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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, TUESDAY, JUNE 6, 2000

No. 68

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
June 6, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

### RECESS

The SPEAKER pro tempore. There being no requests for morning hour debates, pursuant to clause 12, rule I, the Chair declares the House in recess until today.

Accordingly (at 10 o'clock and 31 minutes a.m.) the House stood in recess until noon.

1200

### AFTER RECESS

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

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: God and Father of all nations, continue to guide the destiny of these United States. Bless the Members of this House. You are their Counselor and Guide. Give them satisfaction in their work, for You are the joy of those who are faith-filled, and the glory of the humble.

May all their deliberations give rise to understanding and further the cause of equal justice. May their determinations be honored and respected, and renew the hope of freedom in the heart of the world.

In You we place our trust, for we believe You have called us to serve this Nation. By Your divine inspiration we will reach the destiny You have in mind for us, for You live now and forever. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. LAMPSON led the Pledge of Allegiance as follows:

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

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, May 30, 2000.

Hon. J. DENNIS HASTERT,  
*The Speaker, U.S. House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 26, 2000 at 11:10 a.m.

That the Senate passed without amendment H.R. 3293; that the Senate passed without amendment H.R. 4489; that the Senate passed without amendment H. Con. Res. 280; that the Senate passed without amendment H. Con. Res. 302.

With best wishes, I am  
Sincerely,

JEFF TRANDAH, *Clerk of the House.*

### COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE CHARLES F. BASS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Darwin Cusack, Chief of Staff to the Honorable CHARLES F. BASS, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 30, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for documents issued by the U.S. District Court for the District of New Hampshire.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

DARWIN CUSACK,  
*Chief of Staff.*

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3871

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker pro tempore signed the following enrolled bills on Thursday, June 1, 2000:

H.R. 3293, to amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the Memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service;

H.R. 4489, to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and for other purposes.

## TRIBUTE TO BOB HOPE

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

Mr. GIBBONS. Madam Speaker, today we honor the U.S. servicemen who participated in the invasion of Western Europe by the Allies on June 6, 1944. It is only fitting, however, that we pay special tribute to a gentleman who is admired by millions of our veterans.

Bob Hope is beloved for his tireless efforts to entertain U.S. troops around the globe, from World War II to the Persian Gulf War.

As one of the countless soldiers that he entertained during Vietnam and Desert Storm, I know personally of the positive impact that his visits made to uplift our spirits.

Last week, Americans were saddened to learn of the legendary entertainer's illness requiring a stay at the Eisenhower Medical Center, near his home, in Palm Springs.

With his devoted and loving wife, Delores, by his side, Mr. Hope is recovering, and the family has asked that everyone keep Mr. Hope in their prayers.

Mr. Hope, from those of us who were blessed by your courage and commitment to our efforts around the globe, may God bless you. And, Mr. Hope, we all hope that you get well soon, and our best wishes go out to you and your family.

## INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Madam Speaker, I rise today to talk about the issue of international child abduction. For 3 months now, I have been coming to the floor to tell the story of children who have been abducted abroad. I have also been holding public events and introduced a resolution with my friend the gentleman from Ohio (Mr. CHABOT).

Well, all of this work is beginning to pay off. On Tuesday, May 22, the House passed H. Con. Res. 293, urging signato-

ries to the Hague Convention to abide by that agreement. Just within the past 3 weeks, I have heard amazing news from two different parents whose cases this Congress has brought to light.

One of those parents, Jim Rinnaman, saw his daughter 3 weeks ago for the first time in 4 years. Another, Paul Marinkovich, is bringing his son home after 3 years of searching.

Madam Speaker, these parents are being reunited with their children because of the work that Congress is doing and the pressure that these countries are feeling from our Government and from the media.

On behalf of American parents, I want to thank my colleagues for passing H. Con. Res. 293 and urge them to continue working with me on this very important issue. By continuing to take action and raise awareness, we can bring our children home.

JUSTICE DEPARTMENT CANNOT  
HANDLE TRUTH

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

Mr. TRAFICANT. Madam Speaker, an Iranian defector said Iran was responsible for the bombing of Pan Am 103, not Libya.

No kidding, Sherlock. The whole world was told that years ago, but the Justice Department turned their back. Reports said that Iran hired the Syrians and the Syrians recruited terrorists from all around the world.

Beam me up. Those two Libyans may have been mules in general, but they are scapegoats specifically.

I yield back the fact that from Waco to Ruby Ridge to now Pan Am 103, the Justice Department just cannot handle the truth. I also yield back the fact, my colleagues, that if these two Libyans masterminded the bombing of Pan Am 103, they would have choked on a chicken bone years ago in Kadafi's cell.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

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

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

DESIGNATING WASHINGTON  
OPERA IN WASHINGTON, D.C., AS  
NATIONAL OPERA

Mr. GOODLING. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4542) to designate the Wash-

ington Opera in Washington, D.C., as the National Opera.

The Clerk read as follows:

H.R. 4542

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

## SECTION 1. DESIGNATION.

The Washington Opera, organized under the laws of the District of Columbia, is designated as the "National Opera".

## SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper or other record of the United States to the Washington Opera referred to in section 1 shall be deemed to be a reference to the "National Opera".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

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

## GENERAL LEAVE

Mr. GOODLING. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4542.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 4542, to designate the Washington Opera in Washington, D.C., as the National Opera.

The beginnings of the Washington Opera were unusual, as it was founded by a music critic, Day Thorpe, of the now defunct Washington Star, along with a few others who decided that the Nation's capital should have an operatic enterprise of its own.

In the early years, the Washington Opera was limited by financial and practical constraints to no more than one or two productions per year. Since that time, the Washington Opera has grown and prospered. Today, it is the resident opera company of the Kennedy Center, due primarily to the artistic excellence of the ensemble.

In addition to performances, the Washington Opera has created several education and community programs that serve a broad and diverse population. These outreach programs are dedicated to enhancing the lives and learning of the children and adults of the greater Washington region, developing future audiences, and making the experience of opera available to those who otherwise have limited access to this art form.

Through these programs, the Washington Opera has made extensive outreach to the Washington, D.C. area public schools and to the community at large. These programs have reached more than 150,000 individuals and have been driven by the idea that "learning by doing" is a highly effective way to spark young children's interest in the arts.

The number and scope of programming has grown to 22 programs that provide performance experiences, curriculum enhancement activities, in-school artist and docent visits, professional development opportunities for teachers and young artists, interactive family-oriented presentations, and more.

Under the stewardship of Artistic Director Plácido Domingo, the Washington Opera has achieved the stature of a world-class company and plays to standing-room-only audiences at the Kennedy Center Opera House and Eisenhower Theater.

I would like to mention a personal note about this Artistic Director Plácido Domingo. When my daughter, at 17, was playing the professional tour, I did not have the money to send a coach or anybody in the family, so I gave her a lot of advice about not paying too much attention to anybody, particularly men, as she moved from the Italian Open to the Swiss Open to the German Open and then to the French Open. And when she was leaving the French Open to go to the Paris Open, she apparently was standing there in tears and this gentleman asked her what was her problem? And she said, well, my luggage went the other way and I have to play the first round of the French Open as soon as I get to Paris.

The gentleman said, well, the first thing we have to do is put you in first class because you cannot be cramped up back there and then go play tennis.

Well, if the father had known that, he really would have been upset about some man moving her to first class.

When she got to Paris, the gentleman gave her a hundred dollars. And she said, Well, I cannot take that. And he said, well, how will you play? You only have your racket and your sneakers. You will have to buy clothing.

When she came back and we were sitting there as a family watching television, Plácido Domingo and Johnny Denver were doing a couple of the duets that they have done, and she said, Dad, that is the man that put me in first class and that is the man who gave me the \$100. And it was Plácido Domingo. And I understand that is typical of him.

The Washington Opera has earned its position of leadership in the musical world without the government support typical in most world capitals. The company has been a leader through its commitment to sustain new American operas by presenting them in crucial second productions, giving these new works life beyond the short span of their premieres. It leads by championing the lesser known works of significant musical work rarely presented on today's opera stages.

It has been hailed for its work with operas on the epic scale. As the British magazine *Opera Now* recently stated, "The Washington Opera is carving out a new area of expertise . . . staging grand spectacles to exacting standards with precision and power not often

seen even at the world's top houses." The company is also renowned for the number and quality of its new productions, its discovery and nurturing of important young talent, and the international collaboration system it has pioneered with leading foreign companies.

Since 1980, the company has grown from a total of 16 yearly performances of four operas to 80 yearly performances of eight operas, while the budget has increased from \$2 million to more than \$25 million per year. The company has averaged 98 percent attendance over the last fourteen seasons—a remarkable sales record. It now earns approximately 65 percent of its total budget through ticket sales, raising the remaining 35 percent through contributions from the individuals, corporations, and foundations. A sign of fiscal strength, this ratio of earned to contributed income is the highest of any opera company in the country.

The Washington Opera has requested this legislation designating it as the "National Opera." There are precedents for granting private or quasi-private entities a "national" designation. For example, the National Aquarium in Baltimore and the National Aviary in Pittsburgh both received their "national" designation through acts of Congress. Such a designation does not bring with it federal funding or a federal subsidy. Rather, it grants the entity national prominence, which may increase ticket sales and improve fundraising prospects.

I urge my colleagues to support this legislation and to vote "yes" on final passage.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, it is an honor to be able to rise in support of the legislation of my colleague. H.R. 4542, which would change the name of the Washington Opera to the National Opera, is a piece of legislation that our side supports wholeheartedly.

1215

This opera was born in 1956, which was the year I was born. It has moved from two performances to now over 80 performances a year with an attendance rate of 98 percent or better, and I want to compliment my chairman for offering this legislation. I think it is an appropriate designation to change the name.

It is a world-renowned opera; and to have the designation of the National Opera, I think, is most appropriate.

Madam Speaker, I reserve the balance of my time.

Mr. GOODLING. Madam Speaker, I yield such time as he may consume to the gentleman from Northern Virginia (Mr. DAVIS), an opera buff.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Madam Speaker, I rise today to support H.R. 4542, the bill to designate the Washington Opera as the National Opera. Since its founding in 1956, the Opera has been providing enrichment and arts education to the Washington Metropolitan area.

From its humble beginnings under the stewardship of music critic Day Thorpe, when a lack of funds limited them to two performances a year, the Opera has consistently grown both in stature and in size. In 1980, the Washington Opera had a total of 16 performances of four operas with an operating budget of \$2 million. Throughout the 1990s, the Opera has truly emerged as a world class institution and has grown to 80 performances of eight operas with an annual budget of more than \$25 million.

The great success the company has enjoyed is a credit both to its management and the support it has received from the Washington metropolitan community. Over the last 14 seasons, the company has averaged a remarkable 98 percent attendance, with 65 percent of its revenue coming from ticket sales. The remaining 35 percent of the budget is provided by individual and corporate donations. The ratio of 65 earned to 35 contributed is evidence of the company's fiscal strength and is the highest in the Nation.

The Washington Opera has earned its position of leadership in the musical world without the crucial government support that is typical in most world capitals, in a city without the strong business base that helps fund many U.S. opera companies. The company has been a leader through its commitment to sustain new American operas by presenting them in crucial second productions, giving these new works life beyond the short span of their premieres. It leads by championing lesser-known works of significant musical worth rarely presented on today's opera stages. It has been hailed for its work with operas on the epic scale. As the British magazine *Opera Now* recently stated, "The Washington Opera is carving out a new area of expertise, staging grand spectacles to exacting standards with precision and power not often seen at the world's top houses."

The company is also renowned for the number and quality of its productions, its discovery and nurturing of important young talent and the international collaboration system it has pioneered with leading foreign companies.

One of the greatest contributions to the D.C. metro area have come from the company's educational outreach program. Reaching out beyond the bounds of the opera community, the Washington Opera has made a concerted effort to bring the arts to students around the region. As budgets for arts education have continually shrunk, it is more important than ever that private institutions have what limited government support can be provided to reach our school-aged children. It is with that goal in mind that I strongly support the passage of H.R. 4542 and ask my colleagues to do the same. I want to thank the gentleman from Pennsylvania (Mr. GOODLING) for his leadership on this issue and shepherding this bill to the House floor.

Mr. FATTAH. Madam Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I thank the gentleman from Pennsylvania (Mr. FATTAH) for yielding me the time. Madam Speaker, may I say that the chairman of the committee introduced the last speaker as an opera buff; the gentleman is better known in this House as a baseball buff, but we are pleased to rank the gentleman to the rank of opera lovers.

In any case, Madam Speaker, great capitals normally have great cultural institutions. I regret to say that for a very long time, the Nation's capital did not have great cultural institutions. As a fourth generation Washingtonian, I must say that growing up in the Nation's capital was like growing up in a cultural desert. The only great company was the National Symphony Orchestra, and I am pleased that now the Congress would name the Washington Opera the National Opera.

I think this is most appropriate, particularly when we consider that this is not a Nation that subsidizes the arts very greatly; and the very least, it seems to me that we can do is recognize the arts in this way.

Twenty-five million visitors come to the Nation's capital every year, many of them the constituents of Members of the House and Senate. As the Washington Opera becomes the National Opera, I believe that the national Opera will set an example for the country and will welcome millions who would otherwise not be inclined to attend the opera.

Throughout the world, the reputation of this company, particularly since Placido Domingo became the artistic director, is generally regarded as a world-class company. It plays to standing-room-only audiences. It raises its own money. Now it asks very little of us. It asks that we give it a name that will help it raise more of its own money. I would like to bring to the attention of Members something of what the Washington Opera Company does in its immediate area because it has very energetic education and community programs that serve public, private, and home-schooled students throughout the region, 31 percent Anglo, 27 percent African American, 33 percent Latino, 8 percent Asian, roughly reflecting the population of the region. 70 percent of those served by these education and community programs are between the ages of 5 and 18. Of the remaining 30 percent who are adults, 40 percent are senior citizens.

Here is an opera company which has reached to every age group, every ethnic group, and every section of the region. Now as the National Opera Company, it will welcome people to come from all over the country. Its education and community programs target adults and students throughout the grades K through 12 and particularly underserved populations. 40 percent are

from the District, 35 percent are from Maryland, 25 percent are from Virginia.

It is particularly appropriate that the chairman would rise to support this bill, because this is in many ways a quintessential educational enterprise. We now know increasingly as we learn more about the brain and its functions that music can be important in the intellectual as well as the social development of students. When the Washington Opera Company comes to the Congress of the United States not with its hands out for money but to ask that it be given a name that will help it raise money, I strongly urge that the Congress give it the public recognition that will help the Washington Opera Company grow as a national opera company and will help it bring opera to increasing millions of citizens of the United States.

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

I would like to just reiterate my support for this legislation. This opera raises over \$25 million annually in private support, but I do believe that the new designation as provided in this legislation hopefully will provide additional impetus for those who want to support the continuation of a great cultural institution. I want to compliment, again, the gentleman from Pennsylvania and also the gentlewoman from the District of Columbia for this legislation.

Mr. HOYER. Mr. Speaker, I rise in support of H.R. 4542, a bill designating the Washington Opera in Washington, DC, as the National Opera. This opera company is known for the number and quality of new productions, discovery and nurturing of important young talent, and an international collaboration system with leading foreign companies.

The Washington Opera has achieved the stature of a world class company and plays to standing-room only audiences at the Kennedy Center Opera House and Eisenhower Theater. Like so many other institutions in Washington, the opera attracts, entertains, and educates people from all over the world.

The company has averaged 98% attendance over the last fourteen season. It now earns approximately 65% of its total budget through ticket sales, raising the remaining 35% through contributions from individuals, corporations, and foundations.

A sign of fiscal strength, this ratio of earned to contributed income is the highest of any opera company in the country. Beyond the value of music itself, increasing evidence clarifies the role of music in the intellectual and social development of our community.

The opera allows people to cross language and cultural barriers, increase understanding, and build tolerance in a multi-cultural setting.

The Washington Opera remains true to its mission of presenting the highest quality opera in the Nation's Capital, broadening public understanding and awareness of opera, and maintaining opera as a living art form.

Mr. Speaker, for over 40 years this opera company has been a beacon of light not only for the Washington, DC community, but also for the entire Nation. People from all over the United States and the world realize this opera

company is a reflection of our Nation's commitment to the arts.

As a cosponsor of H.R. 4542, I stand in support of this bill to designate the Washington Opera as the National Opera and urge my colleagues to support this legislation.

Mr. DICKS. Mr. Speaker, I rise in support of H.R. 4542, a bill to designate the Washington Opera in Washington, DC, as the National Opera. The Washington Opera has an impressive history that has earned its position as one of opera's premier venues.

The Washington Opera continued to grow and flourish. In 1980, the company has grown from a total of 16 performances and 4 operas to 80 performances and 8 operas, while the budget has increased from \$2 million to more than \$25 million. In 1980, the opera did not own a single opera set; by the spring of 2000 the company had originated and built 61 new productions, becoming one of the most prolific producing companies in the United States.

The Washington Opera prides itself by providing world-class productions for its audiences. The Washington Opera became the first American Opera Company to produce a repertory season in two separate theaters. Giving performances in the 2,200 seat Opera House and the more intimate 1,100 seat Eisenhower theaters allow the company to perform in settings that reflect each opera's proper acoustical ambience.

Along with providing quality entertainment, The Washington Opera contributes to the education and diversity of the community. The Education and Community Programs serve a diverse population of public, private and the home school students that are 31% Anglo, 27% African-American, 33% Latino, and 8% Asian. Roughly 70% of those served by Washington Opera programs are students between the ages 5 to 18 of various needs and abilities. Adults constitute the remaining 30%, of which 40% are senior citizens.

Among other programs, The Washington Opera has developed teaching methods that provide educators with tools to engage students in the learning process. At a young age, students learn about the value of the arts. There are 22 programs each providing performance experiences, curricular enhancement activities and professional development opportunities for both teachers and young artists. These programs foster enthusiasm and help enrich our youths' educational experience.

Under the jurisdiction of Artistic Director Placido Domingo, The Washington Opera's reputation continues to increase. The Washington Opera plays to standing-room-only audiences at the Kennedy Center Opera House and Eisenhower Theater. The Washington Opera has earned its position of leadership in the musical world without the critical governmental support typically offered to most world capitals, in a city without the strong business base that helps fund many U.S. opera companies.

The Washington Opera has requested this legislation to designate The Washington Opera as the "National Opera." There are precedents for granting private entities a "national" designation. For example, the National Aquarium in Baltimore and the National Aviary in Pittsburgh both received their "national" designation through acts of Congress. Such a designation does not bring with it federal funding or a federal subsidy.

This change will grant the group further prominence, which, in turn, may expand ticket

sales, improve fundraising capabilities and most importantly, broaden the opera's community programs in an effort to influence a greater breadth of individuals.

Mrs. MORELLA. Mr. Speaker, I rise in support of H.R. 4542, a bill to designate the Washington Opera in Washington, D.C., as the National Opera.

When first approached about the redesignation by Artistic Director Plácido Domingo, I thought of the Bard's famous line, "What's in a name? That which we call a rose by any other name would smell as sweet."

However, this "national" designation will aid the Washington Opera in furthering their position of leadership in the musical world. Founded in 1956, the Washington Opera has achieved the stature of a world class company and plays to standing room only audiences at the Kennedy Center Opera House and the Eisenhower Theater.

In the spring of 2000, the company had originated 61 new productions, becoming one of the most prolific producing companies in the United States. In addition, the company has averaged 98 percent attendance over the last fourteen seasons.

The Washington Opera has always recognized that their service to the nation does not end with each production. Instead, Washington Opera's Education and Community Programs department dedicates itself to enhancing the lives and learning of children and adults by making the experience of opera available to those who otherwise have limited access to the art form. The Washington Opera has made extensive outreach efforts to area public schools and to the greater Washington community at large. Through their OperAccess program, they have actively involved members of our community who are visually, physically, or audibly impaired. By devoting themselves to broadening the public's understanding and awareness of opera, the company has served as the leader in maintaining opera as a living art form in America.

The National Opera designation will serve to facilitate the company's fundraising efforts and ticket sales, as well as oblige the company, even more than in the past, to become the cradle for American opera.

I urge my colleagues to please support H.R. 4542 and to designate the Washington Opera as the National Opera.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the bill, H.R. 4542.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### SENSE OF CONGRESS REGARDING CONGRESSIONAL PHILHARMONIC SOCIETY

Mr. GOODLING. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res.

229) expressing the sense of Congress regarding the United States Congressional Philharmonic Society and its mission of promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the love and expression of musical performance.

