.

Mr. Speaker, 527s pose a great threat to our current democratic process. Unfortunately, the House leadership will not give us a vote on this important issue, so voters do not know who is behind the 30 second TV ads trashing their candidates.

Mr. Speaker, I urge my colleagues to support this motion to recommit so that we can make the public aware of section 527s and the damage that they are doing to our current political system.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of this bill. It is time we repealed this outmoded and regressive tax. I hope we will make another change to the Tax Code through the motion to recommit. Section 527 organizations simply should disclose their contributors.

One of those organizations is called Citizens for Better Medicare, though it is not really made up of citizens. It is funded with vast, but undisclosed, sums from the pharmaceutical industry; and they run ads to persuade Americans or try to persuade Americans that it is okay to price prescription drugs at twice the level that they charge HMOs, big hospitals, the Federal Government, Canadians, Mexicans, and the rest of the world. Citizens for Better Medicare is a political organization, it runs political ads that urges people to call your Congressman. It has secret funds, and it spends some of its money attacking the Canadian health care system.

Well, last year, the gentleman from Texas (Mr. DELAY), during the debate on campaign reform said what reform can restore accountability more than an open book? It is incredible and baffling that we will not support this motion to recommit today.

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We have a chance to require disclosure, to open the books and to let the sunshine in on big money and politics.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I thank my friend, the gentleman from California (Mr. MATSUI), for yielding me this time.

Mr. Speaker, I rise in support of the telephone excise tax repeal, but I also rise to speak in favor of the motion to recommit.

It is really a sad day here when we have to bring up our only serious discussion about campaign finance reform this way in this manner as a motion to recommit. It is because of the latest abomination that has crept into our political process, the so-called 527 corporations that can accept unlimited contributions and spend it for political purposes without disclosing at all where the money is coming from. For too long opponents of campaign finance reform have claimed that the only thing we need to do to reform campaign finances is to require full disclosure. Well, here is their opportunity.

What is it going to take to enact long overdue campaign finance reform in this Congress, illegalities of the magnitude not seen since the Nixon administration, when the last wave of campaign finance reform measures were finally enacted. I hope not.

Support the motion to recommit and let us shut down the 527 loophole, as we are the excise tax today.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Indiana (Mr. HILL).

(Mr. HILL of Indiana asked and was given permission to revise and extend his remarks.)

Mr. HILL of Indiana. Mr. Speaker, I thank the gentleman from California (Mr. MATSUI) for yielding me this time.

Mr. Speaker, I rise today in support of repealing the telephone excise tax as well. This legislation will make telephone bills cheaper and easier to understand. People in my district in southern Indiana have told me they do not understand their telephone bills, the confusing fees and surcharges on their phone bills. They do not know why their bills are so high even when they make few or sometimes no long distance calls.

I petitioned the Federal Communications Commission last fall to make phone bills more fair. The laundry list of flat fees and taxes drive up phone bill costs and confuses consumers. Today we, as Members of Congress, have an opportunity to take an immediate step to lighten the burden on consumers by supporting this bill. Eliminating this unnecessary tax will be just the first step toward making phone fees more fair and easy to understand.

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

Mr. Speaker, I would just make the point again that this is a great example of bipartisan legislation that has been so from the start that has come to the floor after extensive discussion and hearings. We have a broad-based coalition that is involved in this effort. It includes the Hispanic business community. It includes the African American business community. It includes, of course, consumer groups. It includes telephone companies that now pay the administrative costs to impose this tax.

It includes people who have been trying for years to get the Congress to focus on this outdated tax that is actually a barrier to Internet access and to the telecommunications revolution that this Congress is trying to encourage rather than discourage. I would just hope that maybe we could keep this discussion focused on that.

There will be a motion to recommit. I understand it is going to try to connect some new issues to this that have

to do with campaign finance reform. We have heard a lot of the speakers address that, and I appreciate the fact that they are supporting this repeal which is long overdue; but I would also hope that when we do bring a piece of bipartisan legislation to the floor, as the gentleman from California (Mr. MATSUI) and I have today, that we might as a Congress respond to those very people on both sides of the aisle who say, gee, we are so partisan around here, we can never get anything done together, we can never move forward to do something for the American people that is in their interest, I would hope some of my friends on the other side of the aisle would listen to some of their own words and perhaps respond accordingly, and that we could move together without the kind of confusion and potentially partisan acrimony that seems to be building with regard to this motion to recommit and send something over to the Senate with a very strong bipartisan signal that we feel strongly about this issue; we want to get it done this year. We believe this is something we can do for all of our constituents.

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

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, we could all be here on this bipartisan motion today, this bipartisan bill, and actually pass it on a suspension. I do not see a great deal of controversy about what is going on with the subject matter of this bill. The fact that I would like to hear discussed in a bipartisan way is the motion to recommit.

I would ask the gentleman from Ohio why is it we do not hear anybody in a bipartisan way from that side of the aisle talking about the recommittal to have that go into effect and have that be bipartisan? We need disclosure. 527s are, in fact, a blight on our election system. We have heard Members on that side of the aisle talk for a long time about how they want disclosure. The majority whip tells us he wants disclosure. I would hope he would come to the floor and say that he supports this in a bipartisan way.

The head of the conference has said that he supports disclosure. He intends to raise a lot of money under 527s. Let us hear him come to the floor and talk about how he wants to be bipartisan on this bill, and then we can pass the subject bill which is virtually a no-brainer with its regressive nature. At this point in time, we are spending an awful lot of time reaching around slapping ourselves on the back. Let us do something really heroic for the American people. Let us do something that really gets to the serious part of business. Let us do something for campaign finance reform and get rid of these 527s.

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

Mr. Speaker, since the gentleman would not yield to me, I will just make a couple quick points. One is, if the gentleman is so interested in disclosure, it would be awfully nice if in the context of this telephone tax repeal, which is what we are talking about today, that many of us have worked for months on, that the motion to recommit would be disclosed to us.

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

Mr. PORTMAN. I have not seen it.

No. Let me just make my own points, if I might.

Mr. DOGGETT. I would be glad to disclose it.

Mr. PORTMAN. Since no one yielded to me on the gentleman's side, I will let the gentleman take his own time.

Second, I would make the point that if campaign finance reform is going to be connected to every issue that comes up on the floor that is bipartisan, that is constructive, that is something that is moving America forward, then I think it is very easy for people who are watching out there and other Members to think, gee, perhaps the folks on that side of the aisle are trying to obstruct what goes on in this Congress, are trying to make everything that is bipartisan into a partisan issue, are trying to keep this Congress from getting its work done and in fact helping the American people.

That is what this is all about today. This is an effort again that the gentleman from California (Mr. MATSUI) and I, and the gentleman from California (Mr. BECERRA) and I, the gentleman from Texas (Mr. BENTSEN) and I, and many other Members of this conference and the conference of the other side have worked on; and we are happy to proceed with a debate on the telephone tax because we think it is the right thing to do for the American people.

We are also eager to see the motion to recommit since the gentleman is so concerned about disclosure, and it would be interesting to see how it is tied in.

What I heard from the speaker earlier, although we do not have the motion to recommit so we cannot see it, is that the gentleman was interested in saying that he could tie this to, again, this constructive effort to repeal an outdated tax by saying that if folks do not disclose who are in certain kinds of organizations then they would have to continue to pay the 3 percent telephone tax, which is an interesting way to tie it in; and I must commend the gentleman from Texas (Mr. DOGGETT) for his creativity. But I will say that I do not think that does a whole lot; I do not think that is much of an enforcement mechanism.

So if the gentleman is really trying to get something done, maybe he ought to back up and go to his own Treasury Department in the Clinton administration and say where is the report on political activities and the appropriate tax structure of political activity that was due under the 1998 IRS Restructuring Reform Act that we are still waiting for? Where is that report?

Maybe the Treasury Department could help us because they are the experts in this.

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

Mr. PORTMAN. They could give us some perspective on this. Is a 527 any different than a 501(c)(4) that is also doing advertising without any proper disclosure?

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

Mr. PORTMAN. Is a 527 different than a 501(c)(5)?

The SPEAKER pro tempore (Mr. LATOURETTE). The time is controlled by the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, again I am happy to let the gentleman talk on his own time. He did not yield to our side, and there is plenty of time on the gentleman's side.

I would just say that it would be nice if in one day in this Congress we could come together, join arms as Republicans and as Democrats, and do something that is good for all of our constituents, which we have done up to this point on this legislation, both in terms of the subcommittee hearings, in terms of the committee hearings, the committee markup, in terms of working with outside groups to come together and bring people together, rather than making it a partisan issue, rather than again raising issues that are going to confuse and muddy the waters as we try to send a strong bipartisan signal to the U.S. Senate and to the President that this phone tax is one we want to repeal and we want to get it done this year.

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

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the State of Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I must say that I am greatly disappointed that our friends across the aisle are not joining Senator JOHN MCCAIN, who has shown great leadership in an attempt to close this loophole, and are not joining us on this side of the aisle who want to close this loophole.

Now here is why we should do this together: it is a fundamental tenet of Americans' values that we like a fair fight. Americans like a fair fight, and these 527 organizations are nothing more than secret assassins. They are secret character assassins, and they assassinate people on both sides of the aisle on a bipartisan basis.

With all due respect to the last speaker, we do not need any experts from the Department of Treasury to tell us this. Look at 527. I have it right here, that defines these terms. It says, the term exempt function means the function of influencing or attempting to influence the selection, nomination, election or appointment of any individual for these offices.

These are born and bred to try to assassinate candidates, and yet the public does not know who is doing the assassination. We have a bipartisan interest in a fair fight. We ought to have a bipartisan effort. The other side ought to join us in closing this loophole. Americans are entitled to know where this money is coming from for these back-handed secret assassinations.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I rise to speak in favor of the motion to recommit from my friend, the gentleman from Texas (Mr. DOGGETT). What we are trying to do here is condition tax relief that is in this bill for 527 organizations on their making simple disclosure as to where money comes from.

Now I understand that there are some people that think we should not be doing this in this bill; we should have a campaign finance reform bill to deal with 527s. We did, and we passed the bill and abuses have continued.

Let me remind the Members how we got a vote on campaign finance reform this year and in the last session. We walked over here, and we signed discharge petitions, and we got attention from all over the country from public interest groups. That is how we move campaign finance reform on the floor.

Now what we are attempting to do here is look at how the Internal Revenue Code defines a 527. It is an organization that accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the selection, nomination, election or appointment of an individual to any Federal, State or local public office.

By definition, these self-527s exist to influence elections, and yet somehow opponents of reform insist that these ads funneled by these organizations, that mention candidates' names, that criticize their voting records, that are aired on the very heels of elections are not subject to disclosure laws.

Now many of us debated campaign finance reform on the floor of this House and many of the opponents of reform, I recall the gentleman from California (Mr. DOOLITTLE) articulately coming down to this floor and saying disclosure is what we need; any ads that are meant to influence election, we should simply have disclosure.

What have we seen happen across the country over the last several months? We have seen an explosion of these stealth 527s spending literally millions of dollars; and we do not know, the public does not know, where the money comes from.

This is not a partisan issue. Just look at what happened to Senator MCCAIN when his campaign started taking off across the country because people wanted reform, because people wanted change. What happened? Well, just as his campaign took off, these ads popped up questioning his environmental record, precisely at the time when he faces key primaries in New York and elsewhere. Was it just a coincidence that an issue discussion on his environmental record seemed to take off exactly when his candidacy was taking off? No, it was not a coincidence.

This is an abuse, an abuse of the campaign finance laws. If we do not want to be partisan about it, we do not have to. Let us, both sides, agree to disclose any of these 527s, disclose where the money comes from.

□ 1430

The problem is, under the law, they are not being disclosed. This is an abuse of the system. The time for action is now. At a minimum, and this motion to recommit by the gentleman from Texas (Mr. DOGGETT) is a bare minimum, we should deny tax relief to 527s that do not disclose. It is as simple as that. Let us deny the tax relief to those who will not disclose.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. BILBRAY).

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

Mr. BILBRAY. Mr. Speaker, on June 1, I am going to be having a town hall meeting in my district with Senator MCCAIN. As my colleagues know, I was one of the few that was willing to sign a discharge petition and was right there from the beginning in the creation of our campaign finance reform.

My support for campaign finance reform is based on a lot of reasons. One, this issue is near and dear to me. I have been a victim of these very unfair and hideous attacks that so-called independent groups can do.

But my support for campaign finance reform is to bring back some integrity to the electoral process. But sadly here today the issue of bringing back integrity to the electoral process is being brought in as a way to stop us or restrict us from bringing back integrity about this Congress and about this government when it comes to taxation law.

Now, I have also been the original cosponsor of repealing this quite unfair law, the law that said, oh, just let us tax a few rich people in 1898 for a little bit to pay for the Spanish American War and, and do not worry, we will not tax the working class, and we will repeal it after the war.

Mr. Speaker, my colleagues have got a choice tonight. We can play partisan politics and try to take advantage of this issue of a bipartisan bill. Democrats and Republicans have come together and said this tax is wrong and it is immoral and the credibility of Congress is being called in on this and that we need to set an example to the American people that, when it comes to the laws of this Congress, that when we say we are going to raise taxes for one purpose and for that purpose, that when the purpose is over, eventually even if it is 100 years later, we will come back and eliminate that tax.

Mr. Speaker, I think that what we are saying today is that both of us, both Democrats and Republicans, agree it is a credibility of our taxation system that we repeal this tax.

I want to say something about this tax because I think that we hear on the floor again and again the issue of class warfare. I think that this tax is an example of the failed concept of trying to tell and promise the American people that, do not worry, we are going to tax the other guy. We are going to get them, but it will not get you.

Now, I come from a working-class community, and I have heard again and again on this floor that, do not worry, we are only going to tax the rich, as if the middle class is so stupid that they do not know what goes around comes around; that the middle class always bears the brunt and the burden of taxation. This tax is an example. In 1898, it was focused only to the very wealthy; now it has gone around.

I am asking us, let us stop the partisan fighting. Quit tying to take political advantage. We have a bill that both sides agree on. There is no excuse except partisan advantage not to repeal this tax at this time.

Mr. MATSUI. Mr. Speaker, may I inquire of the Chair how much time each side has remaining.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. MATSUI) has 8 minutes remaining. The gentleman from Ohio (Mr. PORTMAN) has 5½ minutes remaining.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Kansas (Mr. MOORE).

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

Mr. MOORE. Mr. Speaker, I thank the gentleman from California (Mr. MATSUI) for yielding me this time.

Mr. Speaker, I rise in support of the bill to repeal the tax. This is truly bipartisan and should be bipartisan. But at the same time, I rise in support of what should again be a bipartisan effort to support the motion to recommitment. 527s would not get the benefit of the tax repeal unless they disclose under the language of the recommittal motion.

Mr. Speaker, the gentleman from Texas (Mr. DOGGETT) and I, and the gentleman from Texas (Mr. DOGGETT) is the person who proposed this 527 recommittal language, we are on each other's bills, have similar bills.

Earlier this week, the gentleman from Virginia (Mr. DAVIS) of the NRCC signed on my bill. Just yesterday, he removed his name from the bill. I was overjoyed when he signed on, because I thought this at last is an effort, an attempt, to move on a bipartisan basis, by Republicans and Democrats, on what should be a nonpartisan issue, and that is full disclosure.

I can understand, I can understand truly people having honest differences of opinion about limitations on contributions. But I have heard from my

colleagues on both sides of the aisle over and over, we may have differences about limitations, but everybody agrees with full disclosure.

Well, now we have a chance for full disclosure, and now is the time to put one's vote where one's mouth is. It is that important to the American people, because, frankly, secrecy threatens democracy. Secrecy in government threatens our system of government and electoral process. We can overcome this secrecy by opening up these records, by full disclosure, and telling the people in this country who is trying to influence Federal elections.

At the very bottom line, the people of this country deserve to know who is trying to influence their votes, so when they make an informed decision, when they make a decision to vote, they can make an informed decision and cast an informed vote.

I think it is that vital that we act on a nonpartisan basis, and I invite my colleagues on both sides of the aisle and the gentleman from Virginia (Mr. DAVIS) to support this motion to recommit for full disclosure.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. DAVIS).

(Mr. DAVIS of Florida asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Florida. Mr. Speaker, I just want to highlight what the gentleman from Kansas (Mr. MOORE) was referring to by the 527. A lot of times, when an issue comes before Congress, we need to spend a tremendous amount of time collecting information, conducting a hearing, and then acting. But there are those issues that are so compelling and fundamental, we need to act immediately. This is one of them. It is the incredible loophole that is being exploited.

I think a lot of criticism has been directed at Republicans, but I think the Democrats could easily succumb to this temptation one of these days, too. So this is a problem that affects every American. It should not have to be characterized as a Democrat or Republican issue. The point is we should have disclosure.

I have sat in meetings where groups that attempt to influence this process, which is their constitutional right to do so, said, do not tell us to put our name on a political ad we want to advertise because we will not run the kind of ads we want to run if our name has to be put on them.

That is exactly the point. If one is not willing to stand up and associate oneself publicly with a message one is sending to the citizens of this country, one does not deserve the right to put information out there. Because it is clear one is trying to distort and mislead.