The Clerk read as follows:

H. CON. RES. 229

Whereas in February 1996, several Senators and members of the House of Representatives participated in a performance of the Broadway musical "1776", a story depicting the signing of the Declaration of Independence;

Whereas in April 1996 several Senators and members of the House of Representatives met with Maestro Martin Piecuch, the music director of the musical "1776", and formed the United States Congressional Choral Society;

Whereas on May 20, 1998, the United States Congressional Choral Society debuted at St. Joseph's Church on Capitol Hill, with standing ovations following its rendition of the "Song of Democracy" and the "Battle Hymn of the Republic";

Whereas on March 13, 1999, the United States Congressional Philharmonic Orchestra String Quartet played before the Ambassador to the United States from Canada at the Embassy of Canada in the District of Columbia;

Whereas on March 19, 1999, the United States Congressional Choral Society appeared in performance at the Washington National Cathedral;

Whereas on May 13, 1999, the United States Congressional Philharmonic Orchestra String Quartet played before a gathering of Ambassadors at the Benjamin Franklin Diplomatic Reception Room of the United States Department of State;

Whereas the United States Congressional Philharmonic Society is approved as a 501(c)(3) nonprofit organization under the Internal Revenue Code and is a corporation in good standing under the laws of the State of Delaware;

Whereas the United States Congressional Philharmonic Society will offer free concerts to the public in the Washington metropolitan area;

Whereas the United States Congressional Philharmonic Society will encourage the development of young musical talent across the United States by providing educational programs for schools across the nation and establishing internships and scholarships; and

Whereas the United States Congressional Philharmonic Society envisions holding a series of concerts focusing on themes such as Celebrations of America, Salutes to the States, a Great Americans series, and an International Congressional Concert series: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the United States Congressional Philharmonic Society should be applauded—

(1) for organizing two musical groups, the United States Congressional Choral Society and the United States Congressional Philharmonic Orchestra;

(2) for having as its mission the promotion of patriotism, freedom, democracy, and understanding of American culture through sponsorship, management, and support of these groups and their derivative ensembles as they communicate through the international language of music in concerts and other multimedia performances in the District of Columbia and throughout the United States and the world; and

(3) for promoting musical excellence throughout the educational system, from pre-school through post-graduate, and encouraging people of all ages to commit to the love and expression of musical performance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

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

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

I rise in support of House Concurrent Resolution 229 expressing the sense of Congress regarding the United States Congressional Philharmonic Society and its dual mission, promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the love and expression of musical performance.

In February 1996, several Members of Congress participated in the performance of the Broadway musical 1776, a story depicting the signing of the Declaration of Independence. I practiced and rehearsed and then was unable to participate. The Members of Congress so enjoyed this experience that as an outgrowth, the United States Congressional Choral Society was founded in April 1996. The Congressional Choral Society is composed of Members, staff and friends of the United States Congress. In fact, I have also performed with the choral society.

On May 20, 1998, the Congressional Choral Society debuted along with the Washington Symphony Orchestra at St. Joseph's Church on Capitol Hill with standing ovations following their rendition of the Song of Democracy and the Battle Hymn of the Republic. The marriage of the Congressional Choral Society and the Washington Symphony Orchestra gave birth to the idea and the eventual reality of a congressional Philharmonic orchestra. The United States Congressional Philharmonic Society is the institution principally responsible for the formation, development, and operation of the United States Congressional Philharmonic Orchestra and the United States Congressional Choral Society which, I might add, I have chaired in all 15 years of its existence.

The vision of the Congressional Philharmonic Society is to become the artistic voice of America through the international language of music. The society will do that by encouraging congressional Members, staff, and friends of the United States Congress to use their musical resources and talents. Given those talents and resources, the society can accept invitations to present musical programs and intends to present musical performances that will enrich lives all across America with patriotic and classical presentations.

The mission of the Congressional Philharmonic Society is to promote patriotism, freedom, democracy, understanding, and world peace through

music. That mission will be accomplished by sponsoring, managing, and supporting the Congressional Choral Society and the Congressional Symphony Orchestra as they communicate through the international language of music in concerts and other multimedia performances.

House Concurrent Resolution 229 is simple and straightforward. It notes that the Congressional Philharmonic Society is approved as a 501(c)3 non-profit organization under the Internal Revenue Code, offers free concerts to the public in the Washington metropolitan area, and encourages the development of young musical talent across the United States by providing internships, scholarships, and educational programs for schools across the Nation.

This resolution states that it is the sense of the Congress that the United States Congressional Philharmonic Society should be applauded for having as its mission the promotion of patriotism, freedom, democracy, and understanding of American culture through the international language of music; and for promoting musical excellence throughout the educational system, and encouraging people of all ages to commit to the love and expression of musical performance.

I would like to thank the gentleman from Virginia—Mr. DAVIS—for introducing this resolution, and I would urge my colleagues to support House Concurrent Resolution 229 and the Congressional Philharmonic Society.

1230

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

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

I rise in support of H. Con. Res. 229, and I am again amazed at the multi-talented nature of the chairman of the Committee on Education and the Workforce. I was not aware that he also performed in these organizations beyond his work on the committee of setting a national education policy, but he is truly a Renaissance man.

Madam Speaker, I support the legislation and the prime sponsor of it, the gentleman from Virginia (Mr. DAVIS). We came to the Congress together, and I hold him in high esteem.

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

Mr. GOODLING. Madam Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Madam Speaker, I thank the gentleman for yielding me this time, and I appreciate his efforts in bringing this bill to the floor.

I rise today as the proud sponsor of H. Con. Res. 229, which expresses the sense of Congress regarding the United States Philharmonic Society and its mission of promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the joy and expression of musical performance.

I believe that all Americans should have the opportunity to participate in

music and art programs. Arts education programs and, specifically, music education programs have a positive impact on the lives of our children. Music education is a valuable lesson that serves to enrich our children and our society, and the United States Congressional Philharmonic Society plays a vital role in accomplishing these goals.

The United States Congressional Philharmonic Society has created its own unique and appropriate mission which promotes patriotism, freedom, democracy, and understanding of American culture through sponsorship, management, and support of these groups and their derivative ensembles as they communicate through the international language of music in concerts and other multimedia performances in the United States and the world.

Under the organization of Maestro Martin Piecuch, the Congressional Philharmonic Society has quickly established itself as a voice of freedom and democracy through the art of music. Maestro Piecuch can be credited with planting the seed for the Congressional Philharmonic Society when he directed the Broadway musical 1776 at DAR Constitution Hall in March of 1995 in which 12 Members of Congress played roles as the Founding Fathers of this great Nation.

As the music director and conductor of the Washington Symphony Orchestra, the maestro has played a great role in the world of music for the citizens of Northern Virginia. He has served as resident conductor, orchestra manager, and chorus manager at Wolf Trap Farm Park for the Performing Arts and held the position of music director and conductor with the Alexandria Choral Society.

The United States Congressional Philharmonic Society has developed a concert series to promote democracy and peace throughout the world. Most recently, on May 13, 2000, the String Quartet of the United States Congressional Philharmonic Orchestra performed in the United States Department of State Diplomatic Reception Room before the ambassadors to America representing the South African Development countries.

I would also like to thank former United States Senator Charles Percy for his support of the Congressional Philharmonic Society. Senator Percy's leadership and guidance have played a great role in Society's formation.

Madam Speaker, the United States Congressional Philharmonic Society is a living example of how our country's principles of freedom and liberty can be showcased to the entire world through music. I urge all Members to join us in supporting this resolution.

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

I do want to mention that the Capitol Hill Choral Society which I chair was the brainchild of Betty Buchanan

who has been our director for 13 years, and she is the wife of our former colleague, Congressman John Buchanan. We have given many concerts with junior high choruses throughout Washington, D.C.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 229.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 229.

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

There was no objection.

#### RECOGNIZING THE IMPORTANCE OF AFRICAN-AMERICAN MUSIC

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 509) recognizing the importance of African-American music to global culture and calling on the people of the United States to study, reflect on, and celebrate African-American music, as amended.

The Clerk read as follows:

#### H. RES. 509

Whereas artists, songwriters, producers, engineers, educators, executives, and other professionals in the music industry provide inspiration and leadership through their creation of music, dissemination of educational information, and financial contributions to charitable and community-based organizations;

Whereas African-American music is indigenous to the United States and originates from African genres of music;

Whereas African-American genres of music such as gospel, blues, jazz, rhythm and blues, rap, the Motown sound, and hip-hop have their roots in the African-American experience;

Whereas African-American music has a pervasive influence on dance, fashion, language, art, literature, cinema, media, advertisements, and other aspects of culture;

Whereas the prominence of African-American music in the 20th century has reawakened interest in the legacy and heritage of the art form of African-American music;

Whereas African-American music embodies the strong presence of, and significant contributions made by, African-Americans in the music industry and society as a whole;

Whereas the multibillion dollar African-American music industry contributes greatly to the domestic and worldwide economy;

Whereas African-American music has a positive impact on and broad appeal to diverse groups, both nationally and internationally; and



Whereas in 1979 President Carter recognized June as African-American Music Month, and President Clinton subsequently recognized June as African-American Music Month: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) recognizes the importance of the contributions of African-American music to global culture and the positive impact of African-American music on global commerce; and

(2) calls on the people of the United States to take the opportunity to study, reflect on, and celebrate the majesty, vitality, and importance of African-American music.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GOODLING. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 509.

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

There was no objection.

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

I rise today in support of H. Res. 509 offered by the gentleman from Pennsylvania (Mr. FATTAH), a very important member of our Committee on Education and the Workforce. I particularly want to call to all of my colleagues' attention that the gentleman has indicated that we will have a most memorable and enjoyable meeting in the City of Brotherly Love when our convention meets there. He has assured me that the bad name that the city gets on sporting events from time to time has nothing to do with the people of the City of Brotherly Love. I think he said they come from across the river, the ones that cause the trouble. Now he is in trouble with the people across the river.

Madam Speaker, African-American music has been a part of the American and global culture for decades. From glorious gospel blues, jazz, rhythm and blues to rap and hip-hop, African-American music has influenced all aspects of our society in the form of dance, fashion, language, art, literature, cinema, media, and advertisements.

Throughout time, African-American artists, songwriters, educators, and other professionals in the music industry have provided inspiration and leadership through their creation of music, dissemination of educational information, and financial contributions to charitable and community-based organizations that had allowed African-American music to embody the strong presence of and significant contributions made by African Americans. All in all, African-American music has made a positive impact on and a broad

appeal to diverse groups, both nationally and internationally.

Madam Speaker, this resolution is very simple. We want to rightly recognize and celebrate the magnificent contributions that African-American music has provided, not only in shaping the social and political fabric of our Nation, but to the global culture as well.

I commend the gentleman from Pennsylvania for his leadership in authoring this legislation, and I urge my colleagues to vote in its support.

Madam Speaker, I reserve the balance of my time.

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

I rise in support of H. Con. Res. 509. I would like to thank the chairman of the committee for facilitating this legislation's appearance here on the floor, and I would share with him again that we look forward to welcoming the Republican National Convention in Philadelphia. It is the first time our city will be hosting a convention in the last 50 years.

Philadelphia is an appropriate place for either of our national parties to meet because it is the founding city of our country in which the document that was referred to earlier, the Declaration of Independence, was penned. Notwithstanding a few people who do not live in our city who may come to a sporting event and not act appropriately, the citizens of our city have agreed that they are going to be Republicans for a whole week when they come for the convention.

Then, on this particular legislation, Philadelphia has played and continues to play, a very important role in the development of African-American music from the Philadelphia Sound, and Marian Anderson, and a host of others. This year I have introduced this resolution, particularly in honor of the late great Grover Washington, Jr. and Curtis Mayfield who both have passed, but the contributions of African Americans in the field of music are well known; and they go through all of the different types of music, from gospel to jazz to hip-hop and the like.

Madam Speaker, I want to thank the majority, particularly the chairman, for allowing this resolution. It is important because, in this month of June under the leadership of the International African-American Music Association under the leadership of Diana Williams, there will be an important acknowledgment, and this dates back decades now from Jimmy Carter up through President Bill Clinton, acknowledging this month, and I think it is appropriate that the Congress does likewise. I want to thank all of my colleagues and hope for favorable consideration of this resolution.

Mr. KNOLLENBERG. Madam Speaker. I rise today to express my support for House Resolution 509 which extolls the contributions of African-American music to American culture. I would like to thank the gentleman from

Pennsylvania, Chairman GOODLING, and the gentleman from Pennsylvania, Mr. FATTAH, for their fine work in crafting this resolution and also for allowing me to insert language into this bill recognizing the importance of the Motown Sound.

Motown, as many of us will remember, Madam Speaker, is the recording label started in Detroit, Michigan back in 1959.

The Motown story is the story of Berry Gordy, Jr., who was born in Detroit, Michigan on November 28, 1929. He was the seventh of eight children of Berry, Sr. and Bertha Gordy who themselves moved to Detroit from the South. After being drafted into the Army in 1951, he obtained his high school equivalency degree while in the Army. When Berry got out of the Army 1953, he opened a jazz-oriented record store called the 3-D Record Mart with his family's help. By 1955, the store had failed and Berry was working on the Ford automobile assembly line. While working on the line, Berry constantly wrote songs, submitting them to magazines, contests, and singers. His first break as a songwriter came in 1957 when Jackie Wilson recorded "Reet Petite", a song he, his sister Gwen and Billy Davis (under the pseudonym of Tyran Carlo) had written. "Reet Petite" became a modest hit and netted Berry \$1,000 for the song. The rest, as they say, is history—a wonderful history of African-American contributions to American music and culture.

The list of entertainers that share their roots in Motown is long and incredibly distinguished. Their music forms an integral part of the American experience. This list includes Jackie Wilson, the Miracles, the Four Tops, Marvelettes, Martha and the Vandellas, Supremes, the Temptations, Marvin Gaye, Stevie Wonder, Mary Wells, Mickey Stevenson, Smokey Robinson, Holland-Dozier-Holland, the Funk Brothers, Gladys Knight and the Pips, the Isley Brothers, Diana Ross and the Supremes, Marvin Gaye, Michael Jackson, the Jackson 5, the Commodores, and Lionel Ritchie to name only a few. Motown afforded these and many other talented performers the opportunity to showcase their music to all of America.

In 1970 Motown established a new subsidiary label called Black Forum that released the historical speeches of Dr. Martin Luther King Jr., Stokely Carmichael and black poets such as Langston Hughes and Margaret Danner. The Motown label continues to thrive today, ensuring that future generations will be able to enjoy this rich musical tradition.

For ready information about Motown I would like to express a special thank you to Mike Callahan and his web page, <http://www.bsnpubs.com/motownstory.html>. I would also like to recommend and thank the web site of the Recording Institute Of Detroit at <http://www.recordingeq.com/motown.htm>. There you can find a photo essay tour of the Motown Historical Museum guided by Robert Dennis, Former Mastering Supervisor, Motown. For the museum's excellent photos I would like to thank Nick David for REQ and the Motown Historical Museum. An in-person visit is always better. You can contact the museum at (313) 875-2264.

The Motown Historical Museum is housed in two adjacent and connected buildings at 2648 West Grand Boulevard, Detroit, Michigan. These are the two original buildings out of the eight West Grand Boulevard buildings that

Motown owned on the boulevard in the 1960's—before the company moved its headquarters to a ten-story office building on Woodward Avenue in downtown Detroit. The Motown Studio A remained at Hitsville, USA.

In light of Motown's historic musical contribution, I felt it necessary that we include recognition of the Motown Sound in this resolution and highlight a fantastic chapter of the Detroit area's place in history. Congratulations and thank you to Motown!

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

Mr. GOODLING. Madam Speaker, I encourage all of my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the resolution, H. Res. 509, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

#### LES ASPIN POST OFFICE BUILDING

Mr. RYAN of Wisconsin. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4241) to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the "Les Aspin Post Office Building".

The Clerk read as follows:

H.R. 4241

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

#### SECTION 1. LES ASPIN POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, shall be known and designated as the "Les Aspin Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Les Aspin Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

Former Congressman Les Aspin faithfully served the people of Wisconsin's First Congressional District for over 20 years as their elected representative. During his time in Congress, he was a credit to this institution we now serve in. A former U.S. Army captain, Aspin served as the chairman of the Committee on Armed Services from

1985 to 1993. When the President called on him, Aspin continued his hard work to improve our Nation's security by serving as the U.S. Secretary of Defense from 1993 to 1994. This dedicated public servant passed away, unfortunately, on May 21, 1995 at the age of 56.

Wisconsinites are very proud of Congressman Aspin and all that he has done for Wisconsin's First District and the Nation. I believe that it would be appropriate to honor the late Congressman Aspin by naming the U.S. Post Office in Janesville, Wisconsin, my own hometown, as the Les Aspin Post Office Building. Aspin's former Janesville office had been housed in the old Janesville Post Office downtown, which is now the Keeley Pharmacy, for over 2 decades.

As the Congressman who currently serves the First Congressional District, and as a member of the opposite party that Congressman Aspin served from, I believe that this still would be a fitting tribute to Congressman Aspin, especially since this marks the 30th anniversary to the year he was first elected to this congressional seat.

Les Aspin embodied honest public service and his example continues to inspire Members of Congress today. I thank the gentleman from New York (Mr. MCHUGH), the chairman of the Subcommittee on Postal Service, and the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform, for their co-operation and leadership in bringing this bill to the floor today, and I would urge my colleagues to honor a great American statesman who gave much to this institution and to support H.R. 4241.

Madam Speaker, I reserve the balance of my time.

1245

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

Madam Speaker, I rise in support of H.R. 4241, joining my colleague, the gentleman from the great State of Wisconsin (Mr. RYAN).

Les Aspin was a leader here in this Congress for many, many years dealing with issues related to national defense and the Armed Forces, but moreover, was a public servant who provided an extraordinary level of leadership to our Nation. He is someone who, as is obvious by the sponsorship of this bill, who enjoyed respect and support on both sides of the aisle. I would like to compliment the gentleman for the introduction.

Madam Speaker, we look forward to favorable, if not unanimous, support for this bill.

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

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Madam Speaker, I thank my colleague, the gentleman from Wisconsin, for yielding time to me.

I would like to commend him for taking the leadership to bring this measure before the House today to honor a distinguished son of the State of Wisconsin and a friend of mine, Les Aspin.

While a member of the Democratic Party, Les was a person who took his responsibilities as a United States Representative, not as a party representative, seriously. He often broke party ranks to take actions that he felt were right, and his leadership influenced many others in this body, so that it ended up being quite effective.

I can remember myself wondering whether it made sense for us to get involved in military action in the Gulf at the time of that crisis, when Kuwait was invaded, or whether we should, as many counseled at the time, rely on an embargo, which is still in effect, to bring down Saddam Hussein and roll back the troops.

Les took the well of this House and repeatedly urged us to use military force, overwhelming military force, and predicted that if we marshaled that force it would not be effectively resisted, and we would have, and gasps went from the crowd, if any casualties, casualties in the hundreds, not the thousands.

At the time, people were predicting a quagmire and tens of thousands of American troops and allied troops losing their lives. While it did not seem to many that plausible at the time, Les proved to be absolutely right. His counsel by a narrow vote was followed, and we did roll back the invasion of Kuwait, and set an example that we hope will deter others from taking similar action.

He broke ranks from the military community in opposing the B-2 weapons system. He broke ranks again with party orthodoxy in supporting, but in a moderate way, the SDI, Strategic Defense Initiative, feeling that we should not try in Congress to cut it off, we should not throw money at it, but we should invest in research in that area, as we could prudently and as the defense community indicated could be absorbed.

He was well respected, a former educator, an economist at the Marquette University, and a person who has been honored by Marquette University; there is the Aspin Institute here in this city, which trains many young people who come out to learn about government. I have been pleased to have a number of Aspin Institute scholars in my own office. Others in Congress I think can say the same.

I really am very, very pleased that my colleague and the worthy successor of former Defense Secretary and former Representative Les Aspin, former chairman of the Committee on Armed Services, has chosen to honor Mr. Aspin in this way.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Madam Speaker, I thank the gentleman for yielding time



to me, and for introducing this resolution to name the building for somebody with whom many of us did serve in this House of Representatives who truly was a great statesman.

He started off with a great education, certainly, having gone through the Milwaukee schools, entering higher education, and then he became a professor, serving very well. He went through the staff positions where he worked for Senator Proxmire. He also worked for Walter Heller, who was the chairman of President Kennedy's Council on Economic Advisors.

Also, he served as a captain in the United States Army. He was an economic adviser to the Secretary of Defense. Then he was elected to the House of Representatives in the 92nd Congress. Then he was reelected to the 11 succeeding Congresses, serving, therefore, from 1971 in January until he resigned in January of 1993.

While serving here in Congress, he was a member of the Committee on Armed Forces, and he was its chairman from the 99th through the 102nd Congresses. We then know he became Secretary of Defense until his resignation in 1994.

Additionally, from August, 1994, until his death at the age of 57 in 1995, he was professor of international policy, Washington Center for Government, Marquette University. He was also chair of the Foreign Intelligence Advisory Board and of the Commission on the Roles and Capabilities of the United States Intelligence Community.

I want to point out, Madam Speaker, that here is a man who, from the beginning of his career until the very end at age 57, devoted himself in so many ways to the greatness of our country. He was indeed a patriot and a public servant.

I want to congratulate our colleague, the gentleman from Wisconsin (Mr. RYAN), sponsor of the legislation, having introduced it in recognition of his predecessor, Les Aspin, who served this Nation and his constituency for many years with great ability, dedication, and finesse. I think he is indeed deserving of having the Post Office located on 1818 Milton Avenue in Janesville, Wisconsin, named after him. I urge all our colleagues to support this measure.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

Just to briefly reiterate, Madam Speaker, Les Aspin served the First Congressional District for 22 years; served as Secretary of Defense, was a scholar, was a professor and academic. He was known as a good statesman, as an honest man.

Whether we agreed or disagreed on a given issue with Les Aspin, we always knew that he thought issues through, and that he was going to give good service to the First Congressional District of Wisconsin. He was a gifted statesman. His memory will live on for quite a while.

We thought it would be especially fitting that the Janesville, Wisconsin,

Post Office be renamed after Les Aspin, given the fact that his own office was housed in the old Janesville Post Office for a good 20 years. I might add, Madam Speaker, that the Janesville City Council has passed a resolution affirming the designation of this Post Office.

Madam Speaker, I ask passage of this measure.

Mr. KIND. Mr. Speaker, I rise in strong support of H.R. 4241, legislation designating the United States Post Office in Janesville, Wisconsin as the "Les Aspin Post Office Building."

Les Aspin was a larger-than-life political icon who represented Wisconsin's 1st Congressional District in the U.S. House of Representatives from 1971 to 1993. After being successfully reelected in 1992, Les was appointed by President Bill Clinton to become this nation's 18th Secretary of Defense, a position he held until February 3, 1994.

Les accomplished much in his nearly 57 years. Born in Milwaukee, Les received a B.A. from Yale University in 1960, an M.A. from Oxford University in 1962 where he was a Rhodes Scholar, and earned a Ph.D. in economics from MIT in 1965. As an officer in the U.S. Army from 1966 to 1968, Les served as a systems analyst in the Pentagon under Secretary of Defense Robert McNamara. In 1970, after first contemplating running for other state offices, Les was elected to the House of Representatives, where he served for the next 22 years.

Once in the House, Les soon developed a special interest and expertise in defense matters. In 1985, as a junior member of the House Committee on Armed Services, Les leap-frogged Members much more senior to become chair of this powerful committee. As chair, Les proved to be a straight shooter, not one to always toe his party's political line. Les was a strong early supporter of the Persian Gulf War, predicting in advance that the U.S.'s military force would drive the Iraqis from Kuwait. In a paper written prior to the war, Les stated that the United States could win a quick military victory with light casualties. The accuracy of his prediction lent credence to his already strong reputation. As chair, Les' sentinel work on reshaping the Armed Forces after the demise of the Soviet Union was instrumental in the formation of post-Cold War strategies and policies for this nation.

In turn, Presidential candidate Bill Clinton relied on Les for his wisdom and once elected named him as his first defense secretary. During his tenure at the Pentagon, Les dealt with such weighty issues as base closures, a shrinking Pentagon budget, and the growing threat of regional conflicts. As Secretary, Les will always be remembered for instituting the "bottom-up" review which took the first hard look at the organizational structure of the military in a post-Cold War world.

After leaving the Pentagon in early 1994, Les joined the faculty of Marquette University's international affairs program in Washington, D.C. In March 1995, he became a member of the Commission on Roles and Missions. In May, President Clinton chose him as chairman of the President's Foreign Intelligence Advisory Board. In March 1995, he began work as chairman of still another study group, this on the Roles and Capabilities of the Intelligence Community. Shortly thereafter, on May 21, 1995, he died of a stroke.

Les was a brilliant man who, through his tremendous energy and work ethic, worked tirelessly to shape this nation's vision for defense policy and armed forces to meet the changing demands of the 21st century. His intellect and perspective are sorely missed.

Wisconsin has sent a number of nationally known historical leaders to represent them in Washington. Robert LaFollette, Melvin Laird, Bill Proxmire and Gaylord Nelson to name just a few. Without question, Les Aspin's name must be certainly added to this list.

Mr. Speaker, I am proud to join my colleagues in paying tribute to former Congressman, Les Aspin.

Mr. ORTIZ. Madam Speaker, I rise today in support of H.R. 4241, to rename the Janesville, Wisconsin, Post Office the Les Aspin Post Office Building.

I served with Les from 1985 until 1993, when he left to serve the Clinton Administration as Secretary of Defense. Les was an incredibly talented public servant with a mind that worked quickly and saw the complexity of problems, both near-term and long-term. He was an amazing man who never lost touch with the people he represented. He could talk to farmers and mechanics as easily as he talked to presidents and prime ministers, a trait I greatly admire. He never lost a political race and worked his entire life to make this country a better place to live.

I think he surprised us all when he challenged Mel Price for the Chairmanship of the House Armed Services Committee, but for the face of the House Representatives, it was indeed a good thing. Les brought a new mindset and new way of thinking to the different problems that we faced as a country in the aftermath of the Cold War. He served in the Army for 2 years and understood the nature of the animal.

As the Secretary of Defense, he led the efforts to address the Quadrennial Defense Review to assess the needs of our military on a regular basis. From this effort came the philosophy that the United States may well need to fight two wars in the not-too-distant future and in the course of that scenario, a rogue state could easily attack the United States or exercise acts of terrorism against us. Les dubbed the U.S. strategy scenario in this instance as "win-hold-win." If the U.S. was indeed in the two-war scenario, Les devised a strategy that would win one war, hold our ground on a second war, and win the third.

Thankfully, we have not seen this worst-case scenario, fighting on two fronts and holding a third, but we have seen terrorism against the U.S. interests around the world, and despotism in Europe (again) required our military response there. Les Aspin's ideas changed the way the House Armed Services Committee operated and changed the way the United States assessed threats and disposed of resources.

Les Aspin made this a better country and was wholly dedicated to public service. I am proud that we will be naming the Janesville Post Office after this great American. I hope Les Aspin's name on the building will inspire pride in the young people in his community who did not have the opportunity to know this politically savvy, academically gifted creative thinker.

Mr. KLECZKA. Madam Speaker, I rise today in support of H.R. 4241, legislation which will

rename the post office in Janesville, Wisconsin, as the "Les Aspin Post Office Building."

One of Wisconsin's favorite son's Les Aspin served his home state with distinction during his eleven terms as Congressman from the First District. He went on to serve the Clinton Administration as its first Secretary of Defense. He served his home state and his country with great honor.

Les began and ended his professional career as a professor at Marquette University in Milwaukee. The university's Washington program, which brings students to our Nation's capitol to experience firsthand the way our government works, was renamed in 1996 the Les Aspin Center for Government in his honor. I know Les would be proud to know that the institute which bears his name is building upon his legacy by teaching future generations of leaders about the values of civic involvement and public service.

Madam Speaker, throughout Les' service to his country, his love and commitment to his home state remained deep and unwavering. Today we have the opportunity to further recognize the outstanding achievements of one of our former colleagues who left us far too soon. Renaming the post office in Janesville as the Les Aspin Post Office Building is a fitting tribute to a man who served Wisconsin so well.

Mr. SENSENBRENNER. Madam Speaker, I rise today as an original cosponsor and strong support of H.R. 4241 which designates the facility of the U.S. Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the Les Aspin Post Office Building.

I had the distinguished honor of serving with Mr. Aspin. As a fellow Wisconsinite, I admired his dedication to public service that was evident throughout his tenure; not only as a Member of the House of Representatives, but as Secretary of Defense and Chairman of the President's Intelligence Advisory Board, to name just a few.

Secretary Aspin did not begin his life's devotion to the public in the political arena. He served this country in the U.S. Army from 1966 to 1968. He then entered politics and went on to served in this body from 1971 to 1993. He served as the Chairman of the House Armed Services Committee from 1985 to 1993. He was then appointed by President Clinton as his first Secretary of Defense.

Secretary Aspin was known to share his knowledge and passion for America in many circles. He continued his outreach by serving as a distinguished professor for Marquette University in Milwaukee, WI, and in Washington, DC. The naming of the Marquette University Washington program, the Les Aspin Center for Government, recognized his service to this program.

Secretary Aspin brought his love for his work and his sense of humor into her personal life as well. As an avid dog lover, my fellow Wisconsinite named his dog "Junket," and Junket was equally comfortable and welcome in the office and at home.

I believe that H.R. 4241 is a fitting tribute to a man who gave tirelessly to the people he represented in Wisconsin during his tenure as Congressman and the country during his tenure as Secretary of Defense. I am honored to speak in support of H.R. 4241 and believe that the recognition it would lend to Secretary Aspin, is well deserved.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, H.R. 4241.

The question was taken.

Mr. RYAN of Wisconsin. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### MATTHEW F. MCHUGH POST OFFICE

Mrs. MORELLA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3030) to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the "Matthew F. McHugh Post Office".

The Clerk read as follows:

H.R. 3030

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

#### SECTION 1. DESIGNATION.

(a) IN GENERAL.—The facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, shall be known and designated as the "Matthew F. McHugh Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Matthew F. McHugh Post Office".

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

The Chair recognizes the gentlewoman from Maryland (Mrs. MORELLA).

#### GENERAL LEAVE

Mrs. MORELLA. 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. 3030.

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

There was no objection.

Mrs. MORELLA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, our distinguished colleague, the gentleman from New York (Mr. HINCHEY), has introduced the bill before us, H.R. 3030. Pursuant to the policy of the Committee on Government Reform, the entire House delegation of the State of New York has cosponsored this legislation.

The bill designates the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the Matthew F. McHugh Post Office.

The Congressional Budget Office has reviewed H.R. 3030 and estimates that the enactment of the bill would have no significant impact on the Federal budget. Spending by the Postal Service is classified as off-budget, and thus is not subject to pay-as-you-go procedures.

Mr. McHugh studied at Mount St. Mary's College in Emmitsburg, Maryland, the State that I represent. He graduated Magna Cum Laude in 1960 and was the President of the student body. He then received his Juris Doctor from Villanova Law School, where he was the editor of the Law Review. He was city prosecutor in Ithaca, practiced law in Ithaca, New York, and was district attorney in Tompkins County, New York.

Matthew McHugh was the predecessor of the gentleman from New York (Mr. HINCHEY) to Congress, and represented the 27th and 28th Congressional Districts of New York. Representative McHugh was elected to Congress in 1975 and he served until 1992. He served on the Committee on Appropriations, the Subcommittee on Foreign Operations, Export Financing and Related Programs, and the Subcommittee on Rural Development, Agriculture and Related Agencies from 1978 to 1992.

He served on numerous other committees and organizations while in the House, such as the Permanent Select Committee on Intelligence, where he was chairman of the Subcommittee on Legislation. He was acting chairman of the Committee on Standards of Official Conduct, and he served on the Select Committee on Children, Youth, and Families; the Committee on Veterans Affairs; the Committee on Agriculture; the Committee on the Interior; the Arms Control and Foreign Policy Caucus; and as the chairman of the Democratic Study Group.

After leaving the House, Mr. McHugh continued his participation in improving our Nation and the world. He is presently the counselor to the president of the World Bank in Washington, D.C., a position he assumed in 1993.

Prior to that, he was vice president, university counsel, and secretary to the Corporation of Cornell University in Ithaca, New York. He continues to serve in various capacities in organizations, such as the National Endowment for Democracy, the Central and East European Law Initiative of the American Bar Association, the International Crisis Group.

He is president of the Association of Former Members of Congress, Bread for the World, New York State Regents Commission on Higher Education, the Board of Consultants of the Villanova School of Law, and Chairman of the Board of Trustees of Mount St. Mary's College.

I had the pleasure of serving with Mr. McHugh and traveling with him internationally in pursuit of the best interests of our country with foreign affairs, and it is a great pleasure to be able to

speak on behalf of this bill to name the post office the Matthew F. McHugh Post Office.

I urge our colleagues to support H.R. 3030, honoring our former colleague by naming that postal facility at 757 Warren Road in Ithaca, New York, as the Matthew F. McHugh Post Office.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. HINCHEY) will control the time of the gentleman from Pennsylvania (Mr. FATTAH).

There was no objection.

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

Madam Speaker, it gives me a great deal of pleasure to speak on behalf of this initiative, which will name the postal facility in Ithaca, New York, after my dear friend, colleague, and predecessor, the Honorable Matthew F. McHugh.

It gives me particular pleasure to do so following the statements that have been just made by the gentlewoman from Maryland (Mrs. MORELLA), whose service with Mr. McHugh overlapped.

I know that Matt holds the gentlewoman from Maryland (Mrs. MORELLA) in great respect and affection, as do I, and I know very well that he would be very pleased if he were in this room now to have just heard the very lovely and kind and warm remarks that she made about him, as I was just a moment ago.

1300

I want to thank the gentlewoman from Maryland (Mrs. MORELLA) very much for what she has just said.

Also, I want to say that I too am honored to stand before you today to urge our support, the support of all the Members of the House, for H.R. 3030, which would rename the new post office building in Ithaca, New York, in honor of former Representative Matthew F. McHugh.

Matt was my predecessor in the House, and I know many people here who served with him. He served with distinction for nine terms as a member of the Committee on Appropriations for 14 years. Matt championed issues like hunger in Africa that brought him no particular glory and no attention. He was a passionate advocate for those who could not adequately defend themselves and a voice for meeting our international responsibilities in a humane way.

In his present position at the World Bank, and his many volunteer efforts, he remains a strong, dedicated leader in securing human rights for all.

Matt's road to Congress began like many Members, with a career in law. He first moved to Ithaca, New York, in 1968 to join a law firm in that city. Just 1 year later, he was elected as Tompkins County's district attorney, making him the first Democrat to hold a county-wide elected office there in decades.

In 1974, he was enlisted to run for the House seat which was then being vacated by former Representative Howard Robison, a very distinguished Republican who held that seat for a good many years and who was retiring at that moment. Matt McHugh won that seat and served the district admirably and well for 18 years.

When he retired from the House, he was widely praised by Members of both parties as well as in the press for his thoughtfulness, his fairness, and his integrity. A national columnist, upon the news of his retirement, wrote that Matt McHugh was an example of "the best the House can offer." Our ranking member, the gentleman from Wisconsin (Mr. OBEY) said, and I quote, "In my view, there is no Member of this House who more aptly sums up what public service ought to be all about than does Matt McHugh."

Throughout his years in Congress, he made Ithaca his home. Ithacans continue to take pride in having sent a man of such distinction to the House of Representatives, and community leaders there have told me that they welcome such a permanent commemoration of Matt and his years of public service. Although he was never the kind of man to seek such honors, I know that he deserves recognition and this permanent commemoration of the service he gave will remind people of the fine example he set.

Naming the new Ithaca post office in his honor is one small way in which we can acknowledge his years of hard work, dedication, and commitment to the people of New York's 26th Congressional District.

I owe a special thanks also to the gentleman from New York (Mr. HOUGHTON), our friend and colleague, in whose district the post office lies, as well as to the gentleman from New York (Chairman McHUGH) for his assistance in bringing this bill to the House. The gentleman from New York (Mr. HOUGHTON) served with Matt here for a number of years. They were, during that service, good friends; and they continue to be good friends to this day.

Matt still provides service for the country, as the gentlewoman from Maryland (Mrs. MORELLA) has said, in his position as vice president and counsel to the president of the World Bank.

He was, in fact, a distinguished Member of this House; indeed, as many people referred to him during his service here, a man of the House. And he continues to be a strong, dedicated, faithful citizen of the United States. We all owe him a great thanks for his service to the country.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. LAFALCE).

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

Mr. LAFALCE. Mr. Speaker, I probably knew Matt McHugh for longer than anybody in this body, because I first met him at Villanova Law School

in the early 1960s when we were both students there. Above and beyond being students together, we were counselors at that time to the undergraduate students at Villanova University. I also came to know his lovely wife, Alanna, then. They were dating at that time. And when we talk about a great human being, we have to think of two human beings, both Matt and his wonderful wife, Alanna.

From the very first day I knew him, through all of our 18 years in Congress together to today, there is no one I have ever respected more, both professionally and personally. Matt was the type of individual at law school who never had a bad word to say about anyone. If he had a bad thought, he kept it to himself. He only spoke well of others. He was a kind man, a gentle man as a law student.

Mr. Speaker, I remember the tremendous job he did when he was the district attorney in Tompkins County at the time of the uprisings at Cornell, and he handled it so judiciously, so appropriately.

He was elected to Congress in the great Watergate year, 1974. He was one of the "Watergate Babies," and so was I. We were elected at the same time, and we came to Congress on the same day.

As Members, we always like to double check ourselves. Are we doing something right? Are we doing something wrong? And I always wanted to know how Matt McHugh was going to vote on an issue, because if his inclinations were the same as mine, I felt pretty secure in my conviction. And if his inclinations differed from mine, that would give me pause and concern, because I trusted his judgment and knew that he was, perhaps more than anything else, an intellectually honest person.

He was not a partisan. Sure, he was a Democrat more than Republican; he labeled himself as such. But he was not a partisan Democrat. He approached each and every issue on its merits.

There are not too many individuals we can say that of. He did not try to fool others. He tried to give the total truth, not just a half-truth that would serve his own purposes. But perhaps most importantly, he never attempted to fool himself. And the most difficult thing in the world is being honest with yourself.

So when we honor Matt McHugh, we are honoring one of the best persons who has ever served in this House. I am just grateful that he has continued to perform public service since he retired as a Member. When he and I first knew each other, we were counselors to students. Now he is the counselor to the president of the World Bank. And in that sense, he is not just affecting millions of people in the world, or billions, as we in Congress do, but virtually every person in the world in his position as counselor to the president of the World Bank.

Matt would be the first to say that having one's name carved in stone is

not a true measure of the person or of his impact on the world. But I and many others will take considerable pleasure in knowing that high above Cayuga's waters for decades to come, Matt's name will be seen by millions of Ithacans and other New Yorkers. And parents will tell their children, Matt McHugh? Oh, he is probably the best public servant this town, this county, this State has ever known.

Mr. Speaker, I hope you and all our colleagues will join me in supporting this honor for one of the best Members of Congress our institution has ever known, Matt McHugh.

Mr. HINCHEY. Mr. Speaker, I yield 5 minutes to the gentleman from San Diego, California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman from New York for yielding me this time, and I thank him for introducing this motion for a great former Member of our body. I thank also the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from New York (Mr. HOUGHTON) for their support of this issue.

Mr. Speaker, I have the honor of rising in support of this measure to name the post office in Ithaca after Matthew McHugh. We have heard a lot about his legislative accomplishments, his work in the Committee on Appropriations, his work at the World Bank. I had the privilege of meeting Matt McHugh before he held any of those offices, a little after the gentleman from New York (Mr. LAFALCE) knew him.

I was a student at Cornell in 1968 when Matt McHugh was the Ithaca city prosecutor. "Town and gown" relations between Cornell and Ithaca were never very good, but in 1968 at the height of tensions around this country and at the Cornell campus, literally uprisings, the tensions were even worse. And yet the Ithaca city prosecutor was respected by students at Cornell, and he respected us as students.

It was that mutual respect and that mutual sense of good feeling which has characterized the career of Matt McHugh ever since that day.

At 30 years old, he was elected the first Democratic district attorney for Tompkins County, New York. Many students at Cornell, including myself, worked in that first campaign for Matt McHugh. The respect that he earned in that job, as the gentleman from New York (Mr. LAFALCE) intimated earlier, led to his election to Congress in 1974, again, as the first Democrat from that area in a very, very long time.

Now, Matt McHugh was the kind of man who kept up his relationships. He was never a man who was unfriendly; always a gracious, sharing, caring individual. I kept my relations with him as a Hill staffer in the 1970s and 80's. And what we are saying today, those who knew him and those who served with him, is that Matt McHugh saw politics as a noble profession. Everybody who knows Matt McHugh, and knew him as an elected official, learned that, in fact, politicians, elected officials, could

be noble; that elected officials had not only intelligence and insight, but they had integrity and ethics, fairness, and in the case of Matt McHugh, grace.

His wife, Alanna, and his wonderful daughters, played a key role in all of his life. He was proud of them and they were proud of him, and he showed what a family in politics could do together.

Mr. Speaker, having lived in Ithaca for 10 years, and I think the only Cornell alumnus in this body at the present time, I know that all Ithacans will be proud that a post office in their city will be named after Matt McHugh.

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

Mr. Speaker, I also want to thank our friends, the gentleman from New York (Mr. LAFALCE) and the gentleman from California (Mr. FILNER), for their words about our dear friend, Matt McHugh. I also want to express my deep appreciation to the gentlewoman from Maryland (Mrs. MORELLA) for the wonderful and very thoughtful things that she said about our friend and colleague, Matt McHugh, as well.

Having followed him here to the House, I can say also without hesitation or fear of conviction that he set, while he was here, a very high standard indeed and he continues to set a high standard in his continuing public service at the World Bank.

We in New York are very, very proud of this man and the service that he has rendered to our State and to the country. It is with a great deal of pride that I offer this measure to the other Members of the House.