So what we are offering in our motion to recommit is a very simple proposition. If one is going to engage in this type of political advertising, there ought to be disclosure of where the money came from. There ought to be disclosure for the good of the citizenry.

Mr. PORTMAN. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Ohio (Mr. PORTMAN) has 5½ minutes remaining. The gentleman from California (Mr. MATSUI) has 4½ minutes remaining.

Mr. PORTMAN. Mr. Speaker, we have the ability to close, so the gentleman from California (Mr. MATSUI) may proceed, then I will close.

Mr. MATSUI. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would just like to thank the gentleman from Ohio (Mr. PORTMAN) for his bipartisanship on the issue of the Federal excise tax repeal. I certainly appreciate his leadership and his effort. Of course, the majority and minority have worked very well on the issue of the excise tax repeal, and I appreciate that.

Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, over 200 Members of this House of Representatives have called for full disclosure by the new political superweapon of this political season, the 527. The 527 is not some new type of aircraft, but it is a superweapon designed to undermine the election process in this election year.

Today is our only opportunity, not because we wanted an opportunity like this today to be the vehicle for doing this, but because every other opportunity has been denied.

Our colleagues say that they are surprised and that they did not know about this. Well, they were not surprised when I asked every one of them, even the gentleman from Texas (Mr. DELAY) to join as a cosponsor with over 200 other Members in support of the Underground Campaign Disclosure Act. This legislation would require these groups to open their records, disclose their donors, and engage in a fair fight like everyone else.

Last year, they stood here on the floor of this Congress after they tried for months to block the efforts of the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS). They stood here, and they fought those efforts by saying that it is unconstitutional. They said the only thing that would be constitutional was disclosure. Now, I read from the chairman of the Republican Campaign Committee in this morning's newspaper he thinks disclosure is unconstitutional.

What they think is that anything that would be a genuine reform of the corrupt campaign finance system that we have today in America is unconstitutional or any other excuse that they can come up with.

We have pled with our Republican colleagues to join with us in a bipartisan effort. We have offered other opportunities for them to participate, such as the Taxpayer Bill of Rights, to give the taxpayers the right to know what is happening with this subsidized activity.

But they have reached the conclusion that they cannot keep their power in this Congress, and their power over the American people, if they operate in the open. It is essential to them that they begin—and they have already begun—a program of political character assassination where the gun for the political assassination is pointed and the bullets are paid for, but we do not know who paid for them.

That is the whole idea. One can take corporate money, one can take Iraqi money, one can take Cuban money, one can take any brand of money one wants and no one will ever find out.

The reason they will not engage us in debate today is they have nothing to engage us with. They know they are wrong. They are afraid. That is why they have previously blocked us from coming to this floor after telling us we would have an open opportunity to debate the issue. They are afraid to debate the issue of why they have to rely on secret money. They know it is wrong. They absolutely know it is wrong to pollute the political process of America with hidden money. They are a big standard barrier for reform.

A great man from Arizona has said this is the latest indication of the corruption of the American political system. He has joined in a bipartisan effort with Members in the other body to reform this system. We cannot even get a fair vote on the floor of this House.

So we must rely on a motion to recommit to deny these 527 organizations the opportunity to get the telephone tax cut that is being proposed here today.

Let me make it clear to my colleague from California who talks about bipartisanship. This motion to recommit is not going to delay the approval of this telephone tax repeal by one second. As soon as this motion to recommit is approved, it will join my amendment with this bill, we will repeal the tax, and, at the same time, we will get a little equity for the people of America and a little openness in our democracy.

The SPEAKER pro tempore. The gentleman from California (Mr. MATSUI) still has 30 seconds remaining.

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

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

Mr. Speaker, I would like to start by returning the compliment to the gentleman from California (Mr. MATSUI). It has been a pleasure to work with him. I also want to commend him for his efforts yesterday, not so much the victory of normalizing trade relations with China, the world's most populous country, but rather the way in which he went about it. It was a bipartisan vote. I think it was a good and informed debate, profound debate on the floor of this House yesterday.

I have got to say today's debate has been disappointing, because it has not been about the topic at hand, which is tax policy, which is specifically this Congress finally, after 102 years, coming to grips with the telephone excise tax that was put in place as a temporary luxury tax to fund the Spanish American War that has continued to burden our consumers, and today is actually a burden and a barrier to telecommunications, which is the point of the debate today.

I want to tell my colleague that I was informed by the staff some time ago during this debate that the parliamentarians had informed them that I could raise a point of order to say that the speakers on this debate would have to keep their comments within the subject matter, which is the telephone tax, and not campaign finance reform. I chose not to do that, because I did not want to close down debate unnecessarily. We did try on our side.

We beseeched our colleagues on this side to try to keep it on the issue, because this is a great issue in the sense that Republicans and Democrats came together to try to solve a very real problem to move our country forward, in this case, to repeal an outdated telephone tax that is a burden on our economy and it particularly burdens low-income families.

□ 1445

We hear a lot from the other side of the aisle about how various Republican tax proposals are not properly distributed across the economy so that they really impact the poorest among us. Ninety-four percent of America's families have telephones. So we are talking about getting rid of a tax every one of those families pay every month on their phone bill. It is a disproportionate burden on the budgets of the lowest-income families in our country. It is a disproportionate burden on our seniors in this country who rely on telephones. It really is a lifeline for their everyday communication with the outside world.

As the gentleman from California (Mr. MATSUI) has pointed out a number of times, this is also a tax that, frankly, is very difficult to impose now because of new technology, because of the difficulty of deciding what in fact is appropriate to have the telephone tax attached to in the new world of modern telecommunications.

So I am sorry we did not have a better debate today on the issue before us. With regard to the comments of my colleague from Texas on the Committee on Ways and Means, I am sorry he had to put a partisan spin on the debate before us. I disagree with what he said. I do not think we can draw a line through this Chamber through the middle and say, gee, all Republicans are against this, all Democrats are for that. I do not think we can castigate Republicans for being against reform. We are for reform. I myself put in a campaign finance reform bill every session I have been here.

I believe in disclosure, as do my colleagues. We also believe in doing it the right way, and not a telephone tax bill; not with regard to one narrow piece of legislation; not without the proper information, as I said earlier from the Treasury Department of the Clinton administration, which is way overdue on its report to us on this very topic.

Let us do this in a smart way. Let us do it in a way that is comprehensive, so that whether we are called a 527 or a 501(c)4 or 5, or whatever number is attached to a candidate, they are treated the same way, with the same principle, which is that that candidate should have to disclose the sources of their donations. I applaud my colleague from Massachusetts because he has done that in a comprehensive way in his campaign reform proposal.

But today is a cynical partisan attempt. Again, it is disappointing to me, because I thought in this case we had something we could come together with as Republicans and Democrats and do for our constituents in a positive way. At the end of the day, we will. We will. We will be able, I think today, by sending such a strong message from this House on a bipartisan basis to move forward a repeal of a tax that probably should have been repealed 101 years ago, a tax on everybody's telephone use.

I would just make one final comment, and that is that when we talk about civility in this Chamber, when we talk about how to work in a bipartisan way, when we talk about how we can move legislation forward that all of our constituents care about, I think it is important we begin to cultivate certain kinds of approaches and certain kinds of Members and a certain approach to issues. And I would ask my colleagues on the other side of the aisle, and on both sides of the aisle, to look into their hearts and say is this the way we want to proceed? Is this what is going to encourage civility and encourage moving us ahead as a country in this Congress? Even in an election year, colleagues, we should be able to get together and do the right thing for other constituents.

I think we will do that today. I strongly encourage my colleagues on both sides of the aisle to join us in finally repealing this tax, joining the telecommunications revolution of this century and repealing a tax from the end of the 19th century.

Mr. TERRY. Mr. Speaker, I rise today in support of H.R. 3916, "The Telephone Excise Repeal Act". I am proud to be an original cosponsor of this overdue piece of legislation. The Spanish-American War is over and so should this tax which was imposed on talking to fund the 1898 war. This tax is a "tax on talking." It has been extended, lowered, increased and temporarily repealed but yet it continues to exist today. This 102-year-old tax affects telephone service, cellular phone service and access to the Internet.

Americans work very hard in this country. It is unfair to impose an additional burden on these hard working Americans by requiring them to pay a tax that was implemented to fund a war that has been over for at least a century.

H.R. 3916 will eventually eliminate the 3-percent Federal excise tax on telecommunications services. A 1-percent reduction will occur each year for the next 3 years, allowing the telephone excise tax to be fully repealed by October 1, 2002.

H.R. 3916 repeals an antiquated tax that hurts many American families and small businesses. This unsubstantiated telephone excise tax clearly violates our economic principles. When it was implemented in 1898, it was considered a luxury tax. I guess access to a telephone in 1898 was considered a luxury. Today, access to a telephone is a necessity. The repeal will encourage growth in telecommunication services and will give all Americans a tax break on their phone bill. This excise tax does absolutely nothing to promote the use of phone service. It merely goes into the government's general revenue account to be spent on anything the government desires. There is absolutely no economic or social justification for this outdated tax.

When I was elected to represent the second district of Nebraska, I maintained two priorities: one, was to fight any and all attempts by the Federal Government to take more money away from Nebraskans; and two, let Nebraskans keep more of their hard-earned dollars in their paychecks. Nearly 40 percent of the average American family's income goes toward taxes. We need to give Americans a tax break. Now is the time to eliminate the telephone excise tax. I urge my colleagues to support this bill.

Mr. GILMAN. Mr. President, I rise to take this opportunity to thank the gentleman from Ohio, Mr. PORTMAN, and the chairman of the Ways and Means Committee, Mr. ARCHER, for bringing H.R. 3916, the Telephone Excise Tax Repeal Act, to the floor today.

On February 16, 1898, the Federal Government enacted a temporary excise tax on telephone service to fund the Spanish American War. Although the war lasted just under 6 months, the Federal excise tax created to fund it, is still in effect over 100 years later, forcing consumers to continue to pay this tax on all their telephone services.

The Federal excise tax on phone service has long outlived its purpose and relevance. It is a regressive tax that is inappropriate in today's world where the telephone is not a luxury but a practical necessity. The Federal excise tax is a tax that discourages communications in a world that is becoming more and more dependent upon technology and communications. It disproportionately hurts the indigent, particularly those households on either fixed or limited incomes, and rural customers, because they have higher phone bills on average, due to comparatively more long distance calling. The Federal excise tax is essentially a tax that discourages communications.

H.R. 3916, the Telephone Excise Tax Repeal Act, would eliminate the 3-percent Federal excise tax on telecommunications services phasing in a complete repeal of the tax over the next 3 years. A 1-percent reduction will occur each year for the next 3 years, allowing the tax to be fully repealed by October 1, 2002.

The removal of the Federal excise tax on consumers phone bills will immediately lower consumer phone bills, saving American consumers over $5 billion a year. Accordingly, I

urge our colleagues to join us in repealing this antiquated ''tax on talking,'' by supporting H.R. 3916, the Telephone Excise Tax Repeal Act.

Mr. HORN. Mr. Speaker, I commend my colleagues, Mr. PORTMAN and Mr. MATSUI, and support H.R. 3916, the Phone Tax Repeal Act. In 1898, Congress approved a ''temporary'' tax of one cent on long distance phone calls, as a way of funding the Spanish-American War. When this tax was implemented, there were only about 1,300 phones in America. Today, more than 94 percent of American households have at least one phone, not to mention multiple phone lines or celluar phones.

The Spanish-American War ended that same year, but the ''temporary'' tax still exists. Currently, anyone who makes a phone call or uses a phone line to dial up to the Internet pays a 3-percent Federal excise tax on that call. Low-income families, senior citizens, and anyone else on a fixed income are especially burdened by this tax. They should not have to spend their hard-earned money on a useless and outdated tax.

Telephones, and other telecommunication technologies, have become a necessity in today's world. They are no longer a luxury enjoyed only by a privileged few. To tax necessities such as these, especially when we have a surplus, is unfair, repressive, and senseless.

This legislation would have a real and beneficial effect. Families would see an immediate reduction in their phone bill once the tax is repealed, giving them more money to spend as they, and not the Federal Government, see fit.

I urge my colleagues to support this legislation. Americans have put up with this outdated tax for too long. It is time to permanently repeal this not-so-temporary tax.

Mr. WELDON of Florida. Mr. Speaker, today, I rise in strong support of repealing the grossly outdated Spanish-American War phone tax. The 3-percent Federal excise tax on phone calls that was created in 1898 to pay for the Spanish-American War. At that time, it was called a ''temporary'' tax.

Parents have to pay the tax every time their child calls home collect from college; grandparents pay it when they call their grandchildren; and sons and daughters pay it every time they call their mom on Mother's Day.

This ''tax on talking,'' is a regressive tax, that unfairly adds to the tax burden of hard-working Americans.

It also demonstrates how hard it is for the government to end a tax. Even though the Spanish-American War has been over for a century, and I have been assured that the Spanish threat has ended, the Federal Government has continued to collect this tax.

President Ronald Reagan said, ''Government does not tax to get the money it needs; government always finds a need for the money it gets.''

It has taken a Republican Congress to find the courage to curb the growth of spending, balance the budget, and to continue to reduce the tax-bite on hard working American families. The Republican House is poised to repeal this unfair, regressive tax, but the latest reports from the Clinton-Gore administration indicate that they want to continue to make Americans pay it.

Reagan was right, ''government always finds a need for the money it gets.''

Vote ''yes'' on this bill. The Spanish-American War is over.

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

The SPEAKER pro tempore (Mr. LATOURETTE). All time for debate has expired.

Pursuant to House Resolution 511, the previous question is ordered on the bill, as amended.

The question is on 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

Mr. DOGGETT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DOGGETT. I am, Mr. Speaker, in its current form.

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

The Clerk read as follows:

Mr. DOGGETT moves to recommit the bill H.R. 3916 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Page 6, after line 11 (at the end of section 1(d)), add the following new paragraph:

(3) The provisions of this Act shall not apply to bills rendered to an organization described in section 527 of the Internal Revenue Code of 1986 unless that organization elects to make the disclosures within the reporting requirements in the Internal Revenue Code contemplated by the bill H.R. 4168 of the 106th Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes in support of his motion.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to my distinguished colleague, the gentleman from Texas (Mr. STENHOLM), who has been a part of the effort to get a discharge petition so that we can take up, through regular order but has thus far been blocked, this whole issue of the 527 stealth PACs.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me this time, and as I have been listening to the debate, I have found it interesting that people would be talking about why are we mucking up this bill with this nonrelated issue. There is a pretty simple answer to that question.

If we only allowed the regular legislative process to work, we would not have to do this. But remember, when we had the Shays-Meehan bill on the floor, opponent after opponent after opponent of the bill came forward and said, all we really need to do is to have disclosure. That is what this is all about.

I would hope that the majority would finally agree to allow a simple disclosure bill, the bill of the gentleman from Kansas (Mr. MOORE). All we are trying to say is, the 527s should not promote secrecy. Money is going to be spent in politics. What we are saying is it should not be spent in secrecy. We ought to shine the good sunshine and let the people know who is spending how much money in political races.

This being our only opportunity, I commend the gentleman from Austin for coming up with a very innovative amendment today. This will give us a clear up or down vote on whether we are for it or whether we are against it.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MEEHAN), who has led this House in the effort to get campaign finance reform through a number of sessions, and who I am pleased to have support this motion to recommit.

Mr. MEEHAN. Mr. Speaker, I thank the gentleman from Texas (Mr. DOGGETT) not only for his motion to recommit, but his commitment to this issue, as well as the gentleman from Kansas (Mr. MOORE), who has done great work on this.

What we are trying to do here is to get Members from both sides of the aisle to come together and at least say we are not going to give this tax break to those 527s.

Now, I do not know why anyone would be confused or puzzled or nonplussed as to why we would use any opportunity in the rules to bring this to the attention of the Members. We cannot get a vote up or down on this. This is an abuse of the campaign finance law that we are seeing every day abused. This is our opportunity to do something about it.

It is not good enough for Members to say we are all for disclosure. Talking the talk is not good enough. Walking the walk is what is required. In this instance, there are 527s that will not disclose where the money comes from, and it is our responsibility to make sure that they do, and that is why we need to pass this law and pass it now.

Mr. DOGGETT. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Texas (Mr. DOGGETT) has 3 minutes remaining.

Mr. DOGGETT. Mr. Speaker, I yield 30 seconds to the gentleman from Maine (Mr. ALLEN), who has been already a victim of these 527 stealth PAC attacks.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding me this time.

The gentleman from Ohio was saying earlier this is a partisan effort. Well, there is no reason why this should be a partisan effort. It is our democracy that is at stake. Republicans and Democrats have a stake in restoring some credibility to this system, and we cannot have that credibility, we will not gain that respect unless we have full disclosures for these stealth organizations, these section 527 organizations, that are out there raising unlimited amounts of money with no accountability, no disclosure.

If it is a fundamental principle on the other side that they want disclosure, this motion to recommit will give it.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. MOORE), who is a large man in stature but gentle in personality; and I

am convinced that contrary to today's Roll Call, he did not jump anyone on the floor, the gentleman from Virginia (Mr. DAVIS), or anyone else concerning this bill.

Mr. MOORE. Mr. Speaker, I just want to say today that this is not a Democratic idea, this is not a Republican idea, this is an idea that is good for the American people, and this should be the law in our country, and that is full disclosure.

As the gentleman from Massachusetts (Mr. MEEHAN) pointed out, we are not here to try to abuse anybody; we are just asking for an opportunity for an up or down vote on this proposition of full disclosure.

The people in this country are cynical about our form of government, about our electoral laws, because they see scandal after scandal about campaign finance fund raising. We can get people enthused about our government again, we can get people excited about the opportunity to participate in our democracy if we will only go with this proposition of full disclosure and tell the people in this country who is trying to influence their votes so, again, they can make an informed decision when they cast their ballot.

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

Mr. Speaker, this motion to recommit is not only linked to this telephone tax; it is linked to everything that is happening in this building and throughout this country.

The gentleman challenged me to look into my heart, and I will do that. I look into my heart, and I think of the seniors who are out there who are forced to choose between getting a prescription and buying food. I see a pharmaceutical company that can dump unlimited amounts—millions of dollars—into attack ads, as they have done against the gentleman from Maine (Mr. ALLEN) and other Members of this body.

I look into my heart, and I see the problems of public health; and yet I know the tobacco companies are dumping millions of dollars of undisclosed money to assassinate the character of those who would do something about it.

I look into my heart, and I think about those who are getting managed right out of their health care and cannot get the health care they need, and I know the managed care companies are dumping millions of dollars into these campaigns to be sure this Congress does nothing about that or any of the other issues I have mentioned.

And perhaps even more importantly, I think of the schoolchildren of this country. They cannot even get their agenda up in the Congress because they do not have a 527. That is what I see when I look into my heart.

Mr. Speaker, I would just say this: I am tired of people coming to this Congress and being hammered into giving money to secret stealth organizations and then having their cohorts come out and say, we will duck, dodge, twist, and turn, but just do not make us do anything about it this year. Wait until we have left the House. Then, maybe 100 years from now, like this tax we are repealing, we will get around to doing something about it.

The American people demand reform now and this is our one opportunity. I challenge my Republican colleagues to buck their leadership. They know we are right; that is why they have not been out here speaking against it. They know the American people deserve full disclosure for a complete democracy. Mr. Speaker, I move adoption of the motion.

The SPEAKER pro tempore. Does the gentleman from New York (Mr. HOUGHTON) oppose the motion to recommit?

Mr. HOUGHTON. Yes, Mr. Speaker. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from New York (Mr. HOUGHTON) is recognized for 5 minutes.

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

Mr. Speaker, I would like to crank this thing down to a little lower level of intensity. I do not know why we are having this discussion, anyway. We all want illumination. We do not want to have people hiding behind 527s or 501(c)3s, or 4s or 5s or 6s. No one wants that. It is just the process we are going through. And we want to do it right, so it is right by not only us but also the American people.

Two years ago in the IRS reform bill we directed the Joint Committee on Taxation and also the Treasury Department to report to the Congress by January. The joint committee report was completed on time, the treasury report was not. At the request of my boss, the gentleman from Texas (Mr. ARCHER), I have been working for several weeks to develop a meaningful, sound and responsive package of proposals to expand the disclosure by tax exempt organizations, and work on that package is well underway.

□ 1500

I hope we will complete it relatively soon. We have been working all day on this thing. We worked yesterday. We will be working tomorrow on into next week. I would like to feel that when this is completed it will satisfy many of the things which the gentleman from Texas (Mr. DOGGETT) is interested in.

But the point is we are still hearing, and we are waiting to hear from the Treasury Department. Earlier today, the Treasury passed on the opportunity to tell the Committee on Ways and Means when we are going to hear from them. It is really unfortunate that the gentleman from Texas (Mr. DOGGETT) continues to insist on consideration of the limited aspect of political activities by tax exempt without insisting on guidance of from the administration.

Let me be clear. The administration's report was mandated by law. We do not have it. We are waiting for it. We do not have it. My friend accuses us of stalling, and I wonder whether this is not the pyromaniac posing as the firefighter.

Today we are considering repeal of the telephone tax, which was enacted even before I was born, which is a long time ago. That proposal has broad bipartisan support and has been fully considered. The same cannot be said, I am afraid, of the proposal of the gentleman from Texas (Mr. DOGGETT).

Today I have got to say in my heart, he talks about his heart, I will talk about my heart, is not the time and not the place for this debate. I wish to assure my colleagues on the other side and on this side that there will be an opportunity for full consideration of the important issues raised by my colleague from Texas. We are getting at it. We are trying to do it. We are trying to get that report out of the Treasury. And as soon as it comes, maybe even before it comes, we are going to have a suggestion here.

Mr. Speaker, I yield to my friend, the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight, for yielding me the time; and I appreciate his words as to his commitment to doing a thorough investigation of the issue of disclosure, not just 527s but all of the tax-related committees, including the 501s.

I do have a copy of the motion to recommit now. I appreciate, with all the talk about disclosure, that it was disclosed to us several minutes ago. I have looked at it. I would just make two very simple points.

One is, it has nothing to do with the bill before us, which is repeal of a 102-year-old telephone excise tax. That is what is before this Congress.

Again, I want to applaud my friends on the other side of the aisle for working with us together in a bipartisan fashion to finally put an end to this Spanish-American War tax as we go into the 21st century and which is a barrier to telecommunications and an unfair tax that should have been repealed a long time ago. It was put in as a temporary tax and a temporary luxury tax at that. Finally we are getting rid of it.

Second, I will say, having looked at this, it is a very interesting motion to recommit. It, basically, says that 527 corporations could continue not to disclose anything so long as they agree to continue paying a 3 percent Federal excise tax. So it is a clever way to attach it to the legislation at hand in order to avoid, I suppose, the germaneness problems that the parliamentarian would otherwise raise or we would raise and he would confirm. But it is not a very strong enforcement mechanism.

I would say, if the gentleman is serious about it, he ought to go back to the drawing board, work with the gentleman from New York (Mr. HOUGHTON), work with others who want to put

this together in a strong bipartisan way to come up with legislation that makes sense in a comprehensive way to deal with this real problem in a real comprehensive way.

So I would urge my colleagues on both sides of the aisle, if they want to get something done for the American people, vote for the repeal of the telephone tax. If they want to do it in a clean way that sends a strong message that does not involve partisan political politics with what should be a very straight forward and a very important constructive step by this Congress, vote ''no'' on the motion to recommit.

The SPEAKER pro tempore (Mr. LATOURETTE). 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.

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

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

The Sergeant at Arms will notify absent Members.

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.

The vote was taken by electronic device, and there were—yeas 208, nays 214, not voting 13, as follows:

[Roll No. 232]

YEAS—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
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)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
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—13

Bateman
Clay
Coburn
Davis (FL)
Kennedy
McInnis
Meek (FL)
Minge
Mollohan
Ros-Lehtinen
Scarborough
Spence
Weiner

□ 1522

Messrs. METCALF, EVERETT, TANCREDO, LAZIO and SIMPSON changed their vote from ''yea'' to ''nay.''

Mr. HORN changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. ARCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 420, noes 2, not voting 13, as follows:

[Roll No. 233]

AYES—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode

Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—2

Murtha
Stark

NOT VOTING—13

Bateman
Clay
Coburn
Kennedy
McInnis
Meek (FL)
Minge
Ortiz
Ros-Lehtinen
Scarborough
Spence
Vento
Weiner

□ 1534

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. McINNIS. Mr. Speaker, due to family commitments in Colorado, I was unable to vote on final passage of the following bill, H.R. 3916. Had I been able to vote, I would have voted ''aye.''

Ms. ROS-LEHTINEN. Mr. Speaker, on rollcall No. 233, I was unavoidably detained. If present, I would have voted ''aye'' on rollcall No. 233.

PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, on May 25, 2000, I was accompanying President Clinton to a funeral in the First District of Rhode Island and consequently I missed five votes.

Had I been here I would have voted: ''No'' on Ordering the Previous Question, H. Res. 511; ''yes'' on Agreeing to the Resolution, H. Res. 511; ''yes'' on Agreeing to the Resolution, H. Res. 331; ''yes'' on Motion to Recommit, H.R. 3916; and ''yes'' on Final Passage, H.R. 3916.

PERSONAL EXPLANATION

Mr. MINGE. Mr. Speaker, due to illness, I was unable to be in the House Chamber for today's debate on H.R. 2559. Had I been here I would have spoken and voted in support of H.R. 2559. On rollcall vote 229, I would have voted ''nay.'' On rollcall votes 230, 231, 232, and 233, I would have voted ''yea.''

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JUNE 7, 2000

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, June 7, 2000.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING THE SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS AUTHORIZED BY LAW OR THE HOUSE, NOTWITHSTANDING ADJOURNMENT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, June 6, 2000, the Speaker, majority leader, and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JUNE 6, 2000.

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

WASHINGTON, DC,
May 25, 2000.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 6, 2000.

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

The SPEAKER pro tempore. Without objection, the appointment is agreed to.

There was no objection.

HUMAN GENOME PROJECT

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

Mr. CALVERT. Mr. Speaker, as I rise today, we are perhaps days away from an announcement of the completion of a draft map of the entire human genome. This is a major milestone in biological science, an achievement that some have likened to the Moon landing and the invention of movable type.

My subcommittee has held two hearings on the status of the human genome project involving both the public and private sector. Three themes have emerged from these hearings:

First, the medical breakthroughs stemming from this research will be immense;

Second, the competition and cooperation between the public and private sector has brought us to this moment and will deliver results for us all;

Third, Congress' duties in areas such as ethical, legal, and social implications of genetics research, as well as the need to fund gene-based disease therapies, will require us to think wisely and legislate prudently.

I commend the public and private sector researchers for achieving this scientific milestone. Truly, a bright future beckons.

NATIONAL MISSING CHILDREN'S DAY

(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 commend today as National Missing Children's Day. Mr. Speaker, you and I this morning attended a breakfast that was put on by the National Center for Missing and Exploited Children to commemorate all of the missing children across this country.

I have been speaking on this floor since February 16 telling a different story about a child taken in this country, 10,000 children since then, with only 2 days that I missed. Today it is about children who have been returned and about the volunteers who have spent their time and their energy and their money in trying to get those children, who have either been sexually exploited or abducted, back home with their parents. We heard some unbelievably moving stories.

The volunteers were honored, but more importantly, the law enforcement officers that we hardly ever commend adequately, because they put their lives on the line every day. They are out there with their incredible determination, their total dedication to getting child abductors and sex criminals off the street.

One of the things that we can do, Mr. Speaker, is to picture them home, and with our program to put pictures of missing children on our envelopes. It works, because one in six children who are published like that are returned to their parents.

Mr. Speaker, I encourage us all to join that challenge and picture our children home.

A TRIBUTE TO FRANK AND LUCRETIA FITZPATRICK

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

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay tribute to a great American family and a great American couple. Frank Fitzpatrick and his wife, Lucretia, prepare to celebrate their 50th wedding anniversary on May 29. They were married in 1950.

Frank and Lucretia moved into Delaware County, where their four daughters were born; and like Frank and Lucretia they have been heavily involved in improving our community. Kathleen Coulston serves the deputy director of Court Services and Chief Probation Officer. Maureen Fitzpatrick serves as a judge in our Court of Common Pleas. Mary Alice Gallagher served as a former deputy attorney general of Pennsylvania and is currently the compliance officer for Christiana Care Health System. Their daughter Lucretia Fitzpatrick gives back to our community as a medical doctor.

I have had the opportunity to work with Frank in a number of capacities, and his wife has been steadfast behind him in all of his endeavors, both in the private sector, the public sector and serving on behalf of nonprofits throughout Pennsylvania and throughout America. In fact, it was Frank Fitzpatrick's first position, where he worked right here on the Hill as the chief of staff for one of my predecessors.

I ask my colleagues to join with me in this celebration of America and a great American couple. Frank and Lucretia, happy 50th.

TRIBUTE TO JEAN W. LAMBERT

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to pay tribute to a very special agronomist from the University of Minnesota, Dr. Jean Lambert.

Jean Lambert was truly a great man who made a substantial impact on the world of agriculture. He was the man who helped make Minnesota one of the Nation's top soybean exporters. Over his career, done on a government salary, Lambert's efforts in variety development and soybean research boosted Minnesota farm income by more than $200 million.

Jean Lambert came to the University of Minnesota Department of Agronomy as a plant genetics professor in January of 1946. He retired after 36½ years of service in 1982. During his career, Lambert developed 18 soybean varieties adapted to various climatic conditions for Minnesota.

During his career, Dr. Lambert worked with the United Nations Food and Agricultural Organization and advised soybean researchers in Russia, Poland, Hungary, and Romania. He became a world-renowned soybean breeder, but never forgot his goals at the University of Minnesota. He wanted to educate and train undergraduate and graduate students and help the farmers of Minnesota through his research and variety development. He remained a quiet, unassuming man, who loved and respected the people around him, and enjoyed the respect of his colleagues. He was truly a great man.

ASSURING INTERNET ACCESS FOR ALL AMERICANS

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

Mr. WELLER. Mr. Speaker, over 100 million Americans today have access to the Internet. Seven million new Americans each second access the Internet for the first time. It is a tremendous opportunity, particularly for school children, to use the Internet for their school work and homework; but unfortunately, some are left behind.

If you look at who has access to the Internet, you see the higher the income of the household, the more likely they have Internet access at home. Low-income families say the cost of Internet access is the chief barrier to their children having the opportunity to use the Internet and have a computer at home.

□ 1545

Mr. Speaker, I am so proud of the leadership that this House has shown this year in removing those barriers to Internet access. We are making a choice: do we want the information superhighway to be a toll way or a freeway?

Just this spring, in less than 1 month, we have eliminated three toll booths on the information superhighway. Number one, we extended for 5 years the Internet tax moratorium, putting a road block in the way of anyone who wants to impose a tax on Internet access.

Second, just 2 weeks ago, we eliminated the FCC's authority to impose fees and taxes on Internet access; and I am proud today that we eliminated the century-old 3 percent tax on telephone calls. We are removing those toll booths because we want to give greater digital opportunity for all Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair will remind Members to direct their comments to the Chair and not to individuals in the gallery or the listening audience.

REPORT ON CONTINUATION OF EMERGENCY WITH RESPECT TO FEDERAL REPUBLIC OF YUGOSLAVIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–248)

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

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the Yugoslavia (Serbia and Montenegro) emergency declared in Executive Order 12808 on May 30, 1992, and with respect to the Kosovo emergency declared in Executive Order 13088 on June 9, 1998.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *May 25, 2000.*

CONTINUATION OF EMERGENCY WITH RESPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO), THE BOSNIAN SERBS, AND KOSOVO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–249)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, stating that the emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded to address the actions and policies of the Bosnian Serb forces and the authorities in the territory that they control within Bosnia and Herzegovina, is to continue in effect beyond May 30, 2000, and the emergency declared with respect to the situation in Kosovo is to continue in effect beyond June 9, 2000.

On December 27, 1995, I issued Presidential Determination 96–7, directing the Secretary of the Treasury, inter alia, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the ''Resolution''), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the ''Peace Agreement''). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution.

Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that blocked those funds and assets that are subject to claims and encumbrances until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, this situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond May 30, 2000.

On June 9, 1998, I issued Executive Order 13088, ''Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting New Investment in the Republic of Serbia in Response to the Situation in Kosovo.'' Despite months of preparatory consultations and negotiations, representatives of the Federal Republic of Yugoslavia (Serbia and Montengro) in March 1999, completely blocked agreement on an internationally backed proposal for a political solution to the Kosovo crisis. Yugoslav forces reinforced positions in the province during the March negotiation and, as negotiations failed, intensified the ethnic cleansing of Albanians from Kosovo. Yugoslav security and paramilitary forces thereby created a humanitarian crisis in which approximately half of Kosovo's population of 2 million had been displaced from the province and an unknown but apparently large portion of the remaining population had been displaced within Kosovo by mid-April.

On April 30, 1999, I issued Executive Order 13121, ''Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting Trade Transactions Involving the Federal Republic of Yugoslavia (Serbia and Montenegro) in Response to the Situation in Kosovo.'' Executive Order 13121 revises and supplements Executive Order 13088 to expand the blocking regime by revoking an exemption for certain financial transactions provided in Executive Order 13088; to impose a general ban on all U.S. exports and reexports to and imports from the Federal Republic of Yugoslavia (Serbia and Montengro) (the ''FRY (S&M)'') or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro; and to prohibit any transaction or dealing by a U.S. person related to trade with or to the FRY (S&M) or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro. In addition, Executive Order 13121 directs that special consideration be given to Montenegro and the humanitarian needs of refugees from Kosovo and other civilians within the FRY (S&M) in the implementation of the Order. Finally, Executive Order 13121 also supplements Executive Order 13088 to direct that the commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end-use in the FRY (S&M) be authorized subject to appropriate safeguards to prevent diversion to military, paramilitary, or political use by the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro.

This situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond June 9, 2000.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 25, 2000.*

GENERAL LEAVE

Mr. REGULA. 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. 3916.

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

There was no objection.

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.