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

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

Mr. Speaker, I am very pleased that the gentleman from New York (Mr. HINCHEY) has introduced this resolution to name this post office. During my time with Matt McHugh here in the House of Representatives, I will also say that I found him to be fair, open-minded, warm, bipartisan, and a very committed professional.

I am pleased that he is continuing with his work with the World Bank, because he is helping those who are oppressed and those who need the Bank's services in other countries.

So, Mr. Speaker, I urge this body to vote for H.R. 3030, to name the post office the "Matthew F. McHugh Post Office."

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 3030.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

1315

#### SHARK FINNING PROHIBITION ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3535) to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning, as amended.

The Clerk read as follows:

H.R. 3535

*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 "Shark Finning Prohibition Act".*

#### SEC. 2. PURPOSE.

*The purpose of this Act is to eliminate the wasteful and unsportsmanlike practice of shark finning and to reduce the high mortality levels associated with shark finning in waters of the United States.*

#### SEC. 3. PROHIBITION ON REMOVING SHARK FIN AND DISCARDING SHARK CARCASS AT SEA.

*Section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) is amended—*

*(1) in subparagraph (N) by striking "or" after the semicolon at the end;*

*(2) in subparagraph (O) by striking the period and inserting "; or"; and*

*(3) by adding at the end the following:*

*"(P)(i) to remove any of the fins of a shark (including the tail) and discard the carcass of the shark at sea;*

*"(ii) to have custody, control, or possession of any such fin aboard a fishing vessel without the corresponding carcass; or*

*"(iii) to land any such fin without the corresponding carcass;"*

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3535.

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

There was no objection.

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

Mr. Speaker I rise in support of H.R. 3535, the Shark Finning Prohibition Act, introduced by the gentleman from California (Mr. CUNNINGHAM). This legislation amends the Magnuson-Stevens Fishery Conservation and Management Act to prohibit the removal of shark fins, including the tail, and then discard the carcass into the sea; to prohibit having the custody, control, or possession of any such fin aboard a fishing vessel without the corresponding carcass; and to prohibit the

landing of such fins without the corresponding carcass.

The practice of shark finning is wasteful and wrong. In addition, the practice of shark finning is inconsistent with rules governing the harvest of sharks on the East Coast, in the Gulf of Mexico, and in the Caribbean. This legislation will make shark finning illegal in all U.S. waters.

The Subcommittee on Fisheries Conservation, Wildlife and Oceans reported H.R. 3535 by voice vote with one amendment on May 18, 2000. The full Committee on Resources then reported the bill without amendment by voice vote on May 24. This is a noncontroversial bill that should be supported by all Members.

Members may remember that the House reported a nonbinding resolution on this issue in October of last year which expresses the sense of Congress that the practice of shark finning is a wasteful and unsportsmanlike practice that could lead to overfishing of shark resources.

The resolution further encouraged Federal and State fishery managers to promptly and permanently end the practice of shark finning in all Federal and State waters in the Pacific. Regrettably, this has not occurred; and this legislation is, therefore, necessary.

I urge an aye vote on this important conservation legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM).

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

Mr. CUNNINGHAM. Mr. Speaker, I would like to thank the individuals from the Committee on Resources, the gentleman from New Jersey (Mr. SAXTON), the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. GEORGE MILLER), and the gentleman from Hawaii (Mr. ABERCROMBIE).

I read in a magazine where sharks had literally been caught, the fin taken off, and then the sharks dumped back into the water still alive. I am a sportsman. I love to hunt and fish. But I also like management and preservation, and I do not like horrific practices when it comes to animals.

The committee has seen fit to bring first a resolution and now this bill, Mr. Speaker. This legislation before the House today will establish scientifically environmentally sound and responsible standards for all American fisheries in this particular issue.

The Shark Finning Prohibition Act has broad bipartisan support. It is strongly supported by Ocean Wildlife Campaign, the coalition includes Center for Marine Conservation, National Audubon Society, National Coalition of Marine Conservation, Natural Resources Defense Council, Wildlife Conservation Society, and the World Wildlife Fund. It is also supported by the State of Hawaii and the Office of Ha-

waiian Affairs, which had direct interest into this issue; the American Sportfishing Association; Recreational Fishing Alliance; the Sports Fishing Association of California; the Cousteau Society; Western Pacific Fisheries Coalition.

I would like to underscore, Mr. Speaker, that, according to the National Marine Fishery Service, in 1992, there was only 2,289 sharks taken. In just a short time, one can see the growth of the shark finning and the numbers that have actually been released. Over 78,000 sharks had been taken and only 982 were released.

H.R. 3535 will establish America as a worldwide leader in shark and conservation efforts.

I would like to thank my colleagues. When I came to Congress, I did not start off banning hunting and fishing and unsportsmanlike conduct on certain issues. But since then, the tuna-dolphin bill, protecting elephants, snow geese, the MSCP, which provides quarters for endangered species and such, this is good scientific basis for this particular bill. I would like to thank my colleagues for the support in a bipartisan support for this particular bill.

Mr. Speaker, I include the following letters for the RECORD, as follow:

OCEAN WILDLIFE CAMPAIGN,  
Washington, DC, September 22, 1999.

Hon. RANDY CUNNINGHAM,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE CUNNINGHAM: We are writing to express serious concern regarding the management and health of shark populations in U.S. Pacific waters, specifically in areas under the jurisdiction of the Western Pacific Regional Fishery Management Council (WESPAC). Driven by the international demand for shark fin soup, the practice of shark finning—cutting of a shark's fins and discarding its carcass back into the ocean—is a rapidly growing problem that is directly responsible for huge increases in the number of sharks killed annually and appalling waste of this nation's living marine resources. The National Marine Fisheries Service has prohibited shark finning in the U.S. Atlantic, Gulf of Mexico, and Caribbean. It is time to ban finning in the Pacific.

Between 1991 and 1998, the number of sharks "retained" by the Hawaii-based swordfish and tuna longline fleet jumped from 2,289 and 60,857 annually. In 1998, over 98 percent of these sharks were killed for their fins to meet the demand for shark fin soup. Because shark fins typically comprise only one to five percent of a shark's bodyweight, 95 to 99 percent of the shark is going to waste. Sharks are particularly vulnerable to overfishing because of their "life history characteristics"—slow growth, late sexual maturity, and the production of few young. Once depleted, a population may take decades to recover.

The National Marine Fisheries Service, conservationists, fishermen, scientists, and the public have pressured MESPAC to end the practice of shark finning. Nevertheless, WESPAC and the State of Hawaii recently failed to take action to end or control finning.

This issue of shark finning is characterized by a dangerous lack of management, rampant waste, and egregious inconsistencies with U.S. domestic and international policy

stances. It is the most visible symptom of a larger problem: a lack of comprehensive management for sharks in U.S. Pacific waters. The history of poorly or unmanaged shark fisheries around the world is unequivocal: rapid decline followed by collapse. Sharks are not managed in U.S. Central and Western Pacific waters, and with increased fishing pressure there may be rapidly growing problems.

We urge your office to take whatever action is necessary to immediately end the destructive practice of shark finning in U.S. waters and encourage WESPAC to develop a comprehensive fishery management plan for sharks that will, among other things:

1. Immediately prohibit the finning of sharks;

2. Immediately reduce shark mortality levels by requiring the live release of all bycatch or "incidentally caught" animals brought to the boat alive;

3. Immediately reduce the bycatch of sharks;

4. Prevent overfishing by quickly establishing precautionary commercial and recreational quotas for sharks until a final comprehensive management plan is adopted that ensures the future health of the population. Given the dramatic increase in the number of sharks killed in the Hawaiian long line fishery, WESPAC should cap shark mortality at 1994 levels as a minimum interim action, pending the outcome of new population assessments.

Thank you for your attention to this urgent matter.

DAVID WILMONT, Ph.D.,  
Ocean Wildlife Campaign.

CAROL SAFINA, Ph.D.,  
National Audubon Society.

LISA SPEER,

Natural Resources Defense Council.

TOM GRASSO,

World Wildlife Fund.

SONJA FORDHAM,

Center for Marine Conservation.

KEN HINMAN,

National Coalition for Marine Conservation.

ELLEN PIKITCH, Ph.D.,

Wildlife Conservation Society.

STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS,  
Honolulu, HI, February 3, 2000.

Hon. RANDY "DUKE" CUNNINGHAM,  
Rayburn House Office Building,  
Washington, DC.

DEAR CONGRESSMAN CUNNINGHAM: The purpose of this letter is to strongly endorse H.R. 3535, which you recently introduced, banning shark finning in areas where the Magnuson-Stevens Fishery Conservation and Management Act has jurisdiction.

As you are no doubt aware, there has been considerable outcry among the Native Hawaiian population, as well as the population at large in Hawaii, about the practice of shark finning. Currently there are five bills that have been introduced in our legislature to address a ban of Shark finning in waters in which the State has jurisdiction.

Because Hawaiian culture is integrally tied to the health, abundance, and access to indigenous natural resources, Hawaiians have always strived to play a stewardship role by sound management and protection of the natural environment on which the culture relies. Unfortunately, Hawaii is constantly endangered by the imposition of Western beliefs, customs, religions, and economic desires which do not necessarily hold similar views about the importance of the natural environment. Taking a small portion of a shark or any animal and wasting the remainder clearly runs counter to the Hawaiian stewardship views. Traditional use of sharks in Hawaiian cultural meant utilization of the entire animal.

Equally as important to Hawaiians is the cultural and spiritual significance of the shark itself. Many Hawaiian families hold the shark in special esteem as the physical manifestation (called kinolau) of their family guardian (aumakua), who was also regarded as a family ancestor. There are many other kinolau in Hawaiian culture, including the owl, lizard, dog, rocks, and clouds. Imagine the uproar that would arise if the Spotted Owl were to be taken, even as "bycatch" for its wings. The intensity of feeling about shark finning among Hawaiians is magnified a hundred-fold because of the special spiritual significance of the shark. To hurt or destroy the shark wantonly and intentionally is for many families equivalent to desecrating one's own ancestors and heritage. In summary, as recently noted by Hawaiian cultural practitioner Charles Kauluwehi Maxwell, the practice of shark finning is "very offensive" to Hawaiians.

Our Mahalo for your interest in this matter. We hope that the legislation will be reported out by the House Committee on Resources, and approved by the full House and the Senate. If we can be of further assistance, please do not hesitate to contact me or Jerry B. Norris, our Federal Desk Officer at (808) 594-1758.

Sincerely,

COLETTE Y. MACHADO,  
Chair, Committee on Legislative  
and Government Affairs.

AMERICAN SPORTFISHING ASSOCIATION,  
Alexandria, VA, September 23, 1999.

Hon. RANDY "DUKE" CUNNINGHAM,  
House of Representatives,  
Washington, DC.

DEAR DUKE CUNNINGHAM: On behalf of the nearly 500 members of the American Sportfishing Association, I wish to express my strong support for your resolution to ban the wasteful practice of shark finning. I commend your initiative in tackling this important, yet easily dismissed issue.

For far too long, we have neglected to take action to stop this most unsportsmanlike fishing activity. We now know that the best shark is not a dead shark; that these oft maligned fish play critical roles in preserving balance in the marine ecosystem. Healthy shark populations help maintain robust fisheries. Your effort to ban finning will not only benefit depressed shark populations, but many other species of commercially and recreationally important fish.

Thank you for your leadership in this area.  
Sincerely,

Hon. MIKE HAYDEN,  
President/CEO.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3535, the Shark Finning Prohibition Act that is authored by the gentleman from California (Mr. Cunningham) who just spoke in the well.

Shark finning is currently one of the most visible and controversial conservation issues in the waters of the Pacific Ocean. While the practice of finning has already been banned in Federal waters in the Atlantic, Gulf of Mexico, and the Caribbean, as well as waters of 11 coastal States, it remains unregulated in the Pacific.

As a result, and because of the strong demand and the high price of shark fins in Asia, the harvest of shark fins in the Pacific has increased over the past 7 years by more than 2,000 percent. More

than 60,000 sharks were caught and killed in 1998 alone, and 98 percent of those sharks were killed simply for their fins, or less than 5 percent of their body weight, and then the shark was dumped overboard to die. This is wrong. It is culturally wrong. It is morally wrong. It is certainly wrong in terms of the laws of conservation and maintaining this species.

In addition, shark finning is inconsistent with U.S. policy, both domestically and internationally. In the United States, it is contrary to the Magnuson Act which requires fishermen to reduce bycatch and the mortality of bycatch that cannot be avoided. Given that 85 percent of the sharks caught are alive when they reach the boats, prohibiting the finning of these sharks will reduce bycatch by significant amounts.

The Shark Finning Prohibition Act will not prevent U.S. fishermen from harvesting sharks, bringing them to shore, and then using the fins or any of the other parts of the shark. Instead, it would simply prevent cutting off of the fins and disposal of carcass at sea, or the transport or landing of fins harvested in this manner by another fishing vessel.

This is good legislation. The House should support it. We should put an end to these kinds of very narrow and greedy practices by some nations that devastate, in this case, the shark species, but it is rampant in other parts of the world with respect to other species. This is a good legislation. The House should support it.

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

Mr. SHERWOOD. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Speaker, I do rise in strong support of H.R. 3535, the Shark Finning Prohibition Act. I do want to thank the gentleman from California (Mr. CUNNINGHAM) for introducing this measure, and I want to thank the Committee on Resources for expeditiously approving the legislation which we have found out is certainly needed.

H.R. 3535 would bring an end to the abhorrent wasteful and unsportsmanlike practice of shark finning in American waters. The legislation will ban both the act of shark finning and the possession of shark fins without a shark carcass.

Mr. Speaker, for those who are unfamiliar with the practice, the repugnant act of shark finning is a removal of a shark's fins and subsequent dumping of the dying or dead shark back into the ocean. It is a wasteful and environmentally harmful practice. The legislation to ban shark finning is strongly supported by a coalition of environmental and recreational organizations.

U.S. law currently prohibits shark finning in the Federal waters of the U.S. Atlantic and Gulf of Mexico. How-

ever, we know that the demand for shark fins from the Pacific Ocean is dramatically increasing. According to the National Marine Fisheries Service, more than 60,000 Pacific sharks were killed in 1998. Almost 100,000 of these sharks were killed solely for their fins.

Mr. Speaker, as an original cosponsor of H.R. 3535, I urge swift passage of this legislation to immediately end repulsive shark finning.

Mr. FALEOMAVEGA. Mr. Speaker, I rise today in strong support of H.R. 3535, the Shark Finning Prohibition Act.

In the continental United States, there is obviously a strong feeling that shark finning is a wasteful, abhorrent practice which has no place in U.S. waters. It is seen as contrary to current effort to maintain ecological balance in our oceans, and wasteful in that less than 5% of a shark's mass is comprised of its fins, with the rest of the carcass thrown back into the water unused. Many feel that the trade-off between the loss of life for the benefit of a good-tasting soup, much of which is consumed in Asia, balanced against the amount of waste and the importance of the fishery is tipped significantly in favor of the fishery.

I understand the economic incentives which drive this activity. A small cup of shark fin soup costs \$100 in parts of Asia and is considered a delicacy just as much as chocolate-covered ants, snails, and horse meat are in other cultures.

Most of the sharks caught and finned in Hawaii-area waters are a bycatch from long-line fishing boats which are targeting tuna and swordfish. But sharks are not the only bycatch or miscellaneous fish caught and then discarded as waste because they do not have the same market value as tuna or swordfish, and I do not find it particularly reassuring that we are addressing the blue shark problem and ignoring a problem of much greater magnitude with other miscellaneous fish. The killing of these fish just because they are unwanted should be of no less of concern to all of us. We should also be addressing that problem, but are not because we do not have adequate stock assessments of most stocks. Part of the blame for this lies with the National Marine Fishery Service for not requesting additional funding to carry out this research, but part of the problem lies with the Congress as well, for not funding this important work.

Obviously the United States alone cannot adequately address the problem of shark finning, as many other countries participate in this fishery as well. The United States is responsible for only a very small percentage of this industry, and I hope the Administration addresses this subject through international treaty. In the Pacific, the management commission being developed by the Multilateral High level Conference would be appropriate.

As introduced, this legislation did not address the issue of transshipment of shark fins through U.S. ports. The practice of shark finning in international waters by foreign fishing vessels, and then shipping the fins from U.S. ports to foreign countries, is significant. To partially address this problem, I offered an amendment in Subcommittee to prohibit this practice, and I want to thank the majority for accepting that amendment. I hope that our next step will be to address the issue of shark fins transshipped through U.S. ports as bonded cargo. In response to a question I asked



the Western Pacific Regional Fishery Management Council earlier this year, the Council reported that approximately 200 tons of dried shark fins are transported through U.S. Pacific ports as bonded cargo.

There are groups in the Pacific that support a ban on shark finning; however, the Western Pacific Fishery Management Council, the entity tasked by law with management of the fisheries in the U.S. Central and Western Pacific Ocean, has repeatedly said that there is insufficient data on which to make that decision. While I do not agree with the Western Pacific Council on this one issue, I do wish to acknowledge the Council's work in including pelagic sharks in its management of pelagic fisheries dating as far back as 1987. To its credit, the Council has also taken aggressive conservation action in many other areas since it was established.

I want to thank Congressmen CUNNINGHAM, Chairman, DON YOUNG and SAXTON, and Congressman GEORGE MILLER for the active roles they have taken in moving this legislation forward, and I look forward to seeing the passage of the bill later today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 3535, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

## CARLSBAD IRRIGATION PROJECT ACQUIRED LAND TRANSFER ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 291) to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District.

The Clerk read as follows:

S. 291

*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 "Carlsbad Irrigation Project Acquired Land Transfer Act".

### SEC. 2. CONVEYANCE.

#### (a) LANDS AND FACILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), and subject to subsection (c), the Secretary of the Interior (in this Act referred to as the "Secretary") may convey to the Carlsbad Irrigation District (a quasi-municipal corporation formed under the laws of the State of New Mexico and in this Act referred to as the "District"), all right, title, and interest of the United States in and to the lands described in subsection (b) (in this Act referred to as the "acquired lands") and all interests the United States holds in the irrigation and drainage system of the Carlsbad Project and all related lands including ditch rider houses, maintenance shop and buildings, and Pecos River Flume.

#### (2) LIMITATION.—

(A) RETAINED SURFACE RIGHTS.—The Secretary shall retain title to the surface estate (but not the mineral estate) of such acquired lands which are located under the footprint of Brantley and Avalon dams or any other project dam or reservoir division structure.

(B) STORAGE AND FLOW EASEMENT.—The Secretary shall retain storage and flow easements for any tracts located under the maximum spillway elevations of Avalon and Brantley Reservoirs.

(b) ACQUIRED LANDS DESCRIBED.—The lands referred to in subsection (a) are those lands (including the surface and mineral estate) in Eddy County, New Mexico, described as the acquired lands and in section (7) of the "Status of Lands and Title Report: Carlsbad Project" as reported by the Bureau of Reclamation in 1978.

(c) TERMS AND CONDITIONS OF CONVEYANCE.—Any conveyance of the acquired lands under this Act shall be subject to the following terms and conditions:

(1) MANAGEMENT AND USE, GENERALLY.—The conveyed lands shall continue to be managed and used by the District for the purposes for which the Carlsbad Project was authorized, based on historic operations and consistent with the management of other adjacent project lands.

(2) ASSUMED RIGHTS AND OBLIGATIONS.—Except as provided in paragraph (3), the District shall assume all rights and obligations of the United States under—

(A) the agreement dated July 28, 1994, between the United States and the Director, New Mexico Department of Game and Fish (Document No. 2-LM-40-00640), relating to management of certain lands near Brantley Reservoir for fish and wildlife purposes; and

(B) the agreement dated March 9, 1977, between the United States and the New Mexico Department of Energy, Minerals, and Natural Resources (Contract No. 7-07-57-X0888) for the management and operation of Brantley Lake State Park.

(3) EXCEPTIONS.—In relation to agreements referred to in paragraph (2)—

(A) the District shall not be obligated for any financial support agreed to by the Secretary, or the Secretary's designee, in either agreement; and

(B) the District shall not be entitled to any receipts for revenues generated as a result of either agreement.

(d) COMPLETION OF CONVEYANCE.—If the Secretary does not complete the conveyance within 180 days from the date of enactment of this Act, the Secretary shall submit a report to the Congress within 30 days after that period that includes a detailed explanation of problems that have been encountered in completing the conveyance, and specific steps that the Secretary has taken or will take to complete the conveyance.

### SEC. 3. LEASE MANAGEMENT AND PAST REVENUES COLLECTED FROM THE ACQUIRED LANDS.

(a) IDENTIFICATION AND NOTIFICATION OF LEASEHOLDERS.—Within 120 days after the date of enactment of this Act, the Secretary of the Interior shall—

(1) provide to the District a written identification of all mineral and grazing leases in effect on the acquired lands on the date of enactment of this Act; and

(2) notify all leaseholders of the conveyance authorized by this Act.