TRIBUTE TO MILES LERMAN

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

Mr. REGULA. Mr. Speaker, I am pleased to rise today to honor Mr. Miles Lerman for the great service he has provided this country. Few individuals can match the contributions that Mr. Lerman has made in creating and shaping the United States Holocaust Memorial Museum. His efforts in turning a dream into a reality and in the museum's achievements under his guidance and leadership represent the apex of an extraordinary life. Culminating in his serving on the United States Holocaust Memorial Council since its inception in 1980 and as its chairman from 1993 until April of this year.

As a native of Tomaszow, Poland, Mr. Lerman was born into a family that had, for 6 generations, operated flour mills near the site of what would become the Nazi death camp, Belzec. He was captured by the Nazis and imprisoned in a slave labor camp where he was forced to break up tombstones taken from a Jewish cemetery, some of them 300 years old, so that the Nazis could construct a highway they would use in their advancement into the Soviet Union.

In 1942, he escaped, organized a resistance group, and spent the next 2 years fighting the Nazis as a partisan in the forests of southeastern Poland. Following liberation, he returned home, only to find that his mother and some of his siblings had been murdered and that the world of his youth had

been virtually wiped from the map. Of the 8,000 Jews who had lived in Tomaszow, only 11 were still alive.

Lerman married his wife, Chris, an Auschwitz-Birkenau survivor, after liberation. Following 8 months in a displaced persons camp, they arrived in the United States and eventually settled in Vineland, New Jersey.

In recognition of his contributions to the Holocaust remembrance, in 1978 he was appointed to the advisory board of President Carter's Commission on the Holocaust. At the Commission's first meeting, he testified that in 1945, he had searched for the reason for his survival. But with the goal of creating a museum, he concluded, I feel there was meaning and purpose to my survival in being here today.

Mr. Lerman quickly became a driving force in the creation of the United States Holocaust Memorial Museum. Following his service on the advisory board, he was appointed to the first Memorial Council in 1980. He has been reappointed to the council by every President since; and with each reappointment, Mr. Lerman has recommitted himself to 3 vital goals: building and securing the future of a permanent national living memorial to the victims of the Holocaust; establishing the international relationships necessary to ensure the museum's preeminence in fostering Holocaust documentation, education, and scholarship; ensuring the museum's mission of remembrance, education, and conscience is transmitted to future generations.

Mr. Speaker, early on Mr. Lerman recognized that collections would be vital to the museum's creation and ultimate success. Through his hard work, the museum's collections now number more than 35,000 objects and 12 million pages of archival documents, in addition to tens of thousands of photographs, films, and oral histories.

Similarly, Mr. Lerman's commitment to Holocaust scholarship led to the creation of the Museum's Center for Advanced Holocaust Studies, which promotes research on the Holocaust and ensures the ongoing training of future generations of scholars. It incorporates the Lerman Center for the Study of Jewish Resistance, founded because Mr. Lerman felt strongly that this long-neglected aspect of Holocaust history merited more attention.

Mr. Speaker, let me conclude my remarks by calling attention to the words of Senator Robert Kennedy taken from the CONGRESSIONAL RECORD of June 6, 1966, and I quote:

> First is the danger of futility, the belief there is nothing one man or one woman can do against the enormous array of the world's ills, against misery and ignorance, injustice, and violence. Yet, many of the world's great movements of thought and action have flowed from the work of a single man.

Thank you to Miles Lerman for being that single man, for giving so much of himself to our country. In leading the effort to create the United States Holocaust Memorial Museum, not only has he been a guiding hand in the establishment of a remarkable national memorial, but in doing so, he has also provided a powerful and important reminder to all Americans of what can happen when citizens abandon their responsibilities to in a democratic society.

AGRICULTURE RISK PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise today to speak about the importance of a conference report that passed in the House this afternoon, the Agriculture Risk Protection Act conference report. This bill provides important support for our Nation's farmers and ensures that Americans will have a steady and affordable food supply.

I wish to address an issue that is of particular importance to my central coast district in California, and that is the spread of Pierce's Disease. I am pleased that this bill includes much-needed funding to combat Pierce's Disease and the Glassy-winged Sharpshooter which spreads it. This disease is having a devastating effect on California vineyards and needs to be brought under control before it does even greater damage.

Although outbreaks in my district have been limited, recent sightings of the Glassy-winged Sharpshooter are very worrisome. Just the other day, eggs of the Glassy-winged Sharpshooter were found on plants at two northern San Luis Obispo County nurseries.

While we have been experimenting with different ways to combat Pierce's Disease, currently, there is no known cure. Central coast wine grape growers are banding together and contributing funds of their own to fight this disease. We in the Federal Government need to support these efforts.

I joined members of the Wine Caucus in urging the agriculture subcommittee to increase funding for combating Pierce's Disease. I am pleased that this subcommittee saw the importance of this issue and provided appropriate funding in the Agriculture Risk Protection Act conference report.

This bill provides the necessary support for our vineyards, with over $7 million in funding for control and containment activities in California, and $25 million to compensate growers for losses due to three different diseases, including Pierce's Disease. These Federal dollars will join with State funds and the private money raised to make a concerted effort to eradicate Pierce's Disease. That is our goal. We cannot rest until a cure for this disease is found, and the Glassy-winged Sharpshooter is no longer a threat.

Mr. Speaker, I am glad and pleased that this bill makes available a major step in that direction.

CLUB DRUG ANTIPROLIFERATION ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. Mr. Speaker, I rise today with my colleague from California (Mr. ROGAN) to introduce the Club Drug Antiproliferation Act of 2000, legislation to combat the recent rise in trafficking, distribution and abuse of club drugs such as Ecstasy, Liquid Ecstasy, Speed and PMA.

Club drugs refer to drugs being used by young adults at all-night dance parties such as raves or trances, dance clubs and bars. Young Americans are lured into a belief that club drugs are safe ways to get high, escape reality, and enhance intimacy. The drug traffickers make their living off of perpetuating and exploiting this myth.

The Office of National Drug Control Policy's year 2000 Annual Report on the National Drug Control Strategy clearly states that the use of club drugs is on the rise in the United States, particularly among teenagers and young professionals. Data also reflects the increasing availability of club drugs in metropolitan centers and suburban communities.

In a speech to the Federal Law Enforcement Foundation earlier this year, the United States Customs Commissioner, Raymond Kelly, stated that in the first few months of fiscal year 2000, the Customs Service already had seized over 4 million tablets of Ecstasy, an immensely popular club drug. He estimates that the number will grow to at least 8 million tablets by the end of the year, representing a substantial increase from 500,000 tablets seized in fiscal year 1997.

Do not be fooled by the innocent term ''club drugs;'' no club drug is benign. Chronic abuse of club drugs appears to produce long-term damage to the brain, and sometimes the damage caused by club drugs can do more than harm the brain. It can be deadly. Recently in my district in Illinois, a Naperville Central High School student died after ingesting a very powerful party drug called PMA.

Sadly, Federal law does not take club drugs seriously enough. For example, under current Federal sentencing guidelines, one gram of Ecstasy is equivalent to only 35 grams of marijuana. In contrast, one gram of methamphetamine is equivalent to 2 kilograms of marijuana. These weak sentencing guidelines result in relatively short periods of incarceration for individuals sentenced for Ecstasy-related crimes. When the potential profitability of this drug is weighed against the potential punishment, it is easy to see what makes club drugs extremely interactive to professional smugglers.

□ 1600

Mr. Speaker, the Club Drug Antiproliferation Act of 2000 addresses this fast-growing and disturbing problem. First, the bill addresses the base

level offense for club drug-related crimes, making those crimes equal to that of trafficking methamphetamine. This provision also accomplishes the goal of effectively lowering the amount of drugs required for a swift prosecution sending a message to Federal prosecutors that club drugs are a serious threat.

Second, through law enforcement and community education programs, this bill will provide for a national club drug information campaign. As more Americans are made aware of the unpredictable impurities and side effects of club drugs, it is our hope that law enforcement will begin to see a dramatic reduction in the quantities of club drugs present on our streets. Let us do what we can to save our children from the fate of that young high school student in our district.

Mr. Speaker, the Club Drug Antiproliferation Act of 2000 can only help in our fight against drug abuse in the United States. I urge all of my colleagues to join the gentleman from California (Mr. ROGAN) and myself in this important effort by cosponsoring this bill.

NEED FOR A NEGOTIATED SETTLEMENT IN SRI LANKA

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

Mr. PALLONE. Mr. Speaker, for weeks now, the newspapers have carried stories about the recent escalation in the fighting in Sri Lanka, the island nation located just to the south of India. Sri Lankan Government forces have been battling a violent rebellion by the Liberation Tigers of Tamil Eelam, the LTTE, commonly known as The Tigers, a separatist organization that the United States has designated a Foreign Terrorist Organization. The Tigers' campaign has gone on for 17 years, at a cost of tens of thousands of lives. Their goal is the establishment of a Tamil Eelam, a separate Tamil state in Sri Lanka, to divide this small island nation into two ethnic states, a Tamil state and a Sinhalese state.

Last month, the Tigers stepped up their campaign in the Jaffna Peninsula in the northern part of the island. The government forces have continued to battle the Tigers. Sri Lanka's president, Mrs. Chandrika Kumaratunga, has vowed not to surrender to the terrorists and not to stand by and allow the partitioning of the country. Instead, the government is urging the LTTE to put down their arms and come to the negotiating table for good-faith talks aimed at addressing the concerns of Tamil people in a peaceful way.

Mr. Speaker, I believe that the Sri Lankan people, both Sinhalese and Tamil alike, reject the idea of dividing their nation into two ethnically based, ethnically cleansed homelands. The LTTE by no means speaks for all of the Tamil people.

Indeed, Mr. Speaker, there are Tamil political parties and organizations committed to working with the government to achieve a higher degree of autonomy through peaceful means. And the government has had on the table for a long time a Devolution Plan that would recognize the Tamils' legitimate claims. If nothing else, the government's plan offers at least a basis for beginning negotiations.

Mr. Speaker, President Kumaratunga, who is elected as the nation's first woman president in 1994, was reelected last December in an election in which 73 percent of the eligible voters turned out. In the final days of the presidential campaign, she was injured in a terrorist attack blamed on the LTTE. That attack took the lives of 22 people and left more than 100 injured.

Yet, despite this attack and despite the recent escalation of violence by the LTTE, President Kumaratunga continues to ask the separatists to lay down their arms and begin talks.

In this current crisis, Sri Lanka has reached out to the international community to help bring the separatists to the negotiating table. Yesterday, President Kumaratunga appealed to India, Sri Lanka's democratic neighbor to the north, to facilitate the effort to bring the Tamil Tigers to the table. Sri Lankan officials have also been meeting with diplomats from Norway in an effort to resume the negotiations with the rebels that broke off 5 years ago.

Next Monday, U.S. Under Secretary of State, Thomas Pickering, will go to Sri Lanka where he will meet with government officials and other leaders of the other Tamil parties.

Mr. Speaker, the position of the United States and of India and of other Western nations is that this conflict can only be resolved through negotiations, and that the solution should preserve the territorial integrity of Sri Lanka. The campaign by the LTTE to force the break up of Sri Lanka does not have the support of the international community, and it must never gain that legitimacy.

As I mentioned, Mr. Speaker, the U.S. State Department has branded the LTTE a terrorist organization. Recently, the parliament of the European Union has urged its member nations to take similar steps. The Tigers maintained their determination for an outright win militarily, but that strategy seems destined only to kill thousands of more people by shattering lives in both the Tamil and Sinhalese communities.

Mr. Speaker, I urge Under Secretary Pickering to continue to make clear that this crisis can only be resolved through a political solution. We must step up our efforts to work with other international friends, including India and Western European nations, to maintain the pressure on the LTTE to come to the negotiating table.

The Tigers should join with the rest of the Tamil community to promote the interests of their community through the institutions of the united, sovereign, and democratic Sri Lanka.

OUTRAGEOUSLY HIGH DRUG PRICES IN THE UNITED STATES

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

Mr. GUTKNECHT. Mr. Speaker, today I rise to speak again about an issue, that, as Members go back to their districts and have town hall meetings, I am certain they are going to hear about. The issue I want to talk about this afternoon is the issue of outrageously high drug prices that we pay in the United States, especially when we compare what Americans pay to what consumers around the rest of the world pay.

What I have here is a chart, and our source is the Life Extension Network. They did research recently and compared the average prices for commonly prescribed drugs in the United States to what the average prices are in Europe. And it really is sobering.

For example, Premarin is a commonly prescribed drug, the same drug made in the same plant under the same FDA approval, incidentally. In the United States, the average price is $14.98. For that exact same drug in the same quantity in Europe they pay $4.25.

Coumadin is a drug that my dad takes; it is a blood thinner. In the United States, the average price is $30.25, but in Europe they pay only $2.85. And the list goes on. Prilosec, another commonly prescribed drug in the United States, the average price here in the United States is over $100; in Europe they are paying $39.25. Claritin, very commonly prescribed drug, particularly this time of year for hayfever and allergies, the United States is $44 an average; over in Europe, they are paying $8.75. The list goes on and on and on. And I think the story is altogether too familiar.

Mr. Speaker, I would ask my colleagues to ask themselves this simple question: Can any of us think of another product of any kind where the world's best customers pay the world's highest prices? This is particularly troubling because just yesterday we had a vote on expanding trade opportunities in opening markets between the United States and China.

We have had for several years now the North American Free Trade Agreement. Goods and services are supposed to flow across our borders with Canada and Mexico freely. Recent studies suggest, and this is a study done by the Canadian government, says that Americans are paying 56 percent more for the same prescription drugs made in the same facilities under the same FDA approval than our Canadian friends are paying for those same drugs.

In other words, we are paying 56 percent more than Canadians, and the story gets worse. Prices in Mexico are

even lower. Consumers have been learning about this, and particularly seniors.

In Minnesota and all across the country, particularly where we are closer to the borders, seniors especially are getting on buses, and they are going to Canada to buy their prescription drugs. We have this wide disparity between what we pay and what the rest of the world pays.

The question has to be asked, the people who are supposed to protect us are our own FDA, the Food and Drug Administration. So one might ask, what are they doing to help consumers get lower prices? Well, here is the answer. This is an edited version, but I want to point out a couple of sentences. We do not have the whole letter here, but it is available. Anyone who would like a copy can call my office.

What the FDA is doing to help consumers is they are threatening them. If someone tries to order drugs through a mail order house from the United States, what they get with the order that has been opened is a threatening letter. Let me just read it. It says, ''Dear consumer: This letter is to advise you that the Minneapolis District of the United States Food and Drug Administration has examined a package addressed to you containing drugs which appear to be unapproved for use in the United States.''

Well, Mr. Speaker, that is not true. The vast majority of drugs that are coming via this method are legal drugs in the United States. They are approved by the FDA. They are made in exactly the same plants.

Later it says, ''Because you are taking this medication under the care of a physician and we do not want to cause your medical treatment to be unduly affected, we are releasing this shipment. However,'' and this is the important line, ''future shipments of these or similar drugs may be refused admission.''

Now, if one were a 75-year-old grandmother and they get a threatening letter from the FDA, it is very disconcerting.

Mr. Speaker, I think it is time for Congress to take a serious look at this problem. If we could just simply recover part of the costs, the differentials that we are paying for prescription drugs, we could go a long way to solving the problem of those people who fall through the cracks.

Do not just take my word for it. We just received in our offices a little pamphlet from Blue Cross/Blue Shield. Let me just read from it. It says, ''Spending on prescription drugs rose 84 percent between 1993 and 1998.''

Mr. Speaker, it is time for Congress to say that the FDA should not stand between our consumers and lower drug prices.

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

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

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 gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE PLUS-CHOICE RELIABILITY ACT

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

Mr. BROWN of Ohio. Mr. Speaker, on January 1, 1999, approximately 400,000 Medicare beneficiaries were dropped unceremoniously by Medicare managed care plans. On January 1 the next year, 2000, 400,000 more were dropped unceremoniously by Medicare managed care plans. We can expect at least that much disruption again on January 1, 2001.

By the way, fly-by-night coverage is just one of the shocks potentially awaiting plus-choice Medicare enrollees. Bait and switch. Supplemental benefits are another.

All of us in this body have heard from Medicare beneficiaries who joined a plus-choice plan to gain access to prescription drug coverage or reduced cost sharing only to have those benefits cut back or stripped out just in time for the new year.

Why is the plus-choice Medicare program failing seniors? Ask the Medicare managed care plans, and they will say it is because the Federal Government is underpaying them. Ask other experts and they will say it is because Medicare managed care plans overestimated their ability to operate more efficiently than traditional Medicare, refused to cross-subsidize between high and low reimbursement areas and underestimated the costs of providing supplemental benefits.

Maybe the truth is in the middle, more likely. The specifics do not matter all that much. Most likely private managed care plans simply cannot serve two masters, the public interest and the corporate bottom line.

Whatever is going on, the most expedient ways of responding to the program's failings are also the most irresponsible if our goal is to act in the best interest of Medicare beneficiaries. We could do nothing. We are pretty good at that here.

Is it fiscally responsible to continue pouring public dollars into plus-choice plans? I would rather my tax dollars help finance health care coverage that is more predictable. Insurance that does not give one peace of mind is not good insurance. In Medicare's case, it is peace of mind for beneficiaries and their families alike. Health care coverage that is about as stable as a house of cards simply does not cut it.

We could always pay managed care plans more, but if we do that without exacting a guarantee that these plans will provide stable benefits and continuous coverage, we are perpetuating the same double standard that protected the Medicare choice plan from the beginning.

Somehow, managed care plans can cost Medicare more than the fee-for-service program; can pick and choose which counties they will serve and which ones they will dump; can attract seniors on the promise of extra benefits, then eliminate those benefits, another cost-cutting strategy unavailable to the fee-for-service program, and still can be touted by many in this institution, including Republican leadership, as the long-term solution for Medicare.

How can Medicare privatization proposals be taken seriously when they feature the same private insurance companies and system that excluded half of all seniors in 1965 and treats them miserably 35 years later in the year 2000? I do not get it. When the traditional Medicare program spends more than expected, they tell us it is because public programs are big, bad and inefficient. When private managed care plans spend more than it is expected, it is because big, bad government was not paying them enough to begin with.

In my view, private managed care plans do not belong in Medicare. They do not belong because they are unwilling; and frankly, they cannot prioritize the welfare of Medicare beneficiaries above the welfare of their business.

□ 1615

If we commit to paying managed care plans this year, then they will want even more next year. If we ask managed care plans to voluntarily commit to staying put and providing reliable benefits, they will tell us businesses require flexibility, and they do.

But Medicare beneficiaries require consistency, stability, reliability. Private managed care plans cannot put many Medicare beneficiaries first. Yet, that is what Medicare must do in order to serve the public interest. If private Medicare managed care plans cannot serve the public interest, we should not pay them a dime.

But regardless of my personal views on Plus Choice, the reality is, right now, millions of seniors depend on it. Policy makers have an obligation to try to make Plus Choice work. If we cannot make the Plus Choice program work, then we have an obligation to get rid of it.

I am offering legislation today to try to make Plus Choice work. Under the Plus Choice Reliability Act, private

health plans would sign a contract to provide continuous service within a service area for 3 years. Health plans would agree not to terminate this coverage within the service area and would be required not to reduce their benefit package during that time period.

Health plans would receive payments for enrollees equivalent to what Medicare would have spent had the enrollees stayed in-fee-for service, no more, no less.

If we pay private health plans what it would cost fee-for-service to cover these individuals, and if private plans still cannot cover them and provide stable benefits or guarantee continuous coverage, as the fee-for-service program does, then it would be fiscally irresponsible and a breach of the public interest to permit these plans to stay in Medicare. It is as simple as that.

I hope my colleagues will join me in promoting a Medicare Plus Choice option that actually provides continuity and stability, attributes that should be a given under our Medicare program.

STATUS OF HMO REFORM

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

Mr. GANSKE. Mr. Speaker, I am going to talk a little bit about the status of HMO reform before the House and the Senate. I have to admit that I am a little bit disappointed, because I thought that this afternoon or this morning, we would have been debating a bill called H.R. 1304, which is the Quality Health Care Coalition Act. This is the bill of the gentleman from California (Mr. CAMPBELL).

The gentleman from California (Mr. CAMPBELL) has worked on that bill for 3 years. In essence, that bill would allow health professionals to group together to advocate for patient consumer rights without forming a union in negotiating contract provisions with HMOs.

This is pretty important because, in the last 5 or 6 years, there have been over 275 mergers of health plans around the country, leaving us, in this country, with about five or six large HMOs. In many parts of the country, these HMOs, a single HMO may control 50 percent or more of the people who have health care in that area. It is curious that a lot of these, several of these large HMOs do not go into other areas in order to compete with another large HMO.

So what that means, then, is that, if an HMO, for instance, gives a health care provider, a nurse or a pharmacist or a physician, a contract that has a provision in it that is, for instance, a gag rule, a gag clause, where it says one cannot tell a patient all of their treatment options unless one first gets an okay from us.

So, in other words, in my prior life before being a congressman, as a physician, if I had a woman come to me with a lump in her breast, I examined her, talked to her, I would have to say, excuse me, leave the room, get on the phone, tell the HMO I have got this woman here with a breast lump, and ask them if it is okay if I tell this woman all three of her treatment options. I mean, that is an egregious infringement on the right of a patient to know all of the information that he or she needs in order to make a decision.

Yet, there are contract provisions that HMOs have put in physician contracts to that extent. There are other contract provisions that HMOs put into employee contracts where it says that HMO's can define medical care as the cheapest, least expensive care ''as determined by the HMO.''

What would be the problem with that? Let me give my colleagues an example. As a constructive surgeon, I have taken care of a lot of children born with cleft lips and palates. The correct treatment for a kid born with a cleft palate is a surgical repair to close that huge hole in the roof of their mouth so that food does not come out their nose, so they can learn to speak correctly.

But under that HMO's contract provisions where they can define medical necessity as the cheapest, least expensive care, they could say, no, we are not going to authorize routine surgical repair, we are just going to authorize a piece of plastic to shove up into that hole, something called a plastic obturator. It would be like an upper denture.

Now, will the child learn to speak very well with that? No. But it meets that plan's own contractual language of being the cheapest, least expensive care.

Now, let us say that I, as a physician, taking care of children, whose treatment is denied, like this one, decide to get together with other reconstructive surgeons, and we start talking about how this one HMO is routinely denying medically necessary care. We say to each other, I do not think I can renew my contract with that company. Under current U.S. anti-trust law, we could be prosecuted and fined, if not thrown in jail, for being concerned about our patients' concerns.

That was the bill that was supposed to be on the floor. It was a bill that did not, it was not about physicians forming unions, in fact, it would have the opposite effect. It was not a bill about price fixing. It has nothing to do with price fixing. It is a good bill. It had 220 bipartisan cosponsors. We only need 218 votes to pass the House. One would think this would come to the floor.

The gentleman from California (Mr. CAMPBELL) had worked on this for 3 years. Last year, he got a commitment from the Speaker of the House to bring it to the floor last year. Then he got a commitment from the Speaker to bring it onto the floor in January. Then yesterday, before the entire Republican Conference, the Speaker said, yes, this is coming to the floor today.

But a curious thing happened last night. The Committee on Rules was meeting about midnight, they were debating this bill that we should have debated today. All of a sudden, they just tabled the bill indefinitely. So it did not come to the floor today.

I find this very curious because, as everyone in Washington knows, the Committee on Rules functions as the right arm of the Speaker. The Committee on Rules follows the Speaker's will. Some people have said the Committee on Rules is a rubber stamp for the Speaker. In the 5 years I have been in Congress, I cannot remember the Committee on Rules doing an action in committee that has been contrary to the Speaker's will.

Now, yesterday, the Speaker said we were going to have this bill on the floor. He had given his promise to the gentleman from California (Mr. CAMPBELL). Then at midnight, the Committee on Rules tables the measure. Very curious.

Is this the first time the Committee on Rules has disregarded the Speaker's promise? We do not know. It is either that the Committee on Rules, which should function at the Speaker's discretion, did not, that they did not follow their own Speaker's prescription, in which case, the Speaker ought to have a long talk with those Members for not following out his instructions.

Or the other alternative is that they received word from the Speaker, pull the bill. If that is the case, then there is a disparity between what the Speaker promised the gentleman from California (Mr. CAMPBELL) yesterday morning and what happened at midnight.

Most curious. Very unusual. Something in 5 years I have never seen happen here in Congress.

So we are left with the situation that, today, we did not get to debate on a bill that is a free market bill to try to correct HMO abuses.

Last year, last October, when we passed the Bipartisan Consensus Managed Care Reform Act, the Norwood-Dingell-Ganske bill that I helped write, passed this floor with 275 votes, with only 151 against it, last year we heard a lot of people say, I think that we ought to move to HMO reform in a more free market way. We ought to make sure that there is equal playing field so that these types of patient abuses can be addressed in the realm of the free market, in equal negotiations.

Well, we are seeing a situation where we have, in some cases, almost monopolies by large HMOs, squishing any type of concerted action by providers to stick up for their patients. This bill of the gentleman from California (Mr. CAMPBELL) would have gone a long way toward correcting that. Yet, for all those people on both sides of the aisle who voted against the Bipartisan Consensus Managed Care Act, saying I would rather see a free market approach, they do not get a chance today

to vote, to correct those types of HMO abuses.

Now, it is no secret that the insurance industry has been lobbying very vigorously on this issue. It is no secret that, last night, the insurance industry dumped millions of dollars into fundraisers here in Washington. It would be most curious if there is any connection between the Committee on Rules' action and political contributions. I would certainly hope that is not the case.

Why do we need HMO reform? Well, last week, in the Los Angeles Times, I saw this article on a case. The California State Department of Corporations said that it discovered systemic health care delivery problems at a California HMO, and they levied a $1 million fine against that HMO for delaying the urgently needed care of a 74-year-old woman who died.

So we gave the California Department of Corporations a phone call. They sent us their memo on this case. I am going to share this with my colleagues today, because as I am speaking, at this very moment here in the Capitol, the conferees to that HMO reform bill are meeting. They have been meeting for months and months and months, and virtually nothing has happened. I think they need to listen to a case like this, because it is pretty incredible. This is happening every day around the country.

''In January, 1996,'' and I am going to pretty much just read from this brief by the California Department of Corporations, ''Margaret Utterback, 74 years old, and'' an HMO ''patient for 50 years, was still living in her home. She took reasonably good care of herself and she was in generally good health up to the day that she'' complained to her HMO of ''back pain that radiated to the right side of her abdomen.''

It is important to note that she had been a smoker and that she had high blood pressure. That is from her HMO records.

Now, as a physician, let me lay a little groundwork for this. There is a condition called an aortic abdominal aneurysm. This is a balloon-like enlargement of the large blood vessel in one's abdomen, the aorta. It develops more frequently in people who have been smokers, who have atherosclerosis, and who have high blood pressure. If that balloon-like dilation of the aorta breaks, the patient usually dies. They bleed to death in a short time. It takes many years to develop.

Generally a patient that is systematic with an aortic abdominal aneurism is an older person who complains of abdominal and back pain. That aortic aneurism impinges on the lumbar vertebrae, and that is responsible for the back pain.

□ 1630

If it is caught in time, surgery can fix it. The balloon-like dilatation can be bypassed. Just think of taking a balloon and blowing it up. As we blow and blow, the bigger it gets, and all of a sudden it gets easier to blow it up. That is because the walls of that balloon are getting weaker and weaker. Then all of a sudden it gets so easy that it just breaks. That is what can happen with this type of dilatation, this aortic aneurysm.

On January 26, 1996, Mrs. Utterback woke up with pain in her back. It radiated towards her abdomen on the right side. She had been experiencing back pain since the day before. She thought the pain might be due to some hard work, but the pain progressed that morning. She also experienced abdominal pain she attributed to something she had eaten.

At about 8:15 in the morning, she called her daughter, Barbara Winnie, and she asked her to come over because she had some really sharp pain. When her daughter got there, at about 9:30, she found her mom in bed, still in her pajamas. Mrs. Utterback reported to her daughter that she had tried reaching her primary care doctor at the HMO when the clinic opened at 8:30. She was put on hold so long that she had to hang up.

The phone number that she used to secure an appointment came from her address book. Between 9:45 and 10 a.m. she tried to call this HMO again. Her daughter overheard this conversation and was also informed of the details. Mrs. Winnie essentially recalls this as follows: Mrs. Utterback explained her symptoms; that she was having pain on the right side of her back that was going around to her abdomen and she asked if she could get an appointment to see her doctor. She was told by the person who answered the phone that there were no appointments available.

Mrs. Utterback explained her symptoms again. She asked if she could be put through to her doctor or the clinic so that she could talk to somebody there. But the person at the HMO, at the other end of the phone, said she could not do that. After that, the person said something to the effect that, If you think you need to be seen, call back at 3 p.m. and you will get an urgent care appointment for the evening. Mrs. Utterback was told that the urgent care clinic was the procedure to be used when there were no same-day appointments available to her doctor.

Now, I want to point out something. This person she talked to did not suggest that if she was having really severe pain she needed to go to the emergency room.

After hanging up, Mrs. Utterback and Mrs. Winnie, her daughter, discussed the conversation. Mrs. Utterback decided to call back again. She described her symptoms again to the new person who answered the phone, i.e., that right side back pain was radiating to her abdomen. After being transferred a couple of times, she was finally put into contact with somebody who Mrs. Utterback thought was kind and willing to listen. That particular woman offered to send an e-mail message to her doctor about her wanting to be seen that day.

So Mrs. Utterback thought that once the e-mail was sent, she was supposed to wait for her doctor to get back to her. That is what she understood from the conversation. Her daughter recalls that this conversation occurred at approximately 10:15, which is consistent with the time that the e-mail was actually sent, which was 10:18.

Mrs. Utterback was not given an appointment during that conversation. While waiting to hear back from the doctor's office, Mrs. Utterback reclined almost the whole time, but she did get up around 12 noon to have some soup. After not hearing back for nearly 2 hours, Mrs. Utterback and her daughter said they agreed that they would surely hear from her doctor either during lunch or after the lunch hour. However, when 1:45 p.m. came around, Mrs. Utterback and her daughter agreed that enough was enough, and they tried to call back to find out what, if anything, her doctor had decided to do.

Mrs. Utterback called again. She explained to the person who answered the phone this time the steps she had taken up to this point in order and wanted to be seen by Dr. Perry. She again explained that she had right back pain radiating to her abdomen, which was getting more painful. She reiterated her efforts to see her doctor and reiterated her symptoms, as she was transferred several times. She also explained that she was frustrated. She wanted a same-day appointment, and she had been waiting to hear from her doctor since 10 o'clock, and it was now the middle of the afternoon.

After speaking to several different people, it appeared to her daughter that Mrs. Utterback, her mother, had finally reached somebody sympathetic based on the tone of Mrs. Utterback's voice. Apparently this person offered to transfer Mrs. Utterback to patient assistance. However, when that transfer occurred, Mrs. Utterback reached a voice mail recording. So she hung up.

She immediately phoned back the phone bank, and after explaining her symptoms and all of her attempts to get assistance again, she finally, after several attempts, reached a person who was able to get her scheduled for an appointment at 4:15. However, she had to insist on being seen that day because the medical assistant at first told Mrs. Utterback that her doctor declined to give her an appointment that day but, instead, would write her a prescription for narcotic pain medicine.

Finally, upon Mrs. Utterback's insistence, the medical assistant agreed to give her an appointment late in the day. Well, Mrs. Utterback is not feeling very good. The pain is getting worse. She and her daughter decide to go immediately to the clinic to try to get in to see her doctor earlier, if possible. This is corroborated by an HMO employee, the medical assistant who booked the appointment at the doctor's station, who recalls that the daughter

told her that they were leaving right away to try to get worked in sooner in the day.

Until arriving at the clinic, Mrs. Utterback never spoke to a registered nurse or an advice nurse, nor was she instructed to go to the emergency room by that HMO.

Mrs. Utterback left about 2 p.m. and checked in no later than 2:45 at the HMO clinic. Despite requesting three separate times to be seen sooner because her pain was getting worse, staff at the HMO refused. While waiting, Mrs. Utterback's pain increased to the point where her discomfort was visually observable. She squirmed in her chair. She held on to her side. At times she was in plain view of the reception desk and the open hallway where the medical assistants would come to call patients. But it was not until 4:30 that her physician examined her.

At one point, the medical assistant who was filling in for the doctor's patients that day was informed of Mrs. Utterback's desire to be put in a room. Two Kaiser receptionists testified that this assistant came to the front, glanced through the chart, looked into the waiting room where Mrs. Utterback was sitting, and stated, Doesn't look that sick to me, tossed the chart back and walked away. She did not stop, did not even bother to go out and talk to this woman.

Well, once examined by her physician, what did he diagnose? He immediately diagnosed that she had not just an aortic aneurysm but a dissecting aortic aneurysm, one that was rupturing. Now, that is a life-threatening condition. It requires complete adherence to a stringent test of protocols in order to save the patient's life. IVs need to be put in, the patient needs to be given pain medicine, that pain medicine will help reduce the patient's blood pressure. If their blood pressure is too high, the medicine reduces the blood pressure. Because the higher the blood pressure is the more pressure every beat of the heart places on that enlarging balloon that is in that patient's abdomen.

That patient is a medical emergency. That patient needs to be transported immediately to an emergency room, stabilized, and into the operating room in order to save that patient's life. But instead of calling 911 or arranging for advanced life support, and this is amazing, Mrs. Utterback and her daughter were initially asked to drive themselves to the emergency room. Imagine that. As a physician who has taken care of patients with this problem, to suggest that this patient should hop into the car and drive themselves there and possibly collapse enroute is just, it is just beyond me. It is just beyond me.

The seriousness of Mrs. Utterback's diagnosis and condition were not even communicated to the Hayward Fire Department or to the ambulance personnel. Chief Michael Jay of the Hayward Fire Department, who had been dispatched to the scene, was not informed this patient had a dissecting aortic aneurysm. Instead, he was informed by the clinic that ''the patient needed a transport, and the patient was complaining of lower back pain.'' Chief Jay stated, ''a diagnosis of a dissecting aortic aneurysm indicates a sense of urgency that would necessarily need to be communicated to the medical facility for the emergency personnel on scene,'' including himself, and it was never done.