(b) MANAGEMENT OF MINERAL AND GRAZING LEASES, LICENSES, AND PERMITS.—The District shall assume all rights and obligations of the United States for all mineral and grazing leases, licenses, and permits existing on the acquired lands conveyed under section 2, and shall be entitled to any receipts from such leases, licenses, and permits accruing after the date of conveyance. All such re-

ceipts shall be used for purposes for which the Project was authorized and for financing the portion of operations, maintenance, and replacement of the Summer Dam which, prior to conveyance, was the responsibility of the Bureau of Reclamation, with the exception of major maintenance programs in progress prior to conveyance which shall be funded through the cost share formulas in place at the time of conveyance. The District shall continue to adhere to the current Bureau of Reclamation mineral leasing stipulations for the Carlsbad Project.

(c) AVAILABILITY OF AMOUNTS PAID INTO RECLAMATION FUND.—

(1) EXISTING RECEIPTS.—Receipts in the reclamation fund on the date of enactment of this Act which exist as construction credits to the Carlsbad Project under the terms of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351-359) shall be deposited in the General Treasury and credited to deficit reduction or retirement of the Federal debt.

(2) RECEIPTS AFTER ENACTMENT.—Of the receipts from mineral and grazing leases, licenses, and permits on acquired lands to be conveyed under section 2, that are received by the United States after the date of enactment and before the date of conveyance—

(A) not to exceed \$200,000 shall be available to the Secretary for the actual costs of implementing this Act with any additional costs shared equally between the Secretary and the District; and

(B) the remainder shall be deposited into the General Treasury of the United States and credited to deficit reduction or retirement of the Federal debt.

### SEC. 4. VOLUNTARY WATER CONSERVATION PRACTICES.

Nothing in this Act shall be construed to limit the ability of the District to voluntarily implement water conservation practices.

### SEC. 5. LIABILITY.

Effective on the date of conveyance of any lands and facilities authorized by this Act, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the conveyed property, except for damages caused by acts of negligence committed by the United States or by its employees, agents, or contractors, prior to conveyance. Nothing in this section shall be considered to increase the liability of the United States beyond that provided under chapter 171 of title 28, United States Code, popularly known as the Federal Tort Claims Act.

### SEC. 6. FUTURE BENEFITS.

Effective upon transfer, the lands and facilities transferred pursuant to this Act shall not be entitled to receive any further Reclamation benefits pursuant to the Reclamation Act of June 17, 1902, and Acts supplementary thereof or amendatory thereto attributable to their status as part of a Reclamation Project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

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

#### GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 291.

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

There was no objection.

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

Mr. Speaker, S. 291, the Carlsbad Irrigation Project Acquired Land Transfer Act, introduced by Senator DOMENICI of New Mexico, is the companion bill to H.R. 1019, introduced by the gentleman from New Mexico (Mr. SKEEN), my esteemed colleague, that was reported from the Committee on Resources last year.

For the last 6 years, the Subcommittee on Water and Power has pursued legislation to shrink the size and scope of the Federal Government through the defederalization of Bureau of Reclamation assets.

S. 291 continues this defederalization process by authorizing the Secretary of the Interior to convey to the Carlsbad Irrigation District all right, title, and interest of the United States in and to the acquired lands and all interest the United States holds in the irrigation and drainage system of the Carlsbad project and all related land. The Carlsbad project is a paid-out, single purpose irrigation project delivering stored water to approximately 25,000 acres of farmland in southeastern New Mexico.

This bill is one of several working their way through the House and Senate. It is the expectation of the committee that the Senate will accelerate its work on the other transfer bills that currently await action in the Senate.

Mr. Speaker, I yield the balance of my time to the gentleman from New Mexico (Mr. SKEEN), the author of the House version of the Carlsbad transfer, and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

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

Mr. Speaker, I rise in enthusiastic and strong support of S. 291, the Carlsbad Irrigation Project Acquired Land Transfer Act. S. 291 was introduced by Senator DOMENICI and Senator BINGAMAN of New Mexico and is the companion bill to H.R. 1019, legislation that I introduced, which passed the Committee on Resources early last year. In fact, I have introduced a version of H.R. 1019 each of the last three Congresses only to run into some form of legislative or political brick wall each time.

Ideally, I would have preferred to be debating H.R. 1019 right now in lieu of S. 291, as I believe that H.R. 1019 is a stronger bill and will serve the interests of Congress and the Carlsbad Irrigation District best. However, discretion is the better part of valor, and I will be pleased to finally send this bill to the President for his signature.

After all, Senate 291 does continue my long-held belief that the more we

can devolve the Federal rule and the local decision-making process the better the management will be.

Now, for a history and justification. In 1905, the U.S. purchased acquired lands from the Pecos Irrigation Company. The amount paid for these lands or the methodology of repayment were contained within the Carlsbad Irrigation District's repayment obligations to the United States.

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The district has repaid all the project costs attributed to them, which includes the acquired lands. Their obligations have been met in full. As a single-purpose project, the district received no repayment credits for flood control, recreation or other project beneficiaries.

The 1924 Fact Finders Act requires all revenues, except minerals generated from the acquired lands, to be used by the district for the project and the 1939 Minerals Leasing Act permits all mineral receipts to be used by the district for district purposes. Both of these acts apply whether the district is paid out or not.

In 1991, the district completed its repayment obligations. Almost \$2.5 million has accumulated in the Reclamation Fund on behalf of CID and are currently available to offset new construction costs. Over 90 years of precedent and several Solicitor Generals reports clearly recognize the District's right to all revenues from the acquired lands.

However, and as a sign of good will to mistaken opposition, the district is waiving its justified right to the \$2 million and allows it to be credited towards the national deficit or debt reduction. That ought to be interesting.

The district is also accepting the O&M costs of Sumner Dam, which is currently the taxpayers' responsibility, and is accepting full responsibility for the conveyed lands and facilities. In addition, the district can only use revenues for maintenance and improvements of the project.

The district is also waiving future eligibility for additional reclamation benefits for the conveyed lands and facilities. And simply put, the district is accepting the costs of the project and saving taxpayer dollars in the process.

The responsible approach on behalf of taxpayers is absolution of the taxpayers' future monetary obligations; and that is accomplished by passage of this legislation, which requires the district's acceptance of financial responsibility.

The State, the county, the city of Carlsbad have soundly endorsed the legislation. The administration supports the legislation. And most importantly, I support the bill.

Mr. Speaker, I want to thank the district manager, Tom Davis; board chairman L.A. Johnson; Bill Ahrens; and the remainder of the board and members of the district for their patience and faith in the process.

Finally, I would like to thank the gentleman from California (Chairman

DOOLITTLE), the gentleman from Alaska (Chairman YOUNG), and the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. DOOLEY). For without each of their assistance, what has been a long road would have been considerably longer.

In closing, I would be remiss to not mention the fine work of the majority staff, Bob Faber and Josh Johnson, and minority staffer Steve Lanich. We all know and appreciate the support the staff provides.

Mr. Speaker, I strongly urge passage of S. 291.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is with great admiration and great respect and high regard for my colleague, the gentleman from New Mexico (Mr. SKEEN), that I rise in support of the Carlsbad Irrigation Project Acquired Lands Transfer Act.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. SKEEN) that the House suspend the rules and pass the Senate bill, S. 291.

The question was taken.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### WELLTON-MOHAWK TRANSFER ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 356) to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes.

The Clerk read as follows:

S. 356

*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 referred to as the "Wellton-Mohawk Transfer Act".

#### SEC. 2. TRANSFER.

The Secretary of the Interior ("Secretary") is authorized to carry out the terms of the Memorandum of Agreement No. 8-AA-34-WA014 ("Agreement") dated July 10, 1998 between the Secretary and the Wellton-Mohawk Irrigation and Drainage District ("District") providing for the transfer of works, facilities, and lands to the District, including conveyance of Acquired Lands, Public Lands, and Withdrawn Lands, as defined in the Agreement.

**SEC. 3. WATER AND POWER CONTRACTS.**

Notwithstanding the transfer, the Secretary and the Secretary of Energy shall provide for and deliver Colorado River water and Parker-Davis Project Priority Use Power to the District in accordance with the terms of existing contracts with the District, including any amendments or supplements thereto or extensions thereof and as provided under section 2 of the Agreement.

**SEC. 4. SAVINGS.**

Nothing in this Act shall affect any obligations under the Colorado River Basin Salinity Control Act (Public Law 93-320, 43 U.S.C. 1571).

**SEC. 5. REPORT.**

If transfer of works, facilities, and lands pursuant to the Agreement has not occurred by July 1, 2000, the Secretary shall report on the status of the transfer as provided in section 5 of the Agreement.

**SEC. 6. AUTHORIZATION.**

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 356.

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

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, S. 356, the Wellton-Mohawk Transfer Act, introduced by Senator KYL of Arizona, is a companion bill to H.R. 841 introduced by the gentlewoman from Hawaii (Mrs. MINK) that was reported from the Committee on Resources last year.

S. 356 continues the defederalization process by conveying certain works, facilities, and titles of the Gila Project and designated lands to the Wellton-Mohawk Irrigation and Drainage District in Arizona.

Wellton-Mohawk has fully repaid its project costs. On July 10, 1998, the district and the bureau signed a memorandum of agreement that covers the details of the transfer of title. It includes transfer of lands between the Federal Government and the district, including the acquisition of additional lands for exchange.

All transfers will be at fair market value. No change in the project operation is contemplated by the transfer and the district will continue to limit irrigated acreage to 62,875 acres. The transfer would include all facilities and works for which full repayment has been made.

"The goal of Reclamation and the District is that within 180 days of the execution of the Title Transfer Contract, the Secretary shall convey to

the District all right, title and interest of the United States to the Facilities, works and lands to be conveyed and transferred to the District."

It is the expectation of the committee that the Senate will accelerate its work on other transfer bills that are currently awaiting action in the Senate. The committee expects that the Bureau of Reclamation will adhere to their memorandum of agreement with the district signed on July 10, 1998.

Mr. Speaker, I request an aye vote on the bill.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I rise in support of S. 356, the Wellton-Mohawk Transfer Act. The Wellton-Mohawk has fully repaid its project costs. The district and the bureau signed a memorandum of agreement 2 years ago that covers the details of the transfer of title.

The project facilities that will be transferred under legislation no longer provide benefits to the United States, and it is appropriate that the local district assume full responsibility for these facilities.

I urge my colleagues to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the Senate bill, S. 356.

The question was taken.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### CLARIFYING CERTAIN BOUNDARIES OF COASTAL BARRIER RESOURCES SYSTEM

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4435) to clarify certain boundaries on the map relating to Unit NC01 of the Coastal Barrier Resources System, as amended.

The Clerk read as follows:

H.R. 4435

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

#### SECTION 1. REPLACEMENT OF COASTAL BARRIER RESOURCES SYSTEM MAP.

(a) IN GENERAL.—The map described in subsection (b) is replaced, in the maps depicting the Coastal Barrier Resources System that are referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)), by the map entitled "Pine Island Unit NC-01" and dated May 1, 2000.

(b) DESCRIPTION OF REPLACED MAP.—The map described in this subsection is the map that—

(1) relates to Pine Island Unit NC-01 located in Currituck and Dare Counties, North Carolina; and

(2) is included in a set of maps entitled "Coastal Barrier Resources System", dated October 24, 1990, revised on October 23, 1992, and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)).

(c) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4435.

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

There was no objection.

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

Mr. Speaker, H.R. 4435, introduced by our colleague, the gentleman from North Carolina (Mr. JONES), corrects a mistake that was made in delineating the boundary of Coastal Barrier Resources System Unit NC01.

The Coastal Barrier Resources System consists of units located on undeveloped coastal barriers and delineated on maps adapted by Congress.

Land included in the system is not acquired by the Government, and the act does not prevent or regulate development on private lands. The act does prohibit the use of Federal developmental assistance, including Federal flood insurance, on property included in the system.

Unit NC01 was originally created in 1990 to incorporate property owned by the National Audubon Society and the surrounding associated aquatic habitat. Unfortunately, a significant amount of privately and publicly owned developed property was inadvertently, or incorrectly, included within its boundary.

In 1992, Congress directed the Secretary of the Interior to redraw the boundary to fix these problems. That new map again failed to accurately portray the boundary of the Audubon Sanctuary, and the unit continued to include privately owned development property.

Mr. Speaker, H.R. 4435 removes the incorrectly labeled private property and adds associated aquatic habitat that was incorrectly left out of the unit in 1992.

The Fish and Wildlife Service supports this change. I commend the gentleman from North Carolina (Mr. JONES) for his efforts in correcting this error and urge an aye vote on H.R. 4435.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of this legislation to change the boundaries of the Coastal Barrier Resource System Unit established under the Coastal Barrier Resources Act known as NC01.

I believe that it is important that we contain the so-called technical corrections bills that we have seen in our committee to address those problems that are clear inaccuracies. I believe that this legislation does that. And it is also incumbent that those of us on the committee not use those technical corrections to go for unintended changes and make sure that they are held at a minimum. I think that this legislation does that.

We see a lot of efforts from time to time to use boundary changes to do more than make these technical corrections, but this legislation does not do that. I think that this is consistent with the original intent of the Congress, and I urge passage of this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 4435, as amended.

The question was taken.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### DIRECTING A STUDY TO RESTORE KEALIA POND NATIONAL WILDLIFE REFUGE, HAWAII

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3176) to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii.

The Clerk read as follows:

H.R. 3176

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

#### SECTION 1. STUDY OF KEALIA POND NATIONAL WILDLIFE REFUGE, HAWAII.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service in consultation with the Director of the United States Geological Survey, shall conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii. The

study shall include examination of hydrology, manmade impacts on wetlands, species succession, and imbalances in natural habitat in the refuge.

(b) REPORT.—Not later than 1 year after amounts are first available to implement this section, the Secretary shall complete the study under subsection (a) and report to the Congress findings, conclusions, and recommendations of the study.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$250,000 to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

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

#### GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3176.

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

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, H.R. 3176 addresses an ongoing water management problem at the Kealia National Wildlife Refuge on Maui, Hawaii. This bill was introduced by our colleague, the gentlewoman from Hawaii (Mrs. MINK).

The legislation directs the Secretary of Interior to study the serious water management problems that currently exist at the 700-acre refuge. The refuge was created in 1992 to conserve habitat for endangered birds and to provide a wintering sanctuary for a variety of waterfowl species.

Regrettably, the Fish and Wildlife Service has failed to provide the necessary resources to manage the water fluctuations. As a result of changes in the landscape, this refuge experiences the frequent dry-ups which result in dust storms, fish kills, and problems with nuisance insects. These problems have a negative economic and health impact on the people who live near the refuge.

1345

This bill directs the Secretary of the Interior to study the water problems at the refuge and come up with a plan for addressing the management needs within 1 year. H.R. 3176 is non-controversial, and I urge an aye vote.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3176, to provide for the study of the deterioration that has taken place on Kealia Pond National Wildlife Refuge on the Island of Maui.

The gentleman from Pennsylvania (Mr. SHERWOOD) has properly explained

the legislation. I want to commend and thank our colleague, the gentlewoman from Hawaii (Mrs. MINK), for bringing the deterioration of this refuge to the attention of the committee.

I think I and most members of the committee were very disappointed to learn the extent to which this refuge, the largest freshwater pond in the entire State of Hawaii, could have reached such a degraded condition.

I think this legislation will be important in turning that around, and I urge my colleagues to support this legislation.

Mrs. MINK of Hawaii. Mr. Speaker, I rise in support of H.R. 3176.

I want to thank Chairman YOUNG, Ranking Member Mr. MILLER of the Resources Committee and Subcommittee Chairman SAXTON and Ranking Member Mr. FALEOMAVAEGA of the Fisheries Subcommittee for their efforts to bring the bill to the floor today.

I introduced H.R. 3176 on October 28, 1999. The legislation requires the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in Kealia Pond National Wildlife Refuge. The study would include an examination of hydrology, manmade impacts on wetlands, species succession and imbalances in natural habitat in the refuge. The legislation authorizes \$250,000 to conduct the study. The study would be reported to Congress not later than one year after funds for the study are made available.

The Refuge is located on the island of Maui and is part of the Mai Nui National Wildlife Refuge Complex. It was established in 1992 and consists of 691 acres. The pond itself is the largest natural pond in Hawaii, and covers between 400 and 500 acres at its greatest extent during the wet season. The pond is home of two endangered native Hawaiian birds, the Hawaiian stilt and the Hawaiian coot. The pond also provides food and shelter for numerous migratory waterfowl and shorebirds.

Human activity over the years has significantly changed the nature of the pond. In the early 1900's the pond had a depth of between six and eight feet. Over the years grazing and agricultural use of the land above the pond increased the runoff of sedimentation. Between 1925 and 1930 the pond was used as a rubbish dump, further reducing the depth of the pond. In 1970 twenty-five acres of land north of the pond were converted to a commercial aquaculture operation. Dikes were built, water impounded and a well dug.

All these activities have had a deleterious effect on the natural habitat of the pond.

Now the pond has an average depth of only one foot. As the depth of the pond decreased the pond increasingly lost the ability to carry off sediments. Sand carried into the pond from adjacent dunes that otherwise would have been flushed away now stays in the pond further reducing the depth.

The shallow depth of the pond permits it to dry up quickly. The natural trade winds of the area then cause great clouds of dust to arise. The dust blows into the homes, eyes and lungs of nearby residents. The dust causes burning eyes and residents worry that the cause may be that the dust contains fertilizer and chemical residue from agricultural runoff and unknown chemicals from materials deposited during the period the pond was used as a dump.

1800

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OSE) at 6 p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the first four motions to suspend the rules on which further proceedings were postponed earlier today in the order in which those motions were entertained.

Votes will be taken in the following order: House Resolution 509, by the yeas and nays; H.R. 4241, by the yeas and nays; H.R. 3030, by the yeas and nays; and H.R. 3535, by the yeas and nays.

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

The remaining four votes will be postponed until tomorrow.

## RECOGNIZING THE IMPORTANCE OF AFRICAN-AMERICAN MUSIC

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 509, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the resolution, House Resolution 509, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 382, nays 0, not voting 52, as follows:

[Roll No. 234]  
YEAS—382

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Armedy  
Baca  
Bachus  
Baird  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berman  
Berry  
Biggart  
Bilbray  
Bilirakis  
Bishop  
Blagojevich

Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (FL)  
Brown (OH)  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Cannon  
Capps  
Capuano  
Cardin  
Carson  
Castle  
Chabot  
Chenoweth-Hage  
Clay  
Clayton  
Clement

Clyburn  
Coble  
Collins  
Combest  
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  
Dreier

Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Filner  
Fletcher  
Foley  
Forbes  
Fossella  
Fowler  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Granger  
Green (TX)  
Green (WI)  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hill (IN)  
Hill (MT)  
Hinchey  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Hooley  
Horn  
Hostettler  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inslee  
Isakson  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
John  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy  
Kildee  
Kilpatrick  
Kind (WI)  
King (NY)  
Kingston  
Klecza  
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  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
Meehan  
Meeks (NY)  
Mica  
Millender-  
McDonald  
Miller (FL)  
Miller, Gary  
Miller, George  
Minge  
Mink  
Moakley  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Nethercutt  
Ney  
Northup  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Ose  
Owens  
Oxley  
Packard  
Pallone  
Paul  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Reyes  
Reynolds

Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Rothman  
Roybal-Allard  
Rush  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanders  
Sandlin  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaffer  
Schakowsky  
Scott  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shinkus  
Shows  
Shuster  
Simpson  
Sisisky  
Skeen  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spence  
Spratt  
Stabenow  
Stark  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sununu  
Talent  
Tancred  
Tanner  
Tauscher  
Taylor (NC)  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tierney  
Toomey  
Towns  
Traficant  
Turner  
Udall (CO)  
Upton  
Velazquez  
Visclosky  
Walden  
Walsh  
Wamp  
Waters  
Watkins  
Watt (NC)  
Watts (OK)  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
Whitfield  
Wicker  
Wilson  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NOT VOTING—52

Bliley  
Brady (TX)

Campbell  
Chambliss

Coburn  
Condit

The introduction of non-native species has also changed the ecology of the pond. The spotted wing midge was first identified in Hawaii in 1945. The midge has found the pond to be an extremely attractive habitat. A study by Ducks Unlimited estimated that on any given day during the wet season there may be as many as 200 million adult and near-adult midges. During midge season the uninitiated visitor may think the refuge is on fire at dawn or dusk, with smoldering fires throwing up swirling clouds of smoke. But it is not smoke. It is clouds of midges swarming.

The midge swarms invade surrounding residences. The midges are small enough to go through screens and some residents have been reduced to keeping their lights out in a vain effort to keep the invaders away. Motorists report that their cars are covered with squashed midges when driving in the area.

Kealia Pond is also home to non-native tilapia. These fish make up 90 percent of the fish population of the pond. They do more damage than good for the wetlands. When the pond dries up there are massive fish die offs. In 1996 Maui correctional inmates, working under the direction of the pond's on-site manager, removed 14 tons of dead and rotting fish from the refuge.

There have been studies of aspects of the ecology of the pond done over the years, both in the public and private sector. However, the studies have frequently concentrated on one aspect of the problem or another. There has been no study directed at restoring Kealia Pond to its natural state.

H.R. 3176 requires a study to identify ways of dealing with these man-made plagues of dust, bugs and rotting fish. My constituents recognize the value of the pond and its contribution to preserving native Hawaiian endangered species. They want to see Kealia Pond restored to its natural state with its native fauna.

Passage of H.R. 3176 will get the answers needed to restore Kealia Pond.

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

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 3176.

The question was taken.

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

The yeas and nays were ordered.

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

## RECESS

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

Accordingly (at 1 o'clock and 46 minutes p.m.), the House stood in recess until 6 p.m.

Conyers  
Cook  
Cooksey  
Costello  
Doyle  
English  
Ford  
Franks (NJ)  
Greenwood  
Hilleary  
Hilliard  
Houghton  
Jefferson  
Johnson (CT)  
Jones (OH)  
Lofgren

Markey  
McCollum  
McIntosh  
McNulty  
Meek (FL)  
Menendez  
Metcalf  
Neal  
Norwood  
Pascrell  
Pastor  
Payne  
Pitts  
Price (NC)  
Ros-Lehtinen  
Roukema

Royce  
Salmon  
Sanchez  
Skelton  
Smith (MI)  
Sweeney  
Tauzin  
Taylor (MS)  
Terry  
Udall (NM)  
Vento  
Vitter  
Waxman  
Wise

1822

Mr. STRICKLAND changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, 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. TERRY. Mr. Speaker, I was unavoidably detained during rollcall Vote 234. Had I been present, I would have voted "aye."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

#### LES ASPIN POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4241.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, H.R. 4241, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 378, nays 6, not voting 50, as follows:

[Roll No. 235]

YEAS—378

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Armey  
Baca  
Bachus  
Baird  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)

Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Burr  
Blagojevich  
Blumenauer  
Blunt  
Boehlert

Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Bryant  
Burr  
Buyer  
Callahan  
Calvert  
Camp

Campbell  
Canady  
Cannon  
Capps  
Capuano  
Cardin  
Carson  
Castle  
Chabot  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Combest  
Conyers  
Cox  
Coyne  
Cramer  
Cannon  
Crowley  
Cubin  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Filner  
Fletcher  
Forbes  
Fossella  
Fowler  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Gibbons  
Gilchrist  
Gillmor  
Gilman  
Gonzalez  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Granger  
Green (TX)  
Green (WI)  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hill (IN)  
Hill (MT)  
Hinchey

Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Hooley  
Horn  
Hostettler  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inslee  
Isakson  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
John  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy  
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  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
Meehan  
Meeks (NY)  
Mica  
Millender-  
McDonald  
Miller (FL)  
Miller, Gary  
Miller, George  
Minge  
Mink  
Moakley  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murtha  
Myrick  
Nadler  
Napolitano

Nethercutt  
Ney  
Northup  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Ose  
Owens  
Oxley  
Packard  
Pallone  
Paul  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
John  
Pombo  
Pomeroy  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Rothman  
Roybal-Allard  
Rush  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schaffer  
Schakowsky  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Shimkus  
Shows  
Shuster  
Simpson  
Sisisky  
Skeen  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spence  
Spratt  
Stabenow  
Stark  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sununu  
Talent  
Tancredo  
Tanner  
Tauscher  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tierney  
Toomey

Towns  
Traficant  
Turner  
Udall (CO)  
Upton  
Velazquez  
Visclosky  
Walden  
Wamp  
Waters

Watkins  
Watt (NC)  
Watts (OK)  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
Whitfield

NAYS—6

Chenoweth-Hage  
Collins

Cunningham  
Sanford

Scarborough  
Walsh

NOT VOTING—50

Bliley  
Burton  
Chambliss  
Coburn  
Condit  
Cook  
Cooksey  
Costello  
Doyle  
English  
Foley  
Ford  
Franks (NJ)  
Greenwood  
Hilleary  
Hilliard  
Houghton

Jefferson  
Johnson (CT)  
Jones (OH)  
Markey  
McCollum  
McIntosh  
McNulty  
Meek (FL)  
Menendez  
Metcalf  
Morella  
Neal  
Norwood  
Pascrell  
Pastor  
Payne  
Pitts

Price (NC)  
Ros-Lehtinen  
Roukema  
Royce  
Salmon  
Sanchez  
Sherwood  
Skelton  
Smith (MI)  
Sweeney  
Tauzin  
Taylor (MS)  
Udall (NM)  
Vento  
Vitter  
Waxman

1830

So (two-thirds having voted in favor thereof) the rules were suspended and 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. FOLEY. Mr. Speaker, on rollcall No. 235 had I been present, I would have voted "yes."

#### MATTHEW F. MCHUGH POST OFFICE

The SPEAKER pro tempore (Mr. OSE). The pending business is the question of suspending the rules and passing the bill, H.R. 3030.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 3030, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 2, not voting 47, as follows:

[Roll No. 236]

YEAS—385

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Armey  
Baca  
Bachus  
Baird  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Bentsen

Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop  
Blagojevich  
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  
Canady  
Cannon  
Capps  
Capuano  
Cardin  
Carson  
Castle  
Chabot  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Collins



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

## NAYS—2

## NOT VOTING—47

## 1838

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SHARK FINNING PROHIBITION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3535, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 3535, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 1, not voting 43, as follows:

[Roll No. 237]

## YEAS—390

Abercrombie	Blagojevich	Chenoweth-Hage
Ackerman	Blumenauer	Clay
Aderholt	Blunt	Clayton
Allen	Boehlert	Clement
Andrews	Boehner	Clyburn
Archer	Bonilla	Coble
Armey	Bonior	Collins
Baca	Bono	Combest
Bachus	Borski	Conyers
Baird	Boswell	Cox
Baker	Boucher	Coyne
Baldacci	Boyd	Cramer
Baldwin	Brady (PA)	Crane
Ballenger	Brady (TX)	Crowley
Barcia	Brown (FL)	Cubin
Barr	Brown (OH)	Cummings
Barrett (NE)	Bryant	Cunningham
Barrett (WI)	Burr	Danner
Bartlett	Burton	Davis (FL)
Barton	Buyer	Davis (IL)
Bass	Callahan	Davis (VA)
Bateman	Calvert	Deal
Becerra	Camp	DeFazio
Bentsen	Campbell	DeGette
Bereuter	Canady	Delahunt
Berkley	Cannon	DeLauro
Berman	Capps	DeLay
Berry	Capuano	DeMint
Biggert	Cardin	Deutsch
Bilbray	Carson	Diaz-Balart
Bilirakis	Castle	Dickey
Bishop	Chabot	Dicks

## NAYS—1

Paul

## NOT VOTING—43

Bliley	Jefferson	Roybal-Allard
Chambliss	Jones (OH)	Royce
Coburn	Leach	Salmon
Condit	Markey	Sanchez
Cook	McCollum	Skeltton
Cooksey	McIntosh	Smith (MI)
Costello	McNulty	Sweeney
Doyle	Meek (FL)	Tauzin
English	Menendez	Taylor (MS)
Ford	Norwood	Udall (NM)
Franks (NJ)	Pascarell	Vento
Greenwood	Pastor	Vitter
Hillery	Payne	Waxman
Hilliard	Pitts	
Houghton	Roukema	

1845

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

The result of the vote was announced as above recorded.

The motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. SANCHEZ. Mr. Speaker, during rollcall votes Nos. 234, 235, 236, and 237, I was unavoidably detained. Had I been present, I would have voted "aye" on all four votes.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4006

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania (Mr. WELDON) be removed as a cosponsor of H.R. 4006.

The SPEAKER pro tempore (Mr. OSE). Is there objection to the request of the gentleman from Georgia?

There was no objection.

## FREEDOM TO E-FILE ACT

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 777) to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other similar information, with a Senate amendment to the House amendments thereto, and concur in the Senate amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendments, as follows:

Senate amendment to House amendments:  
In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to E-File Act".

## SEC. 2. ELECTRONIC FILING AND RETRIEVAL.

(a) *IN GENERAL.*—Not later than 180 days after the date of enactment of this Act, in accordance with subsection (c), the Secretary of Agriculture (referred to in this Act as the "Sec-

retary") shall, to the maximum extent practicable, establish an Internet-based system that enables agricultural producers to access all forms of the agencies of the Department of Agriculture (referred to in this Act as the "Department") specified in subsection (b).

(b) *APPLICABILITY.*—The agencies referred to in subsection (a) are the following:

(1) The Farm Service Agency.

(2) The Natural Resources Conservation Service.

(3) The rural development components of the Department included in the Secretary's service center initiative regarding State and field office collocation implemented pursuant to section 215 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6915).

(4) The agricultural producer programs component of the Commodity Credit Corporation administered by the Farm Service Agency and the Natural Resources Conservation Service.

(c) *IMPLEMENTATION.*—In carrying out subsection (a), the Secretary shall—

(1) provide a method by which agricultural producers may—

(A) download from the Internet the forms of the agencies specified in subsection (b); and

(B) submit completed forms via electronic facsimile, mail, or similar means;

(2) redesign the forms by incorporating into the forms user-friendly formats and self-help guidance materials; and

(3) ensure that the agencies specified in subsection (b)—

(A) use computer hardware and software that is compatible among the agencies and will operate in a common computing environment; and

(B) develop common Internet user-interface locations and applications to consolidate the agencies' news, information, and program materials.

(d) *PROGRESS REPORTS.*—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the progress made toward implementing the Internet-based system required under this section.

## SEC. 3. ACCESSING INFORMATION AND FILING OVER THE INTERNET.

(a) *IN GENERAL.*—Not later than 2 years after the date of enactment of this Act, in accordance with subsection (b), the Secretary shall expand implementation of the Internet-based system established under section 2 by enabling agricultural producers to access and file all forms and, at the option of the Secretary, selected records and information of the agencies of the Department specified in section 2(b).

(b) *IMPLEMENTATION.*—In carrying out subsection (a), the Secretary shall ensure that an agricultural producer is able—

(1) to file electronically or in paper form, at the option of the agricultural producer, all forms required by agencies of the Department specified in section 2(b);

(2) to file electronically or in paper form, at the option of the agricultural producer, all documentation required by agencies of the Department specified in section 2(b) and determined appropriate by the Secretary; and

(3) to access information of the Department concerning farm programs, quarterly trade, economic, and production reports, and other similar production agriculture information that is readily available to the public in paper form.

## SEC. 4. AVAILABILITY OF AGENCY INFORMATION TECHNOLOGY FUNDS.

(a) *RESERVATION OF FUNDS.*—From funds made available for agencies of the Department specified in section 2(b) for information technology or information resource management, the Secretary shall reserve from those agencies' applicable accounts a total amount equal to not more than the following:

(1) For fiscal year 2001, \$3,000,000.

(2) For each subsequent fiscal year, \$2,000,000.

(b) *TIME FOR RESERVATION.*—The Secretary shall notify Congress of the amount to be re-

served under subsection (a) for a fiscal year not later than December 1 of that fiscal year.

(c) *USE OF FUNDS.*—

(1) *ESTABLISHMENT.*—Funds reserved under subsection (a) shall be used to establish the Internet-based system required under section 2 and to expand the system as required by section 3.

(2) *MAINTENANCE.*—Once the system is established and operational, reserved amounts shall be used for maintenance and improvement of the system.

(d) *RETURN OF FUNDS.*—Funds reserved under subsection (a) and unobligated at the end of the fiscal year shall be returned to the agency from which the funds were reserved, to remain available until expended.

## SEC. 5. FEDERAL CROP INSURANCE CORPORATION AND RISK MANAGEMENT AGENCY.

(a) *IN GENERAL.*—Not later than December 1, 2000, the Federal Crop Insurance Corporation and the Risk Management Agency shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a plan, that is consistent with this Act, to allow agricultural producers to—

(1) obtain, over the Internet, from approved insurance providers all forms and other information concerning the program under the jurisdiction of the Corporation and Agency in which the agricultural producer is a participant; and

(2) file electronically all paperwork required for participation in the program.

(b) *ADMINISTRATION.*—The plan shall—

(1) conform to sections 2(c) and 3(b); and

(2) prescribe—

(A) the location and type of data to be made available to agricultural producers;

(B) the location where agricultural producers can electronically file their paperwork; and

(C) the responsibilities of the applicable parties, including agricultural producers, the Risk Management Agency, the Federal Crop Insurance Corporation, approved insurance providers, crop insurance agents, and brokers.

(c) *IMPLEMENTATION.*—Not later than December 1, 2001, the Federal Crop Insurance Corporation and the Risk Management Agency shall complete implementation of the plan submitted under subsection (a).

## SEC. 6. CONFIDENTIALITY.

In carrying out this Act, the Secretary—

(1) may not make available any information over the Internet that would otherwise not be available for release under section 552 or 552a of title 5, United States Code; and

(2) shall ensure, to the maximum extent practicable, that the confidentiality of persons is maintained.

Mr. LAHOOD (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment to the House amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. STENHOLM. Mr. Speaker, I rise to support the House in concurring with the Senate amendment and passing S. 777, otherwise known as, the Freedom to E-File bill.

I have long been a proponent of initiatives at USDA to provide better service to farmers and ranchers through streamlining and the use of new technologies, while at the same time saving taxpayer dollars.

Growing numbers of farmers and ranchers are using home computers. This fact, coupled with budget demands, is putting enormous pressure on USDA's field service employees. It is therefore imperative that USDA take advantage of the internet for the efficiencies it

can offer. Doing so will benefit overworked field service staff, save taxpayer dollars, and allow farmers and ranchers to spend more time on their operations and less time visiting USDA offices.

For these reasons, I believe USDA must improve electronic access to its programs and services. Consequently, I support S. 777, the Freedom to E-File bill.

While I support the goals of this bill, I would prefer a more comprehensive look at USDA reorganization and modernization. Unfortunately, it appears that changes at USDA are only going to be made on an incremental basis.

Mr. Speaker, I urge my colleagues to support this bill.

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

There was no objection.

The motion to reconsider is laid on the table.

#### GENERAL LEAVE

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 777.

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

There was no objection.

**AUTHORIZING PRESIDENT TO AWARD GOLD MEDAL ON BEHALF OF CONGRESS TO CHARLES M. SCHULZ**

Mr. LEACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3642) to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

#### SECTION 1. FINDINGS.

*The Congress finds the following:*

(1) Charles M. Schulz was born on November 26, 1922, in St. Paul, Minnesota, the son of Carl and Dena Schulz.

(2) Charles M. Schulz served his country in World War II, working his way up from infantryman to staff sergeant and eventually leading a machine gun squad. He kept morale high by decorating fellow soldiers' letters home with cartoons of barracks life.

(3) After returning from the war, Charles M. Schulz returned to his love for illustration, and took a job with "Timeless Topix". He also took a second job as an art instructor. Eventually, his hard work paid off when the Saturday Evening Post began purchasing a number of his single comic panels.

(4) It was in his first weekly comic strip, "L'il Folks", that Charlie Brown was born. That comic strip, which was eventually renamed "Peanuts", became the sole focus of Charles M. Schulz's career.

(5) Charles M. Schulz drew every frame of the "Peanuts" strip, which ran 7 days a week, since it was created in October 1950. This is rare dedication in the field of comic illustration.

(6) The "Peanuts" comic strip appeared in 2,600 newspapers around the world daily until January 3, 2000, and on Sundays until February 13, 2000, and reached approximately 335,000,000 readers every day in 20 different languages, making Charles M. Schulz the most successful comic illustrator in the world.

(7) Charles M. Schulz's television special, "A Charlie Brown Christmas", has run for 34 consecutive years. In all, more than 60 animated specials have been created based on "Peanuts" characters. Four feature films, 1,400 books, and a hit Broadway musical about the "Peanuts" characters have also been produced.

(8) Charles M. Schulz was a leader in the field of comic illustration and in his community. He paved the way for other artists in this field over the last 50 years and continues to be praised for his outstanding achievements.

(9) Charles M. Schulz gave back to his community in many ways, including owning and operating Redwood Empire Ice Arena in Santa Rosa, California. The arena has become a favorite gathering spot for people of all ages. Charles M. Schulz also financed a yearly ice show that drew crowds from all over the San Francisco Bay Area.

(10) Charles M. Schulz gave the Nation a unique sense of optimism, purpose, and pride. Whether through the Great Pumpkin Patch, the Kite Eating Tree, Lucy's Psychiatric Help Stand, or Snoopy's adventures with the Red Baron, "Peanuts" embodied human vulnerabilities, emotions, and potential.

(11) Charles M. Schulz's lifetime of work linked generations of Americans and became a part of the fabric of our national culture.

#### SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The President is authorized to award posthumously, on behalf of the Congress, a gold medal of appropriate design to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world.

(b) DESIGN AND STRIKING.—For the purpose of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

#### SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2 at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, overhead expenses, and the cost of the gold medal.

#### SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

#### SEC. 5. FUNDING AND PROCEEDS OF SALE.

(a) AUTHORIZATION.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed \$30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

Amend the title so as to read: "An Act to authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes."

Mr. LEACH (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. LEACH. 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. 3642.

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

There was no objection.

**COMMUNICATION FROM STAFF ASSISTANT OF HON. GEORGE RADANOVICH, MEMBER OF CONGRESS**

The SPEAKER pro tempore laid before the House the following communication from Michelle Giannetta, Staff Assistant of the Honorable GEORGE RADANOVICH, Member of Congress:

May 26, 2000.

Hon. DENNIS J. HASTERT,

Speaker, U.S. House of Representatives.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony and documents issued by the United States District Court for the Eastern District of California.

Afer consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

MICHELLE GIANNETTA,  
Staff Assistant.

#### 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.

#### DISTURBING TRENDS IN THE MIDDLE EAST

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

Mr. FRANK of Massachusetts. Mr. Speaker, I want to talk about some disturbing trends in the Middle East. I admire enormously the commitment of Prime Minister Barak of Israel to try to find a peaceful solution to many of the disputes that have troubled the region. I believe historically the record is very clear that Israel sought it first to live in peace with its neighbors. It was forced to resort to armed conflict to defend itself.

Prime Minister Barak to his credit has been willing now after 50 years and

more of conflict to take some risks for peace. That is not always unanimously agreed upon within Israel. Israel is, as we know, the only genuine democracy in this part of the world. The people of Israel are contentious in some ways as befits people in a democracy when important issues are at stake. And Prime Minister Barak to me is an admirable example of an elected official who is trying to lead in the direction that he thinks is important.

And in so doing, he has espoused some positions that he believes and I believe will lead to a lasting peace if they meet with an appropriate response from those with whom he seeks to negotiate. What is especially troubling to me has been the negative responses his initiatives have drawn.

His offer to withdraw from the Golan Heights is really by historical standards an extraordinarily generous one. Very few nations which have won this sort of strategic territory and battle have voluntarily given it up, even in the face of the kind of hostility that Syria has evinced towards Israel. But Prime Minister Barak, taking a request politically based on his military judgment, which obviously everyone who knows him respects, was willing to make a deal with the Syrians in which Israel would have given up that very large strategic amount of territory with some safeguards, and essentially, President Assad of Syria refused any kind of reasonable deal.

Interestingly, had Assad agreed to the deal, it would have been controversial within, as real as having given too much to Syria, but Syria would not accept that. For years, people have been urging Israel to withdraw from Lebanon. There is a U.N. resolution that says Israel should withdraw from Lebanon. When the negotiations with Assad ended, because I believe of Assad's unreasonable hostility, Prime Minister Barak again courageously said, I will withdraw unilaterally from Israel; and one of the most extraordinarily depressing reactions I have seen people who had for years had been pressing Israel to withdraw then began to attack Israel for withdrawing unilaterally, as if they needed permission to do what people had been berating them for not doing.

And what happened when Israel withdrew was an outburst of hostility and of inappropriate behavior in much of Lebanon which can only strengthen the hands of those who believe within Israel that Prime Minister Barak has been making a mistake. So in these two important areas with regard to Syria and to Lebanon, you have an elected official, a democratic leader of his country, taking some risks for peace and being met with an extraordinarily hostile reaction; and then, finally, we had a few weeks ago violence on the part of many in the Palestinian areas, including gunfire between the Palestinian authority in Israel.

Again, I want to stress Israel has in the past couple of decades beginning

with Prime Minister Begin in the Sinai, engaged in more withdrawal from territory it had been forced to fight to conquer than almost any nation I can think of. And I am talking now about turning it over to the enemies, not with a period of demilitarization. It is not like America, the allies keeping Germany in a very subordinate position for a long time that was not being occupied. It was simply turned over in many cases, and to see the negative reactions from Syria, from people in the south of Lebanon, the more extremists there and within the Palestinian community, is very troubling to me.