That lack of urgency was confirmed in the ambulance report, where it states, ''doctor nowhere to be found, nurse had very little patient information, patient transferred for 'question mark' for evaluation.''

Mrs. Utterback did not arrive in the emergency room until 5:30. Remember, this saga started at about 8:15 in the morning. She did not get there until an hour after the diagnosis was made. Unfortunately for Mrs. Utterback, her aneurysm ruptured completely minutes after she got in the emergency room. She was taken to the operating room and given 24 units of blood, but by then it was too late and the next day she died.

The California Department of Corporations looked at this case and they found systemic lack of safety all the way through the day that this patient was treated. There should have been protocols in place. Certainly if a patient cannot be gotten into see her physician promptly, when she is having severe pain, she ought to be told to go to the emergency room. Do not pass go, just go to the emergency room, do not collect $200.

It is these kinds of problems that we are hearing about HMOs. In fact, right at this moment one of my colleagues is holding a press conference over in the Longworth Building where he has 24,000 HMO complaints of abuse stacked up and piled up that have been gathered just in the last few months. 24,000. And, believe me, that is a small number, because most of the problems do not get reported.

□ 1645

And so, what have we been doing here in Congress? Well, after we passed a strong patient protection bill here in the House with 275 votes back in October, the Speaker did not even name the conferees for a long time; and then the Republican conferees that were named from the House side, all except one, had not even voted for the bill.

The two Republican authors of the bill, the gentleman from Georgia (Mr. NORWOOD) and myself, were not even named to the conference committee. The Senate had passed a bill, which, charitably, could be argued an HMO protection bill, not a patient protection bill. It is so weak, it is worse than weak. And we have had months now where the conference committee has gotten virtually nothing done. And, furthermore, there has been no legislative language put out on even the noncontroversial items. And every day goes by and somebody like Mrs. Utterback is being injured or loses their life.

I could give my colleagues many, many other examples of this. If my colleagues would just take this one defect, cleft lip and cleft palate, in the last few years more than 50 percent of the surgeons who take care of this condition have had HMOs deny surgical repair related to cleft lip and cleft palate.

I mean, this is a birth defect. This is not a cosmetic procedure. This is something to make somebody normal so they can speak right so they can walk through the grocery store and not be an object of contempt.

For goodness sakes, why is it taking so long for us to address this problem? I guess you could only say, it is part of the systemic problem that exists here in Washington. There are very powerful special interests that oppose a real patient protection piece of legislation. That is the HMO industry, that is the insurance industry, and some of the big businesses.

It is very interesting, though, that if you look at the polls that are done of, say, small businesses, even small business employers, by about a three to five margin think that Congress ought to pass patient protection legislation. These are the employers.

What is the hang-up? Well, the hang-up in conference is on several things. One is the scope of the bill, who should the bill cover.

Well, we in the House voted overwhelmingly that these patient protections should cover all Americans, not just a few like are covered in the Senate bill. Every American ought to have access to patient protection so they are not abused by their HMO. That is one of the issues.

Another issue has to do with who determines medical necessity. Well, in the House-passed version, we passed a bill that said, you know, if there is a dispute you can go to an internal review, then an external review, an independent panel, and the panel can make a decision free of conflict of interest with the HMO and that that decision would be binding on the HMO, they would have to follow it. And if they did not follow that recommendation on a denial of care, then they could be subject to a fine. And if a patient was injured because of their not taking the advice of that panel, then they could be subject to liability.

Nothing like that in the Senate version, nothing has been dealt with on that issue in conference.

Now, some people are starting to think, well, maybe we ought to include some provisions from a substitute that was debated on this House floor and lost in regards to the liability. And that was the Goss-Coburn-Shadegg managed care liability provision. It is full of flaws and loopholes. I sincerely hope that the conference committee would correct these loopholes and flaws if they are looking at this. But more

importantly, they just ought to adopt the provisions that were in the bill that passed the House.

But let me just read a couple of them. The Goss-Coburn-Shadegg HMO liability provision creates a Federal cause of action. Now, that is something we did not do. We simply said, if there is an injury, it goes back to be handled in the State, like all other insurance disputes do.

The Goss-Coburn-Shadegg says other related claims could be brought in State court but not at the same time. That would create a procedural nightmare. Patients would be forced to bring actions in both State and Federal related to the same wrong, wasting judicial resources and posing an undue burden on them.

The provision is unclear as to whether patients would be shut off from bringing related causes of action between various courts. The provision is vague whether a Federal court would have supplemental jurisdiction of State law claims, thereby taking a patient's State law claims away from a State jury.

That is one example. Here is another problem with it. There was a provision in that Goss-Coburn-Shadegg liability bill that required a certification of injury by an external review panel that could deny a patient's Seventh Amendment constitutional rights. A defendant HMO could apply to a second external review panel under the Goss-Coburn-Shadegg bill not involved in the external review decision to determine issues of substantial harm and proximate cause. These are traditional jury issues.

If the external review panel, which could be completely devoid of any legal expertise, determined that either substantial harm has not occurred or that the HMO did not proximately cause the injury, then the patient's action would be dismissed unless the patient could overcome such a finding by clear and convincing evidence.

Further, if a patient fails that burden, he or she is responsible for the HMO's attorney's fees. The use of an external appeal entity to establish causation or harm is unconstitutional. A patient's Seventh Amendment right to a trial by jury cannot be superseded, and external review panels cannot make decisions about injury and causation, which are reserved for our judicial system.

There are many other problems with that substitute. But one of them is this, and that is that the Goss-Coburn-Shadegg bill would force a patient to exhaust internal and external review. To bring an action, a patient would have to exhaust current ERISA administrative remedies and all internal and external review processes, get this, even when he or she has already suffered an injury or even die due to the HMO's negligence.

Let us go back to Mrs. Utterback. Mrs. Utterback started her problem at 8:15 in the morning when she phoned, goes through the day, how many times did she phone the HMO to try to get some resolution, did not get any help, was not treated properly, finally ended up dying, being taken to surgery about 9 and dying the next day.

You know what? She would have no legal recourse under the Goss-Coburn-Shadegg liability provision because, well, you know what, she had not gone through internal or external review. It is just unfortunate for Mrs. Utterback, I guess, that she died before she could bring it to review. But that does not mean that that HMO should not be liable.

That is why the California Department of Corporations fined that HMO $1 million because of their negligent actions.

We need to fix this problem. We need to address this. That is why we should have had a debate today on the Campbell Quality Health Care Coalition Act, which is one way to approach the problem; and that is why the conference committee on HMO reform really ought to get something done and soon.

If they cannot move to some real substantive decisions and agreements, then we need to start looking at other ways to move this legislation. This is just too important for us for this to languish.

There are millions of decisions being made every day on people's health care that are being interpreted to the disadvantage of patients because of an HMO's ability to determine ''medical necessity.''

I hope it does not happen to a member of your family or to a loved one of yours or to you. Unfortunately, it could. All our constituents should be phoning and writing their congressman and they should say, please, enough is enough. Do not let this go anymore. Come to a resolution. Work with the President. Get a strong Patients' Bill of Rights passed this year, or we will hold you responsible at the voting booth.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Members will be reminded that their remarks in debate should be directed to the chair and not to the gallery or the listening audience.

POLICE BADGE PROTECTION ACT OF 1999

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

Mr. HORN. Mr. Speaker, I rise today to call attention to this morning's headlines in the National Press about the use of counterfeit badges in and undercover investigation conducted by the General Accounting Office at the request of our colleague the gentleman from Florida (Mr. MCCOLLUM).

The General Accounting Office is the arm of investigation on both financial matters and programmatic matters on behalf of the Congress. They are part of our legislative branch. Agents from the GAO's Office of Special Investigations used fake badges purchased over the Internet to get through security at two airports and 19 Government offices, including the Central Intelligence Agency, the Department of Justice, the Federal Bureau of Investigation, the State Department, and the Department of Defense.

The relative ease with which the General Accounting Office agents penetrated security shows the vulnerability not only of these Government offices but of the public.

The American public recognizes the authority of the badge. They know they can count on those men and women in law enforcement.

The American public needs law enforcement when they are in times of trouble and they are in need of help. However, misuse of the badge reduces public trust in law enforcement and endangers the public.

Although there are State statutes against impersonating law enforcement officers, the threat of counterfeit badges reaches across State lines. Criminals can purchase fraudulent badges such as the ones used in this testing experiment by the agents of the General Accounting Office. The criminals can purchase the badges over the Internet and through mail order catalogues.

Disturbingly easy access to these official looking badges and the means to manufacture counterfeit badges calls for strong, prompt action to protect the public trust in those in law enforcement who carry badges.

I have introduced legislation, H.R. 2633, the Police Badge Fraud Prevention Act, to achieve that goal.

The Police Badge Fraud Prevention Act would ban the interstate or foreign trafficking of counterfeit badges and genuine badges among those that are not authorized to be possessed by a genuine badge. The legislation complements State statutes against impersonating a police officer, addressing in particular the problems posed by Internet and mail order badge sales.

With the endorsement of multiple law enforcement agencies, including the Fraternal Order of Police, as well as the bipartisan support of my colleagues, the Police Badge Fraud Prevention Act can help protect the public from criminals who use time honored symbols of law enforcement for illegal purposes.

In light of the General Accounting Office investigation and in response to the need to address the growing on-line sales of counterfeit police badges, I strongly urge the House to pass the Police Badge Fraud Prevention Act.

BROAD BAND DEPLOYMENT

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

Mr. TAUZIN. Mr. Speaker, today we held the second of a series of hearings on the issue of broad band deployment in the Subcommittee on Telecommunications. And in completing that hearing today, we arrived at a point where over 200 Members of this House, I think 207 by today's count, have endorsed and cosponsored H.R. 2420, which is a bill designed to prevent from happening in this country what so many people are talking about, something called the digital divide.

□ 1700

It is a bill designed to ensure that all Americans have access to high-speed broad band Internet services that are being deployed in some parts of America. According to a study by Legg Mason, in the next 4 years about half of this country will have access to several, not one, but several different providers of high-speed broad band services. Now, for those of you who use the Internet, what we call the narrow band Internet, broad band Internet will be absolutely like day and night. It will provide Americans with access to incredibly high-speed data including both audio and visual images, in other words, motion pictures, streamed over the Internet in full realtime.

It will open the door in short to incredible new opportunities in entertainment, information, long distance learning, and telemedicine and all the things that Americans look forward to in terms of this telecommunications revolution. It will indeed open the door to new opportunities in electronic commerce for small businesses across America. But the ugly truth is that this high-speed, fast-speed train that is about to arrive and provide all these wonderful services for about half of America will not arrive at all for about a quarter of Americans and will arrive only with one provider for another quarter of our great country. That means as far out as we can see, 4 years from now, fully half of our country will have only one provider of these new services or no provider at all.

Now, if you live in any part of America that is not connected to this wonderful high-speed broad band network, you are going to find out that not only are you missing great opportunities but you may have to move. If you are a small business not connected to some of these networks, and you cannot connect to the high-speed network in which your business should be connected because it is part of an integral e-commerce distribution system, you may find yourself having to leave a small town in rural America that you grew up in and relocate your business elsewhere, or you may find out you are losing an awful lot of business. The problem for Americans is that the quarter of Americans who will not have any services generally live in rural America or in urban center city portions of our country. So the urban poor and the rural poor of our country will be the last to receive the benefits from this high-speed digital revolution.

Now, something can happen to change that. Buried in the ground, connecting all the rural communities of America and much of the urban centers of our country are fiber optic cables that have been laid by the telephone companies, the Bell companies. But under Federal law, these cables, these fiber optics that could connect little towns across America to the high-speed trunk lines of this new broad band revolution cannot be used because the FCC literally will not allow the telephone companies to get into the broad band business across what is called LATA lines. They may be State boundaries or lines drawn on a map inside a State that currently separates local and long distance telephone calls.

You should ask me what does local and long distance telephone calls have to do with the Internet and this broad band revolution. I should tell you it has very little to do with it. It only has to do with voice communication, telephone communications. But these old laws that restrict the local telephone company from crossing those lines and getting into long distance telephones also currently restrict the telephone companies from connecting all the small parts of America to the broad band Internet.

It is time we lift those restrictions. In 1996, we tried to deregulate communications in America. We did a pretty good job, but we left the regulations in place on the local monopoly telephone companies until there was enough competition for telephone service in those local markets. We certainly did not intend to stop the telephone companies from being a full-fledged competitor to connect rural parts of America, small town America, urban center city America to the great advantages of this new age of communications, the broad band digital high-speed network. So House bill 2420 will do just that, will lift those restrictions, will create competition, offer connection, connectivity for everyone in this country. That means ending the digital divide.

Mr. Speaker, House bill 2420 needs to be passed. We are rapidly approaching the point where over 218 Members of this House will have signed on urging its passage.

HOUSE VOTES TO REPEAL TELEPHONE EXCISE TAX

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

Mr. TAUZIN. Mr. Speaker, I am very pleased that today while I was conducting a hearing in the House Committee on Commerce on broad band legislation, that the House is moving to pass an important piece of legislation to help the Internet community and all telephone consumers of America. That was a bill to repeal the 3 percent telephone tax that has been on the books as we know on and off since the Spanish American war. The telephone tax operates as a tax on the Internet because much of the Internet service flows over the telephone. As a result, this 3 percent tax collected originally to fund the Spanish American War and left on the books for lo these many years had to go.

Today, the House joined in large numbers in repealing that tax. I want to congratulate the House in making that great decision today. In fact, a study done by the Progress and Freedom Foundation indicates that over the last 12 years, telephone taxes have gone up in this country 62 percent, that telephone taxes, that taxes on the business of talking to one another in this country have risen a remarkable 62 percent. That includes State, local and, of course, Federal taxes. When the combination of all these taxes mount up on a person's telephone bill, it means in effect that more and more people cannot afford to be on the Internet.

In fact, the Progress and Freedom Foundation estimates that well over 20 percent of America will not access the Internet because of the high level of telephone taxation. Now, what is ironic about that is that we live in a country that prides itself on free speech. In fact, the first amendment to our Constitution is an amendment that protects American's right to free speech, in effect protects our right to free speech against the Government infringing upon it.

I want you to think about that for a second. In this wonderful free speech society that prides itself and in fact brags about free speech around the world, we in America tax speech in many jurisdictions of our country more than we do tobacco. In other words, the taxes on telephones in many jurisdictions of America are higher than the taxes on tobacco, which is supposed to be a sin product. Speech is supposed to be honored and respected in America. In this great House we honor and respect the right of free speech in our wonderful debates on the great issues of the day.

Yet our government taxes talking on a telephone so high that it amounts to more than the taxes on tobacco in many parts of America. You would think we would honor speech by getting rid of those taxes, lowering those taxes; and so this House began today that process. By eliminating the 3 percent excise tax on talking on telephones, we hopefully have begun the process to honor and respect free speech again in our society. Eliminating this tax is going to save millions of Americans many millions of dollars over the years that unfortunately has been taken from them as they use their telephones or connect to the Internet.

More importantly, as we repeal this 3 percent telephone tax, we will be making access to the Internet more affordable for many people in this country. Think about telephone taxes another way. It is one of the most regressive forms of taxation you can possibly

imagine, because we all use the telephone. We use it to keep in touch with our loved ones; we use it constantly in our businesses. Everyone uses the telephone. And in a real sense, when you talk about taxes being progressive or regressive, this is the most regressive tax that I can possibly imagine. Everybody pays it. The poorest of Americans who use the telephone pay a higher percentage of taxes with telephone taxes than they do in any other form.

So this House really has done America a great favor. I am proud tell you that it was in 1998 that the gentlewoman from Washington (Ms. DUNN) and I filed the first bill to repeal the Spanish American 3 percent telephone tax. It has taken a few years, but this House today agreed with us. We are delighted in fact that the House has now sent to the Senate a bill to end this 100-year-old Spanish American War tax. I want you to know the Spanish can breathe easy tonight. The war is over. We have ended collecting a tax that ran that war. We should be very proud in fact that we are finally taking the right path in making both telephone and Internet service more affordable for people and getting rid of some of this heavy burden of excessive and regressive taxation on the folks in America who use the telephone.

We have only just begun. As we go through the process of trying to make sure that the Internet is free and accessible for more and more people, free of these heavy taxation burdens, our committee and the Committee on Ways and Means will continue to see whether or not we can hopefully give Americans even more relief from taxation. In that regard, Mr. Speaker, our efforts will continue. We are going to look seriously at possibly putting some kind of limitation on the FCC's ability to constantly raise taxes', and one day just hopefully one day we will honor and respect free speech in America the way our forefathers intended.

MESSAGE FROM THE SENATE

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

H. Con. Res. 336. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2559) ''An Act 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.''.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MINGE (at the request of Mr. GEPHARDT) for today on account of medical reasons.

Mr. WEINER (at the request of Mr. GEPHARDT) for before 1:00 p.m. May 24 and today on account of personal business.

Mr. BATEMAN (at the request of Mr. ARMEY) for today on account of attending a funeral.

Mr. MCINNIS (at the request of Mr. ARMEY) for today on account of his daughter's high school graduation.