I admire the willingness of Prime Minister Barak to persevere. I believe he does this because he understands what is truly in his country's long-term interests. I hope the United States Government will continue to be a strong supporter and partner of Israel and, in particular, make it clear to the extent that Israel does withdraw from some of these areas, potentially exposing itself to some of the problems that might come up that the United States will continue to be a reliable partner. But it has to be noted that the kind of negativism, the kind of extreme hostility which Prime Minister Barak's openness has called from on the part of many Arabs cannot be helpful.

I admire, as I said, Prime Minister Barak for not being deterred by this. He is not allowing the extremists to undermine his efforts, but they ought to understand and people elsewhere ought to understand that there is a price to be paid for this. So I hope, Mr. Speaker, that as Prime Minister Barak goes forward in partnership with the U.S., we will begin to see responsible leaders in the Arab world exercise the kind of reciprocal approach that the prime minister's courage deserves.

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

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

#### CONDEMNING A BOUNTY OFFERED FOR BORDER PATROL AGENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, under ordinary circumstances, I would not rise to the floor of the House to discuss as delicate an issue as this if we had been briefed by law enforcement officials, the Department of Justice or the Border Patrol, for the issue is so troubling that I do not even think Americans would want this kind of terrible proposal to be promoted.

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But the fact that article was in the Houston Chronicle today brings me to

the necessity of addressing this question publicly. "Bounty Offered for Killing Agent of Border Patrol," Houston Chronicle, today, Tuesday, June 6, 2000.

The reason I come to the floor of the House is to condemn any such attempt to put a bounty or to ask for an assassination of any of America's law enforcement officers or, for that matter, anyone in the United States who are lawfully performing their duties.

This request for a bounty on a Border Patrol agent has been asked for by Mexican activist Carlos Ibarra Perez. Certainly, the border between the State of Texas and the other border States and Mexico has had some troubling times. Yes, there has been an infusion of illegal immigrants. There have been acts that have been acted upon by citizens illegally trying to protect their properties. But I think that it is important for those of us who have responsibility and oversight over law enforcement personnel throughout this Nation to condemn this heinous request, to indicate that there is no reason that anyone should call for a bounty and for an act to assassinate or kill another human being and particularly in this instance.

This also calls for this Congress to act expeditiously to provide the extra funding that will necessitate or provide for extra Border Patrol along that border.

In addition, I will be asking the Department of Justice to provide more FBI agents in that area to ensure that this may be what I believe it is, an idle threat. But no life should be taken for granted. And though we have much to do at the border to protect all the individuals who are there, Border Patrol, those who see the necessity to come into this country illegally, and that is wrong, but to protect the area and the people who live there and the lives of people who are in the midst of that, if you will, confusion.

But to be able to sit idly by while someone calls for the assassination of a Border Patrol agent, any Border Patrol agent, is intolerable and should not be accepted.

I am asking that we continue to monitor that area, that the Department of Justice keeps a watchful eye, that more funds are provided for Border Patrol agents, along with more training, and that increased law enforcement is added to that area to ensure the protection of the protectors.

There is no excuse that we should stand idly by, as I have indicated, while these kinds of threats are made whether or not this is a citizen of Mexico. And let me applaud the leadership of Mexico and the foreign policy representatives of Mexico who have, likewise, condemned this travesty.

But this kind of public display of disrespect for the law and disrespect for human life is not to be tolerated; and I, for one, will not tolerate this kind of bounty being set upon law enforcement officers who are doing their job.

I am shamed that this has even happened. I ask for Carlos Ibarra Perez to

withdraw such a request. I ask for those who even may be thinking of it to not even dare. And I ask the law enforcement of this country to provide the necessary protection and support for these law enforcement officers, the U.S. Border Patrol, who are doing simply their job.

#### CLEAR ACT OF 2000

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

Mr. DEMINT. Mr. Speaker, as chairman of the Citizen Legislators Caucus and on behalf of many of my colleagues in the Caucus, I am proud to introduce today the Citizen Legislature Empowerment through Access to Resources bill, or, more simply, the CLEAR Act of 2000.

The Citizen Legislators Caucus was established to enhance the effectiveness of term-limited Members of Congress through a positive and constructive agenda. One of the priorities of our Members is working with other Members of Congress to advance legislation that encourages citizen representation and citizen involvement in Government.

Citizen legislators are the lifeblood of a representative democracy. I am honored to serve with so many honorable men and women in this body who have put aside successful careers in other areas of life to come here for a short time to represent their districts and serve their country. Doctors, lawyers, farmers, teachers, small businessmen, people from all walks of life come here for a time to help secure the future of our country and then return home to move on to other areas of service.

I believe such an attitude of service and representation is in keeping with the best examples of our Founding Fathers, as embodied most profoundly in the life of George Washington. President Washington held his positions of leadership in our country, including the presidency, as something with which he was entrusted for a limited time, not for a lifetime.

Our country is a democracy, and a well-informed citizenry is the most important asset of any democracy. Over the past few years, we have worked to put in place a number of important reforms that have changed the way Congress works, giving greater information, access, and control to the people. We have cut committee sizes, we have imposed term limits on committee chairman, and made common sense decisions, such as Congress abiding by the same laws as the rest of the country must live under.

As we move into the 21st century, the Internet provides an incredible opportunity for Congress to continue our reform agenda. We must open the door to Congress for the citizens to see more of what we do and why we do it. The

CLEAR Act allows for the posting of reports and issue briefs prepared by the Congressional Research Service for Members of Congress on Member and committee Web sites. The American people, students, teachers, small businessmen, farmers should be able to get this information and facts on which we as Congress base our decisions.

As we work to secure the future of our country, it is important to provide the people with the greatest information possible about their Government. This is a common sense next step in reforming our Government and returning decisions and freedom to the people.

This in no way changes the primary purpose of the Congressional Research Service, which is to serve Congress; but it gives an additional window to the citizens to understand the workings of their Government and see some of the resources we have available.

There is an entire library of resources we could be making available to citizens, information we have at our fingertips and often mail out to our constituents on a regular basis; and yet these resources cannot now be made available to American citizens in the same timely and complete manner on the Web.

This legislation that I am introducing today moves such sharing of information by Members to the public into the next century. I am pleased that many of my colleagues are taking advantage of the Internet with their committees and often Web pages to provide citizens with hearing transcripts and testimonies and copies of the CONGRESSIONAL RECORD.

As we move into the 21st century, I believe reports prepared by the Congressional Research Service should be included, as well.

We live in a democracy, a government of the people, by the people, and for the people; and we must give a clear view of what is going on in the Government to the people. That is why we are introducing the CLEAR Act today.

I look forward to working with the Congressional Research Service, the gentleman from California (Chairman THOMAS), and the Committee on House Administration and other interested Members of Congress to make what we do a lot clearer to our voters and continue to reform our Congress as we move into the new millennium.

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

(Mr. VITTER 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 Indiana (Mr. BURTON) is recognized for 5 minutes.

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

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

(Mrs. CHENOWETH-HAGE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

#### REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the Congressional Record revisions to the allocation for the House Committee on Appropriations pursuant to House Report 106-623 totaling \$1,271,000,000 in additional new budget authority and \$723,000,000 in additional outlays. This will change the allocation to the House Committee on Appropriations to \$601,681,000,000 in budget authority and \$625,915,000,000 in outlays for fiscal year 2001. Budgetary aggregates will increase to \$1,529,886,000,000 in budget authority and \$1,495,136,000,000 in outlays for fiscal year 2001.

As reported to the House, H.R. 4577, the bill making fiscal year 2001 appropriations for the Department of Labor, Health and Human Services, Education and Related Agencies, includes \$801,000,000 in budget authority and \$315,000,000 in outlays for emergencies; \$450,000,000 in budget authority and \$396,000,000 in outlays for continuing disability reviews; and, \$20,000,000 in budget authority and \$12,000,000 in outlays for adoption incentive payments.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Dan Kowalski or Jim Bates at 67270.

#### HEALTH CARE FOR CHILDREN IN TEXAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 60 minutes as the designee of the minority leader.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, for the 60 minutes, we plan to address the House on health care for children in Texas. I will be joined by several Members.

My colleagues can see, Mr. Speaker, that this ad has a child that has on boxing gloves. Our children should not have to fight to get health care coverage that they truly deserve.

A child born in the year 2000 is far more likely to grow up healthy and to reach adulthood than a child that was born in 1900. Over the past 100 years, our Nation's scientific, technological, and financial resources have built the most advanced health care system in the world. But the doors of health care still remain shut to some.

Millions of children have inadequate medical care. Ensuring that every child in our Nation receives the best possible health care, we must have a top priority in this Nation. To a large extent, health status is still determined by race, language, culture, geography, and economics.

In general, children in low-income communities get sick more often from preventable acute and infectious illnesses, such as measles, conjunctivitis, and ear infections. Low-income children and teens are also more likely to suffer from chronic medical conditions, such as diabetes and asthma. These are the leading causes of school absences.

In fact, the sharpest increases in asthma rates are among the urban youth. Very prevalent. Despite the tremendous advances in medical technology and public health, millions of children have less of a chance to grow up healthy and strong because of unequal access to health care.

Texas is a perfect example. Children without health insurance or a regular source of health care are more likely to seek care from emergency rooms and clinics, which have long waits to see a provider, limited follow-up, and little to no health education about preventive strategies or ways to manage a chronic illness.

Compared with insured children, uninsured children are up to eight times less likely to have a regular source of care, four times more likely to delay seeking care, nearly three times less likely to have seen a provider in the last past year, and five times more likely to use emergency room as a regular place of care.

There is no question that insurance is key to maintaining health. When Medicaid was initiated in 1965, infant mortality rates began to decrease, and that continues today.

The health insurance status of children through age 18 in Texas compared to that of the rest of the country. On this next chart, imagine 100 children from Texas standing in front of us, 54 of these children are insured through private employer-based policies; 24 percent are uninsured; 22 percent are covered through Medicaid. This equals to about 1.4 million of the 6 million children in Texas without health insurance.

On our next chart, just imagine 100 children from all over the country standing in front of us. Sixty-four percent of these children are insured through private employer-based programs; 21 are covered through Medicare; 15 are uninsured.

Why is it that Texas's percentage of uninsured children is higher than the

Nation's average? The reason is due to a Texas Government that chooses not to take advantage of the government funding that will allow many children to be insured.

I just read a news clipping here talking about the millions of dollars that is turned back or unused in the Federal Government simply because we have not enrolled these children. It is unfortunate that we have a Government so benign in Texas that will not enroll the children.

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As a matter of fact, Texas can expand its Medicaid coverage to the age of 18 and cover those whose income is up to 300 percent of the Federal poverty level. Presently, Texas only covers children up to age 18 and whose income is 100 percent of the Federal poverty level with title XXI funds. There is something grossly inadequate about how we take care of our children and their health care in Texas. Over half of all States have expanded the coverage to 200 percent and beyond.

The next chart shows income eligibility levels for children 1 and older in Medicaid and separate State programs. This chart shows that most States have expanded health care coverage to children in title XXI funds. This coverage is provided through Medicaid expansions and/or separate insurance programs. Why, then, Texas? Ten States offer Medicaid to those with incomes up to 150 percent of the Federal poverty level. Texas falls within that category. Texas falls at the bottom. Our children fall at the bottom.

There are several colleagues that I have here, Mr. Speaker, who will also make comments on whether or not our children are being treated fairly if they have to simply fight for the health care they deserve.

I yield to the gentleman from Texas. Mr. HINOJOSA. Mr. Speaker, I thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for the work that she is doing, and I agree with her opening remarks that our children should not have to fight to get the health care coverage that they deserve.

Mr. Speaker, I am happy to announce that for the first time, a Children's Health Insurance Program, or CHIP, is available in South Texas. CHIP is low-cost health insurance provided under a State-subsidized insurance program. Any Texas uninsured children, newborns through age 18, are eligible. All costs are flexible and based on family income. For example, a family of four qualifies if the household income is \$34,000 or less. If they make more than that, they can qualify for greatly reduced insurance through another program, Texas Healthy Kids.

The CHIP operates like a health maintenance organization, or HMO. It is run by the TexCare Partnership which partners with all 254 Texas counties to sponsor services through one of three different plans. One is CHIP, two is Medicaid, and three is the Texas

Healthy Kids. CHIP provides services such as hospital care, surgery, x-rays, therapies, prescription drugs, mental health and substance abuse treatment, emergency services, eye tests and glasses, dental care and regular health care checkups and vaccinations.

For Texas, CHIP is funded from the proceeds of our tobacco settlement with the tobacco companies a couple of years ago. It is critically important in our State because Texas has the highest rate of uninsured in the country. Unfortunately, Texas has the Nation's second highest number of uninsured children. The worst problem we have is that not enough parents are using this great program.

South Texas, in particular, has carried the burden of uninsured children for many years. About 1.4 million of Texas' 5.8 million children lack health insurance, but 470,000 of them are now eligible for coverage under CHIP. Almost one-fourth, or 109,000, of the newly-eligible kids live on the Texas-Mexico border. When children do not have the health insurance, they have to rely on costly medical treatment at the last minute. This threatens the child's future well-being. But now we have a true opportunity to change that. CHIP will give a lot of children the opportunity to lead healthy lives without the fear of getting sick.

Let me share a quote from a lady from my district who recently went through the enrollment process. She said: "My husband and I are hard-working middle-income people who were disqualified from Medicaid because I became employed. We have two incomes, and we can't afford insurance. Now we are told by the TexCare Partnership we will have insurance for our children with low premiums and low copayments that we can afford. My children have health care when they need it."

CHIP was first implemented in 1998 to address a national crisis, almost 12 million children that were without insurance. In Texas, we are now able to offer insurance to approximately half a million children that otherwise would have none. While we can make this offer, it is up to each parent or guardian to enroll or at least inquire about getting their children in this program.

Believe it or not, the hardest part of the CHIP program is getting parents to enroll their children. Most parents need to take advantage of this genuinely great program. I want to stress that even if a parent has never qualified for health insurance for their children before, now they can. CHIP solves the cost problem for many Texas families. In CHIP, many families will only pay an annual fee of \$15 to cover all their children in this plan. Some higher-income families will pay monthly premiums of \$15 or maybe \$18 which covers all children in the family. Most families will also have copayments for doctor/dental visits, prescription drugs, and emergency care. And families must reenroll their children once a year.



Mr. Speaker, children can only get this insurance if their parents apply. I hope all parents listening will take the initiative and make certain their children are enrolled. The application process is simple and straightforward. Any Texan can call my office in McAllen or in Beeville to get the number for the CHIP hotline. If parents want local assistance or information in my congressional district, they can call my office for that number or visit any public library in Hidalgo County or in Bee County to pick up a bilingual brochure and application.

Ms. EDDIE BERNICE JOHNSON of Texas. Could the gentleman tell me why we are just beginning to talk about this information since this has been available for a while?

Mr. HINOJOSA. It has been a fight to get the Texas leadership in the legislature to move the decision-makers to get this enrollment process going. I know that in my office we have been fighting on this for at least 18 months. I can assure the gentlewoman that I am delighted to see it finally get started, because it will stop the suffering of many of the working families that I represent in the 15th District.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. I thank the gentlewoman from Texas for yielding. Mr. Speaker, I rise to address this issue of children's health insurance. I want to commend the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for the work that she is doing in this regard, the gentleman from Texas (Mr. HINOJOSA), and the other Members that we are going to be hearing from. As a government worker, I am guaranteed that my children will have access to quality health care. This knowledge brings me some peace of mind. As it stands, many parents in my home State of Texas do not have this same peace of mind. In fact, many children who are eligible for State or Federal programs are needlessly foregoing quality health care or receiving care in expensive emergency situations only.

As a Member of Congress and as a father, I believe that every family deserves to share the peace of mind that I have today. That is why I am working to reform the current children's health care insurance system. Medicaid and the new State Children's Health Insurance Program, S-CHIP, are the two key publicly funded health insurance programs that offer coverage for low-income adolescents in Texas today. Medicaid provides health insurance coverage for more than 40 million individuals, mostly women, children and adolescents, at an annual cost of about \$154 billion in combined Federal and State funds.

In addition to these funds, S-CHIP made available approximately \$48 billion in Federal funds over 10 years to help States expand health insurance coverage to low-income children and youth. S-CHIP works to subsidize fami-

lies with income levels not covered by the Medicaid program. Funded with Federal block grant dollars and State matching dollars, S-CHIP is a health insurance program for children in families who make too much money to be eligible for Medicaid but who cannot afford other private insurance options.

Mr. Speaker, Texas gained a major victory during the 1999 legislative session when it passed S-CHIP. This State program will help affordable health insurance for families earning up to 200 percent of the Federal poverty level. The Federal Government currently allows coverage to children as high as 300 percent. Together, these programs provide many uninsured children in Texas with quality health care.

While the combination of S-CHIP and Medicaid offers powerful opportunities to reduce the percentage of uninsured children in the United States, we can do more. Despite the recently passed S-CHIP program, my home State still has the second highest rate of uninsured children in the country. At the present time, there is a pressing and undisputable need for eligibility reforms and aggressive outreach to low-income families in Texas. Statistics show that Texas is ineffective in retaining low-income kids on Medicaid. Part of this failure can be attributed to the red tape that unnecessarily burdens the neediest families in Texas. The bureaucratic hurdles that must be overcome to receive Medicaid eligibility in Texas include a face-to-face interview, an assets test, no continuous eligibility, and no presumptive eligibility.

Fortunately, Texas has been given the opportunity to adopt less restrictive methods for counting income and assets for family Medicaid. Without these changes, enrollment will continue to be difficult and complex for applicant families that are referred to Medicaid, many of whom will have a child eligible for CHIP and another one eligible for Medicaid.

Texas can make the system more navigable by implementing a few simple changes. These changes include eliminating the assets test for children's Medicaid, ending the requirement for face-to-face application, adopting uniform statewide documentation and verification options for Medicaid and Texas CHIP, and, finally, adopting 12-month continuous eligibility for children's Medicaid.

At a time of unprecedented prosperity, it is untenable for children to not have access to basic health care. Even more absurd is the fact that many of these sick children are eligible for State and Federal health insurance programs. The time to act is now. We cannot sit idly by and watch our children suffer needlessly. The solution is in our hands.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this has been available now for at least 2 years. We have already talked about the fact that when people have a language problem

or they live a long ways from where they might be able to get health care relief, it is usually the lowest income which means usually the least well educated.

Has Texas taken on any leadership or responsibility to try to be sure that we can spread the word to the persons who are eligible?

Mr. LAMPSON. We certainly should be. We need to spread that word, because what it is doing it is encouraging people to go into the most expensive areas to seek the care that they need. That may be a hospital emergency room. A hospital in my hometown and other hospitals within my district are grossly strapped right now because of the closing of so many, just as an example, rural health care facilities that have lost their ability to continue to offer services across this country.

As this group of people, the children about which we are speaking right now, also find their way into these same facilities, we are driving the cost of health care up to the point where it is causing others not to have access. Where we can do something about it and help fix this problem and make it easier for those to gain the access that they so richly deserve and that we want them to have so that their health does not have an adverse effect on the rest of us in society, then certainly we ought to be taking the opportunity to do it.

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Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, according to the New York Times, on Sunday, May 21 of this year, Texas had not spent any of the dollars allocated to take care of these children that are poor.

Mr. LAMPSON. Mr. Speaker, if the gentlewoman will yield, that is obviously very, very, very wrong. We have the opportunity to help children, we have the opportunity to help people, and if we cannot reach out and let them know, and make certain that they know about the programs that can provide a better quality of life, then we make serious mistakes. That is why I commend the gentlewoman for the work that she is doing in trying to accomplish just that task.

We can make a difference in people's lives if the word can reach them, if we can do the things that help make their task a little bit easier in getting the quality of care that they need and deserve. I thank the gentlewoman for doing that, and I thank her for sharing the time this evening.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman for this emphasis on a very important issue. To even begin to think of the great need of children with respect to health care and not respond to their need seems to be a travesty and a tragedy.

I could not help but listen to the dialogue that the gentlewoman had with our colleague, the gentleman from Texas (Mr. LAMPSON). It seems certainly that there has been a problem with the leadership from the executive of the State of Texas and particularly the Texas Department of Health. Although there may be other issues that they have excelled on, this is one that has seen a great vacuum in leadership.

I remember following the work of the State legislature, and many of the legislators from the urban centers had to work very hard to ensure that the funding for the CHIPS program included children beyond the age of 12. The initial effort by the Texas Department of Health and the governor's office was to only provide these CHIP monies for children up to 12, and many of them with the encouragement of many of us in Congress and the questioning of many of us in Congress, asked the question: Do you mean a child does not get sick after age 13?

It seems to me an outrage. I want to applaud those legislators who took the leadership and demanded that they address the question of the needs of good health care, like Sylvester Turner and Rodney Ellis and Garnett Coleman and I am sure that I am leaving out many others around the State, who were actively involved in pressing the point that we needed to have this kind of funding for children beyond the age of children.