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 Mrs. CAPPS) to revise and extend their remarks and include extraneous material:)

Mrs. CAPPS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mrs. BIGGERT) to revise and extend their remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. HORN, for 5 minutes, today.

Mr. TAUZIN, for 5 minutes, today.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 484. An act to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive; to the Committee on the Judiciary in addition to the Committee on International Relations 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.

S. Con. Res. 110. Concurrent resolution congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union; to the Committee on International Relations.

ADJOURNMENT

Mr. TAUZIN. Mr. Speaker, pursuant to House Concurrent Resolution 336, 106th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Concurrent Resolution 336, 106th Congress, the House stands adjourned until 10:30 a.m. on Tuesday, June 6, 2000, for morning hour debates.

Thereupon (at 5 o'clock and 14 minutes p.m.), pursuant to House Concurrent Resolution 336, the House adjourned until Tuesday, June 6, 2000, at 10:30 a.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:

7840. A letter from the Senior Banking Counsel, Office of the General Counsel, Departmental Offices, Department of the Treasury, transmitting the Department's final rule—Financial Subsidiaries (RIN: 1505–AA77) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7841. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the 1999 Annual Report, pursuant to 12 U.S.C. 3305; to the Committee on Banking and Financial Services.

7842. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Acquisition Regulation: Financial Management Clauses for Management and Operating (M&O) Contracts (RIN: 1991–AB02) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7843. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Managment, Department of Energy, transmitting the Department's final rule—Acquisition Letter; Small Business Programs—received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7844. A letter from the Deputy Executive Secretary, FDA, Department of Health and Human Services, transmitting the Department's final rule—Revision of the Requirements Applicable to Albumin (Human), Plasma Protein Fraction (Human), and Immune Globulin (Human) [Docket No. 98N–0608] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7845. A letter from the Deputy Executive Secretary, FDA, Department of Health and Human Services, transmitting the Department's final rule—Quality Mammography Standards [Docket No. 99N–1502] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7846. A letter from the Deputy Executive Secretary, National Institutes of Health, Department of Health and Human Services, transmitting the Department's final rule—Service Fellowships (RIN: 0991–AA96) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7847. A letter from the Director, Regulations Policy Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adhesives and Components of Coatings and Paper and Paperboard Components [Docket No. 99F–0925] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7848. A letter from the Deputy Assistant Administrator, Office of Diversion Control,

DEA, Department of Justice, transmitting the Department's final rule—Schedules of Controlled Substances: Exempt Anabolic Steroid Products [DEA No. 1871] (RIN: 1117–AA51) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7849. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Satellite Home Viewer Improvement Act of 1999; Retransmission Consent Issues: Good Faith Negotiation and Exclusivity [CS Docket No. 99–363] received March 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7850. A letter from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission's final rule—Custody of Investment Company Assets Outside of the United States (RIN: 3235–AH55) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7851. A letter from the Lieutenant General, USA, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 00–33), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

7852. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–157, ''Sense of the Council on Congressional Ban on Handguns and Assault-Style Weapons Resolution of 1999'' received May 24, 2000, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

7853. A letter from the Office of the Trustee, Court Services and Offender Supervision Agency for the District of Columbia, transmitting the Fiscal Year 1999 Performance Report; to the Committee on Government Reform.

7854. A letter from the Acting Assistant Attorney General, Office of Justice Programs, Department of Justice, transmitting the Department's final rule—Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations—received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7855. A letter from the Acting Deputy Associate Administrator, Office of Acquisition Policy, GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Small Business Competitiveness Demonstration Program [FAC 97–16; FAR Case 1999–012; Item I] (RIN: 9000–AI64) received April 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7856. A letter from the Acting Deputy Associate Administrator, Office of Acquisition Policy, GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97–16; Introduction—received April 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7857. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—Elimination of Requirement to Rewind Computer Tapes (RIN: 3095–AA94) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7858. A letter from the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the 2000 Annual Report Regarding Highly Migratory Species, pursuant to 16 U.S.C. 971; to the Committee on Resources.

7859. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Opportunity to submit proposals for the Coastal Ecosystem Research Project in the Northern Gulf of Mexico [Docket No. 000202023–0023–01; I.D. No. 01100B] (RIN: 0648–ZA78) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7860. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity for research project grants and cooperative agreements [Docket No. 000127019–0019–01; I.D. No. 011000D] (RIN: 0648–ZA77) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7861. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity for the South Florida Ecosystem Restoration Prediction and Modeling Program and the South Florida Living Marine Resources Program [Docket No. 000202024–002240–01; I.D. No. 011000C] (RIN: 0648–ZA79) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7862. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft legislative proposal entitled, ''To Amend section 249 of the Immigration and Nationality Act and for other purposes.''; to the Committee on the Judiciary.

7863. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule—Temporary Exemption From Chemical Registration for Distributors of Pseudoephedrine and Phenylpropanolamine Products [DEA Number 168] (RIN: 1117–AA46) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7864. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Series Airplanes [Docket No. 99–NM–369–AD; Amendment 39–11679; AD 2000–07–24] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7865. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 Series Airplanes [Docket No. 98–NM–78–AD; Amendment 39–11676; AD 2000–07–22] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7866. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 and A310 Series Airplanes [Docket No. 99–NM–82–AD; Amendment 39–11612; AD 2000–05–03] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7867. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautiche e Meccaniche Model Piaggo P–180 Airplanes [Docket No. 99–CE–65–AD; Amendment 39–11665; AD 2000–07–11] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7868. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Allocation of Fiscal Year 2000 Operator Training Grants—received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7869. A letter from the Assistant Secretary for Planning and Analysis, Department of Veterans Affairs, transmitting a draft bill to amend title 38, United States Code, to designate members of the Board of Veterans' Appeals (Board) as veterans law judges and to clarify the beginning of the period in which Board decisions can be appealed to the United States Court of Appeals for Veterans Claims (Court); to the Committee on Veterans' Affairs.

7870. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—National Median Income—2000 [Rev. Procedure 2000–21] received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7871. A letter from the Acting Secretary, Department of State, transmitting the 1999 Annual Report on United Nations voting practices, pursuant to 22 U.S.C. 2414a; jointly to the Committees on International Relations and Appropriations.

7872. A letter from the Acting Assistant Secretary for Economic Development, Department of Commerce, transmitting the Department's final rule —Revision to Implement Economic Development Reform Act of 1998–Grant Rate Eligibility: Disaster Assistance Based on High Unemployment [Docket No. 990106003–9157–02] (RIN: 0610–AA56) received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Transportation and Infrastructure and Banking and Financial Services.

7873. A letter from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Telephone Requests for Review of Part B Initial Claim Determinations [HCFA–4121–FC] (RIN: 0938–AG48) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

7874. A letter from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Solvency Standards for Provider-Sponsored Organizations [HCFA–1011–F] (RIN: 0938–AI83) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLING: Committee on Education and the Workforce. H.R. 4402. A bill to amend the American Competitiveness and Workforce Improvement Act of 1998 to improve the use of amounts deposited into the H–1B Nonimmigrant Petitioner Account for demonstration programs and projects to provide technical skills training for occupations for which there is a high demand for skilled workers, and for other purposes; with an

amendment (Rept. 106–642). Referred to the Committee of the Whole House on the State of the Union.

Mr. TALENT: Committee on Small Business. H.R. 1882. A bill to amend provisions of law enacted by the Small Business Regulatory Enforcement Fairness Act of 1996 to ensure full analysis of potential impacts on small entities of rules proposed by certain agencies, and for other purposes (Rept. 106–643 Pt. 1). Ordered to be printed.

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. LAFALCE:

H.R. 4540. A bill to amend the Consumer Credit Protection Act to enhance the advertising of the terms and costs of consumer automobile leases, to permit consumer comparison of advertised lease offerings, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. EWING:

H.R. 4541. A bill to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Banking and Financial Services, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLING (for himself, Mr. REGULA, Mr. DAVIS of Virginia, Mrs. MORELLA, Ms. NORTON, Mr. MORAN of Virginia, and Mr. DICKS):

H.R. 4542. A bill to designate the Washington Opera in Washington, D.C., as the National Opera; to the Committee on Education and the Workforce.

By Mr. HYDE (for himself, Mr. CONYERS, Mr. CAMP, Mr. CARDIN, Mr. FOLEY, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mrs. THURMAN, Mr. CANADY of Florida, Mr. SCOTT, Mr. HUTCHINSON, and Ms. JACKSON-LEE of Texas):

H.R. 4543. A bill to amend the Internal Revenue Code of 1986 to provide relief for payment of asbestos-related claims; to the Committee on Ways and Means.

By Mr. MANZULLO:

H.R. 4544. A bill to provide standards for the enactment of Federal crimes, to sunset those Federal crimes that do not meet those standards, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISTOOK (for himself, Mr. DICKEY, Mr. FRANKS of New Jersey, Mrs. MYRICK, Mr. SOUDER, Mr. TANCREDO, and Mr. TERRY):

H.R. 4545. A bill to require public schools and libraries that receive Federal funds for the acquisition or operation of computers to install software to protect children from obscenity; to the Committee on Education and the Workforce.

By Mr. WELLER (for himself, Mr. JEFFERSON, Ms. PRYCE of Ohio, Mrs. KELLY, Mr. SESSIONS, and Mr. GREEN of Wisconsin):

H.R. 4546. A bill to amend the Internal Revenue Code of 1986 to permit individuals age 50 or older to make catchup contributions under individual retirement plans; to the Committee on Ways and Means.

By Mr. RYAN of Wisconsin:

H.R. 4547. A bill to provide a waiver of certain nurse aide training requirements for specially trained individuals who perform certain specific nursing-related tasks in Medicare and Medicaid nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO (for himself, Mr. CHAMBLISS, Mr. HASTINGS of Washington, Mr. PITTS, Mr. CALVERT, Mr. WEXLER, Mr. MARTINEZ, Mr. RADANOVICH, Mr. NUSSLE, Mr. BOEHNER, Mr. MCCOLLUM, Mr. KINGSTON, Mr. DOOLITTLE, Mr. FOLEY, Mrs. CHENOWETH-HAGE, Mrs. BONO, and Mr. KOLBE):

H.R. 4548. A bill to establish a pilot program creating a system of registries of temporary agricultural workers to provide for a sufficient supply of such workers, to amend the Immigration and Nationality Act to streamline procedures for the temporary admission and extension of stay of nonimmigrant agricultural workers under the pilot program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ADERHOLT (for himself, Mr. BACHUS, Mr. RILEY, Mrs. EMERSON, Mr. SANDLIN, Mr. GILCHREST, Mr. OBERSTAR, Mr. MCHUGH, Mr. BALDACCI, and Mr. TOWNS):

H.R. 4549. A bill to amend title XVIII of the Social Security Act to provide for payment under the Medicare Program for ambulance services for the transportation of Medicare beneficiaries to certain rural outpatient facilities; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia (for himself, Mr. CRAMER, Mr. WAMP, Mrs. MYRICK, Mr. PRICE of North Carolina, and Mr. COLLINS):

H.R. 4550. A bill to provide grants to law enforcement agencies that ensure that law enforcement officers employed by such agency are afforded due process when involved in a case that may lead to dismissal, demotion, suspension, or transfer; to the Committee on the Judiciary.

By Mr. BASS:

H.R. 4551. A bill to repeal the 1993 increase in tax on Social Security benefits and to develop and apply a Consumer Price Index that accurately reflects the cost-of-living for older Americans who receive Social Security benefits under title II of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. ENGLISH, Mr. DICKEY, and Mr. BARRETT of Nebraska):

H.R. 4552. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself and Mr. ROGAN):

H.R. 4553. A bill to combat club drug trafficking, distribution, and abuse in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BORSKI (for himself, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. MURTHA, Mr. SHUSTER, Mr. KLINK, Mr. PETERSON of Pennsylvania, Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. GREENWOOD, Mr. SHERWOOD, Mr. KANJORSKI, Mr. HOEFFEL, Mr. COYNE, Mr. TOOMEY, Mr. PITTS, Mr. GEKAS, Mr. DOYLE, Mr. GOODLING, Mr. MASCARA, and Mr. ENGLISH):

H.R. 4554. A bill to redesignate the facility of the United States Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, as the ''Joseph F. SMITH Post Office Building''; to the Committee on Government Reform.

By Mr. BROWN of Ohio:

H.R. 4555. A bill to provide for a 6-year demonstration project to stabilize coverage and benefits under the MedicareChoice Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. HAYWORTH, Mr. KILDEE, Mr. PETERSON of Minnesota, Mr. SHADEGG, Mr. KLECZKA, and Mr. FOLEY):

H.R. 4556. A bill to amend the Internal Revenue Code of 1986 to treat for unemployment compensation purposes Indian tribal governments the same as State or local units of government or as nonprofit organizations; to the Committee on Ways and Means.

By Mr. COBURN:

H.R. 4557. A bill to amend the Social Security Act to waive the 24-month waiting period for Medicare coverage of individuals disabled with acquired immune deficiency syndrome (AIDS), and to provide Medicare coverage of drugs used for treatment of AIDS; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK:

H.R. 4558. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to modify the City of West Jordon, Utah, Reuse Project to include recycling and reuse of naturally impaired surface water; to the Committee on Resources.

By Mr. CROWLEY (for himself, Mr. CAMPBELL, Mr. MEEKS of New York, Ms. LEE, Mr. ABERCROMBIE, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, and Mr. GUTIERREZ):

H.R. 4559. A bill to extend the Brady Law to firearms won in lotteries; to the Committee on the Judiciary.

By Mrs. CUBIN (for herself, Mrs. CHENOWETH-HAGE, Mr. HILL of Montana, Mr. SIMPSON, Mr. WALDEN of Oregon, Mr. DOOLITTLE, Mr. STUMP, Mr. THUNE, and Mr. POMBO):

H.R. 4560. A bill to provide for the use of snowmobiles in National parks; to the Committee on Resources.

By Mr. ENGLISH:

H.R. 4561. A bill to amend the Internal Revenue Code of 1986 to prevent unintended disqualification of trusts as electing small business trusts; to the Committee on Ways and Means.

By Mr. ETHERIDGE (for himself and Mrs. CLAYTON):

H.R. 4562. A bill to amend the Internal Revenue Code of 1986 to increase the maximum estate tax deduction for family-owned business interests; to the Committee on Ways and Means.

By Mr. GREEN of Texas (for himself and Mr. QUINN):

H.R. 4563. A bill to amend title XXVII of the Public Health Service Act and title I of the Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide comprehensive coverage for childhood immunization; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEFFEL (for himself and Mr. MALONEY of Connecticut):

H.R. 4564. A bill to amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes; to the Committee on Education and the Workforce.

By Ms. HOOLEY of Oregon (for herself and Mr. WELDON of Pennsylvania):

H.R. 4565. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to prevent the abuse of inhalants through programs under that Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KLINK (for himself, Mr. VISCLOSKY, Mr. MURTHA, Mr. BALDACCI, Mr. COYNE, Mr. HOLDEN, Mr. MASCARA, Mr. DOYLE, and Mr. BRADY of Pennsylvania):

H.R. 4566. A bill to set standards for radioactive contamination content in both the domestic and international metals industry, to prohibit the release of radioactively contaminated scrap metal by the Department of Energy and nuclear fuel production, utilization, and fabrication facilities, and to require all nations exporting metals into the United States to certify and document the amount of radioactive contamination of any scrap metals being exported into the United States; to the Committee on Commerce.

By Mrs. MALONEY of New York (for herself, Mr. DAVIS of Virginia, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. PAYNE, Mr. SANDLIN, Mr. SANDERS, Mr. EVANS, Mrs. THURMAN, Mr. CARDIN, Mr. MORAN of Virginia, Ms. WOOLSEY, Mr. FROST, Ms. PELOSI, Ms. NORTON, Mr. ENGEL, Mr. CUMMINGS, Mr. STARK, and Mr. GILMAN):

H.R. 4567. A bill to amend title 5, United States Code, to provide that, of the total amount of family leave available to a Federal employee based on the birth of a child or the placement of a child with the employee for adoption or foster care, at least one-half of that time shall be leave with pay; to the Committee on Government Reform.

By Mrs. MALONEY of New York:

H.R. 4568. A bill to provide funds for the planning of a special census of Americans residing abroad; to the Committee on Government Reform.

By Mr. MORAN of Virginia (for himself, Mr. DAVIS of Virginia, Mr. WYNN, Ms. NORTON, Mrs. MORELLA, and Mr. WOLF):

H.R. 4569. A bill to amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based (in whole or in part) on part-time service, and for other purposes; to the Committee on Government Reform.

By Ms. PRYCE of Ohio (for herself, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BECERRA, Mr. BLAGOJEVICH, Mr. CAMPBELL, Mr. DIXON, Mr. EVERETT, Mr. FROST, Mr. GEJDENSON, Mrs. JOHNSON of Connecticut, Mr. LARSON, Ms. LEE, Mr. MATSUI, Mrs. MORELLA, Ms. NORTON, Ms. PELOSI, Mr. PETRI, Mr. RAMSTAD, Mr. RANGEL, Mr. RODRIGUEZ, Mr. SANDERS, Mrs. THURMAN, Mr. TRAFICANT, Ms. VELAZQUEZ, Mr. VENTO, Mr. WEXLER, and Mr. WISE):

H.R. 4570. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW (for himself and Mrs. THURMAN):

H.R. 4571. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of annual screening pap smear and screening pelvic exams; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKEEN:

H.R. 4572. A bill to eliminate the regional system of organizing the National Forest System and to replace the regional offices of the Forest Service with State offices; to the Committee on Agriculture.

By Mr. SPENCE (for himself, Mr. SPRATT, and Mr. DEMINT):

H.R. 4573. A bill to amend the Harmonized Tariff Schedule of the United States to provide for duty free treatment on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. UDALL of New Mexico:

H.R. 4574. A bill to authorize the Secretary of the Interior to make compensation for damages arising from a prescribed burn on the Bandelier National Monument in the State of New Mexico; to the Committee on the Judiciary, and in addition to the Committee on Resources, 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. WELDON of Florida (for himself, Mrs. CAPPS, Mr. MCCOLLUM, Mr. WAMP, and Mr. HILL of Montana):

H.R. 4575. A bill to amend title 38, United States Code, to improve the provision of inpatient medical care services by the Department of Veterans Affairs to veterans in areas remote from Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. LINDER:

H. Con. Res. 336. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mrs. KELLY:

H. Con. Res. 337. Concurrent resolution expressing the sense of the Congress regarding tuberous sclerosis; to the Committee on Commerce.

By Mr. LANTOS (for himself, Mr. SHAYS, Mr. BACA, Mr. BERMAN, Ms. CARSON, Mr. CONYERS, Mr. CLAY, Ms. DELAURO, Mr. DEUTSCH, Mr. FARR of California, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. OLVER, Ms. PELOSI, Ms. RIVERS, Ms. SCHAKOWSKY, Mrs. TAUSCHER, and Mr. GALLEGLY):

H. Con. Res. 338. Concurrent resolution expressing the sense of the Congress regarding the link between violence against animals and violence against humans and urging greater emphasis upon identifying and treating individuals who are guilty of violence against animals, which is a crime in its own right in all 50 States, in order to prevent violence against humans and urging research to increase understanding of the connection between cruelty to animals and violence against humans; to the Committee on Commerce, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Mr. GILMAN, Mr. BEREUTER, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. SALMON, Mr. PITTS, Mr. FALEOMAVAEGA, and Mr. ROHRABACHER):

H. Con. Res. 339. Concurrent resolution expresing the sense of the Congress concerning recent manifestations of official policy directed against the independent media in Russia and expressing concern for the continued functioning of the independent media in Russia; to the Committee on International Relations.

By Mr. ANDREWS (for himself, Mr. BILIRAKIS, Mr. KLINK, Mrs. MALONEY of New York, Mr. PAYNE, Mr. BLAGOJEVICH, Mr. MCGOVERN, Mr. SHERMAN, Mr. CROWLEY, Mr. FILNER, Mr. KNOLLENBERG, Ms. ROS-LEHTINEN, Mr. MCNULTY, Mr. COYNE, and Mr. ACKERMAN):

H. Con. Res. 340. Concurrent resolution expressing the sense of the Congress regarding Turkey's claims of sovereignty over islands and islets in the Aegean Sea; to the Committee on International Relations.

By Mr. FOLEY:

H. Con. Res. 341. Concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of medically appropriate actinic keratoses treatment and removal under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE (for himself, Mr. ISAKSON, Mr. OBERSTAR, and Mrs. MORELLA):

H. Con. Res. 342. Concurrent resolution expressing the sense of Congress that there should be an international education policy for the United States; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself and Mr. MCCOLLUM):

H. Con. Res. 343. Concurrent resolution expressing the sense of the Congress regarding the importance of families eating together; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. DAVIS of Virginia.

H.R. 73: Mrs. CHENOWETH-HAGE.

H.R. 218: Mr. BUYER and Ms. STABENOW.
H.R. 303: Mr. BACA.
H.R. 460: Mr. GILLMOR.
H.R. 483: Mr. BARCIA.
H.R. 534: Mr. MCNULTY.
H.R. 721: Mr. SNYDER and Mr. QUINN.
H.R. 762: Mr. STRICKLAND.
H.R. 773: Mr. WYNN.
H.R. 783: Mr. RAMSTAD.
H.R. 844: Ms. LOFGREN, Mr. BILIRAKIS, and Mr. WELDON of Florida.
H.R. 1053: Mr. SCOTT.
H.R. 1102: Mr. KLINK.
H.R. 1172: Mr. NORWOOD, Mr. BENTSEN, Mr. ABERCROMBIE, Mr. TURNER, Mr. VITTER, Mr. PAUL, and Mr. STENHOLM.
H.R. 1187: Mr. YOUNG of Florida.
H.R. 1248: Mr. STRICKLAND.
H.R. 1293: Mr. DICKS.
H.R. 1303: Mr. WISE.
H.R. 1311: Mr. BRYANT.
H.R. 1322: Mr. HUTCHINSON, Mr. FILNER, Mr. ISAKSON, Mr. BOEHLERT, Mr. QUINN, Mr. POMBO, Mr. STEARNS, and Mr. GILCHREST.
H.R. 1388: Mr. GEORGE MILLER of California, Mr. NEY, Mr. ROEMER, Ms. DANNER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MASCARA.
H.R. 1399: Mr. RODRIGUEZ.
H.R. 1577: Mr. METCALF.
H.R. 1667: Mr. WISE.
H.R. 1798: Mr. GORDON and Mr. RODRIGUEZ.
H.R. 1850: Mr. KANJORSKI.
H.R. 2166: Ms. PRYCE of Ohio and Mr. OBERSTAR.
H.R. 2335: Mr. COOK.
H.R. 2420: Mr. CAMP, Mr. MCHUGH, Mr. GILMAN, Ms. DANNER, Mr. MANZULLO, Mr. GOODE, Mr. SERRANO, Mr. ENGEL, and Mrs. MCCARTHY of New York.
H.R. 2451: Mr. COMBEST.
H.R. 2457: Mr. BARRETT of Wisconsin.
H.R. 2495: Mr. NADLER, Mrs. MALONEY of New York, Mr. BARCIA, and Mr. HOLT.
H.R. 2514: Mr. PAUL.
H.R. 2548: Mr. LUCAS of Kentucky and Mr. ADERHOLT.
H.R. 2569: Mr. LOBIONDO.
H.R. 2593: Mr. GORDON.
H.R. 2631: Mr. STRICKLAND.
H.R. 2635: Mr. WU.
H.R. 2741: Mr. WEXLER and Mr. FOLEY.
H.R. 2790: Mr. SWEENEY.
H.R. 2816: Mr. STRICKLAND.
H.R. 2892: Mr. MCGOVERN, Mr. DOOLEY of California, and Mr. HALL of Texas.
H.R. 3004: Mr. TIERNEY, Mr. LATOURETTE, Mr. PRICE of North Carolina, Mr. KUCINICH, and Mrs. LOWEY.
H.R. 3006: Mr. RANGEL.
H.R. 3058: Mr. SHAW.
H.R. 3116: Ms. ROS-LEHTINEN.
H.R. 3144: Mrs. CHRISTENSEN.
H.R. 3155: Mr. COYNE.
H.R. 3192: Mr. POMEROY, Ms. SLAUGHTER, Mr. KENNEDY of Rhode Island, and Ms. ESHOO.
H.R. 3193: Mr. SMITH of Washington and Mrs. MORELLA.
H.R. 3249: Mr. EVANS.
H.R. 3250: Mr. BACA, Ms. ESHOO, Mr. DEFAZIO, Mr. DEUTSCH, Mr. BENTSEN, and Mr. COBURN.
H.R. 3300: Mrs. CHRISTENSEN.
H.R. 3466: Mr. FROST.
H.R. 3484: Mr. OXLEY and Mr. GREENWOOD.
H.R. 3514: Mr. HOLT.
H.R. 3517: Mr. STUPAK.
H.R. 3572: Ms. BROWN of Florida.
H.R. 3575: Mr. BAIRD and Mr. ALLEN.
H.R. 3580: Mr. HYDE, Mr. MINGE, Mr. EVERETT, Mr. ROTHMAN, Mr. THUNE, Ms. DUNN, and Mr. SNYDER.
H.R. 3594: Mr. SNYDER.
H.R. 3650: Mrs. LOWEY and Mrs. NAPOLITANO.
H.R. 3665: Mr. CLEMENT.
H.R. 3675: Mr. EVANS.
H.R. 3680: Mr. THOMPSON of California, Mr. CALVERT, Mr. DAVIS of Florida, and Mr. GORDON.
H.R. 3688: Mrs. MORELLA and Mr. HALL of Ohio.
H.R. 3694: Mr. FOLEY.
H.R. 3698: Mr. CALVERT, Mr. WAMP, Mrs. MEEK of Florida, Mr. GEORGE MILLER of California, Mr. WISE, Mr. DREIER, Mr. SCARBOROUGH, Mr. KIND, Ms. DANNER, and Mr. CRAMER.
H.R. 3700: Mr. WATT of North Carolina, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. COYNE, Mr. DOYLE, Mr. FARR of California, Mr. SANDLIN, Mr. HOLDEN, Mr. TRAFICANT, and Mr. ROTHMAN.
H.R. 3710: Mr. TOWNS, Mr. WALSH, Mr. OWENS, Mr. SHIMKUS, and Mr. WYNN.
H.R. 3806: Mr. TIAHRT.
H.R. 3816: Mr. GONZALEZ.
H.R. 3842: Mr. UDALL of New Mexico, Mr. LEWIS of Kentucky, Mr. WISE, and Mr. LUTHER.
H.R. 3872: Mr. FRANKS of New Jersey, Ms. PRYCE of Ohio, Mr. CROWLEY, Mr. OXLEY, Mr. COYNE, and Mr. RAMSTAD.
H.R. 3875: Mr. WATKINS.
H.R. 3901: Ms. WATERS.
H.R. 3905: Mr. NUSSLE and Mr. CROWLEY.
H.R. 3911: Mr. KENNEDY of Rhode Island.
H.R. 3980: Mr. SALMON.
H.R. 3983: Mrs. MALONEY of New York.
H.R. 3996: Mr. MCHUGH.
H.R. 4001: Mr. FALEOMAVAEGA, Mr. RAHALL, and Ms. MILLENDER-MCDONALD.
H.R. 4004: Mr. CAMPBELL and Mr. CAPUANO.
H.R. 4013: Mr. PHELPS.
H.R. 4057: Ms. LOFGREN, Mr. MALONEY of Connecticut, Mr. PRICE of North Carolina, Ms. MCKINNEY, Mr. DEUTSCH, Ms. SCHAKOWSKY, Mr. SANDERS, and Mr. RODRIQUEZ.
H.R. 4079: Mr. PAUL.
H.R. 4091: Mr. WEXLER, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. BROWN of Florida, Mr. CONYERS, Ms. KILPATRICK, Mr. OWENS, Mr. GUTIERREZ, Mr. STARK, Mr. WAXMAN, and Mr. CUMMINGS.
H.R. 4094: Mr. LAFALCE.
H.R. 4098: Mr. SOUDER.
H.R. 4131: Mr. GONZALEZ.
H.R. 4143: Mr. BAIRD.
H.R. 4144: Mr. PETERSON of Pennsylvania.
H.R. 4149: Mr. WHITFIELD and Mr. HALL of Texas.
H.R. 4152: Mr. OWENS.
H.R. 4170: Mrs. CHENOWETH-HAGE.
H.R. 4206: Mr. OWENS.
H.R. 4210: Mr. HALL of Texas and Mr. NADLER.
H.R. 4211: Mr. HOEFFEL and Mr. FROST.
H.R. 4248: Mr. CRANE, Mr. BRADY of Texas, and Mr. WELLER.
H.R. 4250: Mr. BARRETT of Wisconsin.
H.R. 4257: Mr. WATKINS.
H.R. 4259: Mr. KIND and Mr. GALLEGLY.
H.R. 4277: Mr. STUPAK.
H.R. 4308: Mr. FOLEY.
H.R. 4310: Mr. PAUL, Mr. GILLMOR, and Mr. SCHAFFER.
H.R. 4328: Mrs. WILSON and Mr. GREEN of Texas.
H.R. 4334: Mr. UDALL of New Mexico and Mr. STUPAK.
H.R. 4346: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEUTSCH, Ms. BERKLEY, Mrs. JONES of Ohio, and Mr. GORDON.
H.R. 4366: Mr. MCNULTY, Mr. LANTOS, and Mr. MCGOVERN.
H.R. 4390: Mr. TIERNEY, Mr. BRADY of Pennsylvania, and Ms. LEE.
H.R. 4398: Mr. KLINK, Mr. PHELPS, and Mr. DOOLITTLE.
H.R. 4402: Mr. MCKEON, Mr. BOEHNER, Mr. FLETCHER, Mr. ISAKSON, Mr. BALLENGER, Mr. GREENWOOD, Mr. NORWOOD, and Mr. SMITH of Texas.
H.R. 4431: Mr. CANADY of Florida and Mr. DEUTSCH.
H.R. 4434: Mrs. MINK of Hawaii, Mr. GREEN of Wisconsin, Mr. HOLT, Mr. EHLERS, Mr. BUYER, and Mr. GOODE.
H.R. 4453: Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, and Ms. ESHOO.
H.R. 4467: Mr. STENHOLM and Mr. RAHALL.
H.R. 4478: Mr. EVANS, Mr. MANZULLO, and Mrs. MEEK of Florida.
H.R. 4479: Mr. ALLEN.
H.R. 4497: Mr. MCHUGH.
H.R. 4502: Mr. WALDEN of Oregon, Mr. THORNBERRY, Mr. JOHN, Mr. KINGSTON, Mr. BALDACCI, Mr. DEAL of Georgia, Mr. MCHUGH, Mr. MORAN of Kansas, Mr. BOEHNER, and Ms. PRYCE of Ohio.
H.R. 4529: Mr. TRAFICANT, Mr. DEFAZIO, Mr. COSTELLO, Ms. DANNER, Mr. FILNER, Ms. MILLENDER-MCDONALD, and Mr. CUMMINGS.
H.R. 4531: Mr. DREIER, Mr. COX, and Mr. LEWIS of California.
H.R. 4536: Mrs. MINK of Hawaii.
H.R. 4537: Mr. BARTLETT of Maryland, Mr. HAYES, and Mr. BLILEY.
H. Con. Res. 253: Mr. SENSENBRENNER.
H. Con. Res. 257: Mr. DIAZ-BALART, Mr. FILNER, Mr. BILBRAY, Mr. STARK, Mr. ROTHMAN, Mr. LAHOOD, and Ms. ESHOO.
H. Con. Res. 286: Mrs. LOWEY and Ms. SLAUGHTER.
H. Con. Res. 306: Mr. HOEFFEL, Mr. WEYGAND, Mr. WOLF, Mr. GONZALEZ, Mrs. NAPOLITANO, Mr. MARTINEZ, Mr. FOLEY, Mr. FARR of California, and Mr. SMITH of Washington.
H. Con. Res. 308: Mr. GILLMOR.
H. Con. Res. 323: Mr. EVANS and Mr. GREEN of Texas.
H. Con. Res. 328: Mr. FARR of California, Ms. BALDWIN, Mr. SOUDER, Mr. ENGLISH, and Mr. KUYKENDALL.
H. Con. Res. 331: Mr. KUYKENDALL, Mr. COBLE, and Ms. STABENOW.
H. Res. 259: Mr. SWEENEY, Mr. GOODE, Mr. WYNN, Mr. TIAHRT, Mrs. NORTHUP, Mr. ROMERO-BARCELO, Mrs. CLAYTON, Mr. DICKEY, and Mr. RILEY.
H. Res. 415: Mrs. MORELLA.
H. Res. 462: Mr. PORTER.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 9 by Mr. MINGE on House Resolution 478: James P. Moran.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 19: Insert at the end of the bill (before the short title) the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. Notwithstanding any other provision of this Act, not more than $35,636,999 of the funds made available in this Act may be used for Wildlife Services Program operations under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'', and none of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild predatory mammals for the purpose of protecting livestock.

H.R. 4461

OFFERED BY: MR. PALLONE

AMENDMENT NO. 20: Page 78, strike lines 4 through 18.

H.R. 4461

OFFERED BY: MR. STUPAK

AMENDMENT NO. 21: Page 53, line 9, insert ''(increased by $20,000,000)'' after the dollar amount.

Page 56, line 13, insert ''(reduced by $30,000,000)'' after the dollar amount.

H.R. 4461

OFFERED BY: MR. TIERNEY

AMENDMENT NO. 22: Page 12, after line 24, insert the following:

Of the funds made available by this Act for the Agricultural Research Service, $500,000 shall be available for the report required under this paragraph. Not later than September 30, 2001, the Secretary, acting through the National Academy of Sciences, shall complete and transmit to Congress a report that includes recommendations for the following:

(1) The type of data and tests that are needed to sufficiently assess and evaluate human health risks from the consumption of genetically engineered foods.

(2) The type of Federal monitoring system that should be created to assess any future human health consequences from long-term consumption of genetically engineered foods.

(3) A Federal regulatory structure to approve genetically engineered foods that are safe for human consumption.