Mr. Speaker, it has already been said that Texas is at the bottom of retaining low-income kids on Medicaid since welfare reform in 1996. It also has been noted that Texas has the highest rate of uninsured in the country, and Texas has the second highest rate of uninsured children in the Nation. But what also needs to be noted is that right now in the State of Texas, some 500,000 children qualify for CHIP, and that means, that symbol that the gentlewoman has, the picture of that baby that says, do our children have to really fight, or should our children have to really fight to get good health care. With 500,000 children already qualifying for CHIP, it seems that we are behind the times in moving forward to ensure that this program works. It is well known that Texas has been slow compared to other States in implementing CHIP.

This is not to say that we do not have some very committed health professionals in our own local communities who have been begging for the CHIP program to be implemented. Children enrolled in Texas CHIP can get a comprehensive benefits package which include eye exams and glasses, prescription drugs and limited dental checkups and therapy, all of the items that provide for a healthy child.

Just last week in my district, Senator PAUL WELLSTONE and myself held hearings on mental health. I know we do not have mental health parity, but to hear the parents of children come forward and cry out for needed services in mental health for diagnostic serv-

ices, for counseling services, knowing full well that we need to keep working toward parity, that is also health care that parents need.

So we can see that the CHIPS program is long overdue in our community. To avoid a logistical nightmare for both the State and parents, Texas should act as quickly as possible to implement changes in children's Medicare eligibility. To reinforce what has been said, we need to eliminate the access test for children's Medicaid. Texas now makes parents of Medicaid-eligible children document not just income, but also the value of savings, IRAs, automobiles, and valuables. There is a lot better way to do it, and we can utilize the Federal law that is used by the Federal Government in 40 States, plus the District of Columbia.

It is important to drop the requirement for face-to-face applications, recertification interviews, because we realize that parents are very busy. We should allow mail-in applications. This is not required by Federal law. Thirty-eight States, plus the District of Columbia, allow mail-ins. So it is important that as we deal with the elimination of assets which are not required by the Federal Government, nor required by 40 States, we can then make more easier, if you will, the ability for these parents to apply and become eligible for CHIP.

The main point that I think we are trying to impress upon our State and the focus of this Special Order that I think is so very important is our children are voiceless. Their parents are fighting for them, but they are the ones who every time a ballot is cast, a child cannot vote, yet they are in need of the good health care that this CHIPS program would allow.

Mr. Speaker, I would hope that the State of Texas would see the value of responding to the needs of our children and quickly eliminate the complicated process that keeps this CHIPS program from being implemented. I think it is important that we get leadership from the State, and I think it is most important that the Texas Department of Health establish a focus that says in a certain period of time, we will ensure that the CHIPS program is working throughout the entire State, and that that needs to be done now.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, reclaiming my time, statistics tell us that more and more children are being absent from school because of asthma, and yet, it has been determined that we have one of the worst environments in the Nation, so bad that Oklahoma is complaining that we are polluting parts of Oklahoma. If we have this available and not making any effort to cover the children while we are also providing an environment that is conducive to making them even more unhealthy, what does this tell us? Is there any compassion in Texas?

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentlewoman will yield,

it seems like we are lacking a great deal of compassion, and the gentlewoman has hit the nail on the head. Healthy children make healthy adults. Children are apt to get all manner of childhood diseases and ailments. Asthma is one of the most devastating childhood diseases that lead into adult asthma. We do have a problem in our respective communities with air quality. We are fighting that problem well now. In fact, as the gentlewoman well knows, she was one of the supporters, and I continue to support, the Mickey Leland Toxic Center that is located in the Texas Medical Center that deals with air quality standards and does the research on respiratory diseases. We find that many children have them.

I believe that there is no compassion in this State if we cannot get the CHIPS program implemented to provide for the children of this State when the program has been passed by this Congress under the Balanced Budget Act since 1997. This is now the year 2000. Why does not the State of Texas, 43rd, if you will, in the care of mental health and some very low number, I know, in the care of health period having the highest number of uninsured cannot provide the CHIPS program for their children. I think that we need to show a great deal more compassion on behalf of Texas children and the Nation's children and ensure that these children do have insurance to make them healthy children and then healthy adults.

Mr. Speaker, I am happy to rise in support of our nation's increased investment in childcare in the form of insurance coverage. A serious oversight has occurred when studies and statistics show a large portion of children that are not covered by medical insurance.

Nationally, over 11 million of our nation's children—one in seven of those children living in the United States are uninsured. Two-thirds of these children live in families with income below 200 percent of the poverty level (\$33,400 for a family of four in 1999).

Many escape through the cracks simply because they do not fit the description policy makers have in regards to poverty. Low-income uninsured children typically live in two-parent, working households and have little contact with the welfare system.

In the same instance, families who are below standard income have the misfortune of being undereducated regarding the health benefits they and their children have access to through their entitled aide. Forty-one percent of parents of these eligible uninsured children postponed seeking medical care for their offspring because they could not afford it.

A much-needed solution for adolescents who need insurance comes in the form of Medicaid and the new State Children's Health Insurance Program (CHIP). These two key organizations are publicly funded health insurance programs that offer coverage for low-income adolescents.

These programs enacted by Congress more than thirty years apart, both augment and complement each other. While each has distinctly different characteristics, together they offer a powerful opportunity to reduce the percentage of uninsured adolescents in the

United States and to increase adolescents' access to health care.

I must ask that as my colleagues deliberate this week on the real and necessary benefits of the defense appropriations to our nation's security, that they also consider the benefit to domestic security, which is created by their support of health care for all of our nation's youth.

Medicaid provides health insurance coverage for more than 40 million individuals—most are women, children, and adolescents—at an annual cost of about \$154 billion in combined federal and state funds.

Eligibility for Medicaid is determined by each state according to its specific guidelines. However, the federal government specifies the mandatory eligibility categories and the optional eligibility categories.

Medicaid is significantly affected by several of the mandatory and optional eligibility categories.

The State Children's Health Insurance Program made available approximately \$48 billion in federal funds over ten years to help states expand health insurance coverage to low-income children and youth.

Federal law permits states to use CHIP funds to expand coverage in three ways: through Medicaid expansions; state-designed, non-Medicaid programs; or a combination of these two approaches.

SCHIP, is funded with federal block grant dollars and state matching dollars, as a health insurance program for children in families who make too much money for Medicaid, but who cannot afford other private insurance options.

SCHIP has extended coverage to an additional 2 million children who do not qualify for Medicaid. Yet millions of children are believed to be eligible for these programs, but remain uninsured.

Uninsured youth will benefit from Medicaid and CHIP only if the states in which they live chose to extend eligibility and if states then work to enroll them. This requires more than working with funding for these programs. It entails communicating to the community that needs the service that something is available.

SCHIP benefits depend heavily on program design and state discretion. States currently cover children whose family incomes range generally from below the Federal poverty level (FPL) to as high as 300 percent of poverty.

Even when adolescents are enrolled in insurance programs that provide comprehensive benefits, a number of other factors influenced whether adolescents actually receive the services they need. These include affordability, confidentiality, and availability of providers with expertise and experience in caring for adolescents.

In Texas the rate of uninsured is higher than any other state in the country. In particular Texas has the second highest rate of uninsured children in the nation. In an attempt to combat this high rating the state of Texas has combined the options available to states in order to expand health insurance coverage. This combination includes expansion of Medicaid and state-designed, non-Medicaid programs.

Texas covers children whose family incomes range from below the FPL to 200 percent of poverty. The Federal government allows coverage to children as high as 300 percent.

#### TEXAS—STATISTICS

Texas has the highest rate of uninsured in the country.

Texas has the second highest rate of uninsured children in the nation.

There are 1.4 million uninsured children in Texas—600,000 are eligible for, but not in Medicaid; nearly 500,000 qualify for CHIP.

Texas attempt to combat the number of uninsured children by combining the options available to states in order to expand health insurance coverage. Texas' combination includes the expansion of Medicaid and state-designed, non-Medicaid programs.

At present time, there is a need for eligibility reforms and aggressive outreach for low-income health programs in Texas.

Texas is at the bottom of retaining low-income kids on Medicaid since welfare reform in 1996.

193,400 Texas children fell off the Medicaid rolls during the past three years, a 14.2 percent decline.

Medicaid data collected finds an increase in the number of people enrolled in Medicaid in June 1999 compared to June 1998, but the magnitude of this success rate is dampened due to the decline of Medicaid in nine states—one of them was Texas.

The status quo in Texas is that children (up to age 19) in families with incomes at or under 100 percent of the federal poverty income level (FPL, \$14,140 for a family of 3) can qualify for Medicaid.

Drop the requirement for face-to-face application/re-certification interviews for children's Medicaid. (Allow mail-in applications.) This is not required by federal law, and 38 states plus the District of Columbia allow mail-in application for children. Three states also allow community-based enrollment outside the welfare office.

Adopt and publicize for children's Medicaid the same simple, flexible documentation and verification options used for Texas CHIP. To make a joint mail-in application feasible, children's Medicaid and CHIP must accept the same documents for income and other required verifications. Children's Medicaid documentation should be identical statewide, to make a true joint CHIP-Medicaid mail-in application possible. Federal law allows states to reduce income documentation for children's Medicaid in any way, or even to eliminate it in favor of using third-party verification. Seven states require no income documentation for children's Medicaid.

To avoid a logistical nightmare for both the state and parents, Texas should as quickly as possible implement changes in children's Medicaid eligibility. Without these critical changes, enrollment will be difficult and complex for the many applicant families that are referred to Medicaid—many of whom will have one child eligible for CHIP, and another eligible for Medicaid. States already implementing CHIP report that large proportions of applicants end up in Medicaid. The changes needed are as follows:

Eliminate the assets test for children's Medicaid. Texas now makes parents of Medicaid-eligible children document not just income, but also the value of savings, IRAs, automobiles, and valuables, etc. The test is not required by federal law, and 40 states plus the District of Columbia have already dropped in for children.

Recent federal law changes allow states to cover parents in families with children up to any income limit the state chooses.

Texas has been given the choice to adopt less restrictive methods for counting income

and assets for family Medicaid; for example, states can increase earned income disregards, and alter or eliminate asset tests.

Texas has been slow compared to other states in implementing CHIP.

Children enrolled in Texas CHIP will get a comprehensive benefits package—includes eye exams and glasses, prescription drugs, and limited dental check-ups, and therapy.

CHIP does not serve as an alternative to Medicaid for those families, who based on their income, are eligible for Medicaid.

Adopt 12-month continuous eligibility for children's Medicaid. Children enrolled in Texas CHIP stay enrolled for 12 months, regardless of any changes in income during that period. In Texas Medicaid, parents must report any income change within 10 days, and Medicaid is cut off the next month if the new family income is too high for Medicaid. Twelve-month eligibility for Children's Medicaid is a state option Congress created when it passed CHIP. This was done in an effort to allow for identical policies in Medicaid and CHIP, and promote continuity of health care. Fifteen states have adopted continuous eligibility for Children's Medicaid, and Ohio will begin the policy July 2000.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the gentlewoman very much.

I yield to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman for yielding.

Let me first start out by commending the gentlewoman for having this Special Order to talk about the CHIPs program and the need for greater access to health care for children in this country. As the gentlewoman knows, back in 1997, we were part of an effort to start the CHIPs program, this was a Federal effort. I was pleased to be a member of the House Committee on the Budget when the 1997 Balanced Budget Act, the reconciliation bill, was crafted and ultimately passed and signed by the President. I think there is a certain amount of credit that is due the President as well for his steadfast support for this program.

It is correct that unfortunately, our State, and as a proud Texan I have to say it is unfortunate that our State was a little late in getting a CHIPs program up and running. The legislature, which meets biennially, did not get a chance to take this up or did not choose to take this up until 1999.

I think it is a little ironic when some of us were saying that the legislature should move on this, that the governor perhaps should call a special session to address this very popular bipartisan program, that with fear that Texas might ultimately lose some funds, we now see that the other body has decided to borrow from some of the funds that Congress set aside back in 1997 from the tobacco tax for this. We do know that Congresses have a way sometimes of borrowing and failing to repay those funds. So I am a little nervous that Texas might lose out as a result of that.

Mr. Speaker, I watched with great interest when our legislature had the debate over whether to cover at 150 percent or 200 percent of the poverty level.

I think the legislature, under the leadership of Speaker Pete Laney, did the right thing in going to 200 percent, and that will begin to address what is really a health care crisis in Texas and a health care crisis across the country with uninsured children.

When we were doing the 1997 act, we estimated that there were 10 million children across the country without insurance; about 3 million of those are Medicaid-eligible children and the rest are children of working families who make too much money to be in the Medicaid program but do not get health insurance through the workforce or choose not to take it but cannot afford to buy it on their own.

Now, with respect to that, as my colleague from Houston just talked about, in terms of the Medicaid program, there is no question that we could do a much better job of enrolling children in Medicaid. I have offered, and I think the gentlewoman is a cosponsor, a bill, H.R. 1298, that would give schools the ability to grant presumptive eligibility for children who might be eligible, who are eligible for Medicaid, in the same way that the 1997 act gave that to Federal health care workers.

Our colleague, the gentlewoman from Colorado (Ms. DEGETTE) has a bill that would extend that same ability to grant presumptive eligibility to what are called SCHIP workers, State Children's Health Insurance workers as well, so that we would have the ability of not only enrolling children in the CHIPs program, but also enrolling those children who are Medicaid eligible in the Medicaid program.

One of the unfortunate facts of our home State of Texas is that we lead the Nation in the number of Medicaid-eligible children who are not enrolled in the program, about 800,000 kids in Texas who should be in the Medicaid program.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, reclaiming my time, there has been a whole legislative session that has come and gone since these dollars have been available, and as of May 21 of this year, we had not used any of the dollars allocated for Texas. Can the gentleman think of any reason why we have denied these children the right to health care when there is nothing standing in the way between them and health care enrollment?

Mr. BENTSEN. Mr. Speaker, if the gentlewoman would yield, we hear from some that we should not be passing new laws, we ought to be enforcing the laws that we have, but sometimes we find from some of the people who say that they are not enforcing the laws that are on their books, and this is one that ought to be enforced.

That gets to the point that I was making on Medicaid, why this is important. I represent the largest medical center in the world, has the largest children's hospital, Texas Children's Hospital, in my district. They have an emergency room that was built I think

for something along the lines of 20,000 emergency room visits a year. They get about 60,000. Why do they get so many? They get so many because they have a lot of children who do not have health insurance who are getting ambulatory care, who are getting primary care in the emergency room.

What is wrong about that? Well, one, it overwhelms the system, but the other problem is the cost structure. As the gentlewoman well knows from her professional career before Congress, the cost structure is much higher in the emergency room. A lot of these kids who could have gotten more preventive care if they had been receiving regular primary care, and from the Federal standpoint, and this is something that those of us in the Congress, as stewards of the Federal taxpayer and the budget, should be concerned about is the way that is funded are two ways.

One, it is funded by the hospitals picking up the cost any way they can, and the other is the Federal Government picks up 100 percent of the tab through the disproportionate share program.

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This becomes a big problem, because the States share the Medicaid program with the Federal government, as the gentlewoman knows, and at least they could be picking up 40 percent of the tab for these 800,000 kids in Texas who ought to be in the program, rather than having the Federal government pick up the entire tab.

As the gentlewoman knows, we reduced the Medicaid DSH program in the 1997 Act. We were able to hold the line in Texas because of the good work she did and others in the delegation. But it only makes sense that we ought to enroll these kids in the Medicaid program, we ought to get full enrollment in the CHIP program. In the long run, it will be cheaper than having to continue to fund huge dollars through the DSH program.

Beyond the bottom line aspect, it is the right thing to do, because we want to have healthy kids in Texas, we want to have healthy kids across this country. It is the compassionate conservative thing to do, but it is not enough to care. It is to care enough to do it.

The gentlewoman is on the right track with her special order. We have much more work to do in this area. We need the leadership to get this done, to get these kids enrolled, to make the changes in the Medicaid law so that we can get more kids in there, and we will have a healthier and a stronger society by it. I commend the gentlewoman for having this special order.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the gentleman from Texas (Mr. GREEN) could not be here, but he left a statement. I notice in the statement, in his congressional district, which is also in the Houston area, at least 70 percent of the children in the Aldine School District rely on the school nurse for primary health

care services, or as their initial health care provider. That does not have to be, and it should not have to be.

We have too many children who are not getting any kind of attention in Texas. We cannot allow this to continue. It is ironic that we talk about how great we are, this big, wonderful State, with the greatest prosperity in the history of the State. We have all of these children starting out, without the availability of health care, a full life perhaps with chronic illnesses because they do not have access to the care that they deserve, and they can have it. They would have it if we had a Texas government that had enough compassion to enroll them in the program.

Nobody wishes to be poor, no one wishes to be uneducated, no one wishes to be a long ways from various health care outlets. But when that happens, the entire State ought to have access to that care. They need to be informed and they need to be enrolled. This is simply not the time to turn our heads and pretend this is not going on. It is not the time to simply say to poor kids, get back, be quiet, you might make us look bad.

We have got to give attention to these poor kids who are kids of working parents, low-income parents, who do not have access to health care that taxpayers are willing to pay for. The money is available. Texas has access to the money and refuses to use it. Is that compassion, I ask the Members? Is this America? This is not what we stand here and fight for, and what we fund each day.

We tried to be very sure that when welfare reform came, that our poor kids would not fall through the cracks. We did our part at this level. It is time for the State of Texas to look up and acknowledge that though we have much wealth, we have the largest number of poor kids being neglected. In a State where you can hardly breathe the air, we have kids who are getting their lungs injured every day simply because they do not have access to care that has been paid for. We simply refuse to use it.

Mr. Speaker, I call upon all of my colleagues to join me in making a plea to the State of Texas, my home State. I was born in the State and I know the State. I served there in the House and in the Senate. This callousness must not continue, and certainly we must not allow it to spread in this Nation.

Mr. Speaker, I include for the RECORD the statement of the gentleman from Texas (Mr. GREEN).

The statement referred to is as follows:

Mr. GREEN of Texas. Mr. Speaker, it is hard to believe that, here in the world's richest country, one in seven American children does not have health insurance.

Yet, in the midst of our Nation's longest and strongest economic expansion, the health of over 11 million of our children is being jeopardized.

In the Houston region, over a quarter million children are uninsured.

In my Congressional district, at least 70% of children in the Aldine Independent School District rely on the school nurse for primary healthcare services or as their initial healthcare provider.

Our children deserve better.

Congress created Medicaid, and later the new Children's Health Insurance Program (CHIP), to offer coverage for low-income children.

These two programs are an investment in good health—an investment that pays dividends in the long term because prevention saves taxpayers money.

They have reduced the percentage of uninsured children and parents in the United States. And, they have increased access to quality health care services.

Medicaid provides health insurance coverage for more than 40 million individuals—mostly women, children, and adolescents—at an annual cost of about \$154 billion in combined federal and state funds.

Eligibility for Medicaid is determined by each state according to its specific guidelines.

States have wide discrepancy in determining what optional benefits will be given, who will be eligible for those benefits and the procedure used to grant the benefits.

While Medicaid has benefited the poorest of the poor, it has not been able to address a second group of uninsured—the working poor.

In 1997, Congress passed the Children's Health Insurance Program or CHIP, which made available approximately \$48 billion in federal funds over ten years to help states expand health insurance coverage to low-income children and youth.

Federal law permits states to use CHIP funds to expand coverage in three ways: through Medicaid expansions; state-designed, non-Medicaid programs; or a combination of these two approaches.

CHIP, funded with federal block grant dollars and state matching dollars, is a health insurance program for children in families who make too much money for Medicaid, but who cannot afford other private insurance options.

CHIP has extended coverage to an additional 2 million children who do not qualify for Medicaid. Yet millions of children are believed to be eligible for these programs, but remain uninsured.

Uninsured children will benefit from Medicaid and CHIP only if the states in which they live chose to extend eligibility and if states then work to enroll them.

States currently cover children whose family incomes range generally from below the Federal poverty level (FPL) to as high as 300% of poverty.

While some states moved very quickly to insure low-income children, Texas did not. In the first year in which funds were available, the State of Texas expanded Medicaid coverage for children at or below 100 percent of the federal poverty line.

This resulted in 58,286 children ages 15–18 having insurance. More than 102,000 remained uninsured, even though they were eligible for coverage under the old federal Medicaid rules. This was a very slow start.

However, thanks to the efforts of the Texas Legislature during the 76th Legislative Session, our state is making progress.

Because of the efforts of Senator John Whitmore and Representative Kevin Bailey, Texas created a separate children's health in-

surance program for children at or below 200 percent of the federal poverty line.

This will provide health insurance for 500,124 Texas children through age 18. In my region, this means 90,802 children will have health insurance.

While this is a good development, we still have a long way to go.

Other states are further along in providing health coverage for children. In the first year of the program, Texas expanded coverage for 58,286 children. By comparison, Alabama enrolled 38,980 children; California enrolled 222,351 children; Florida enrolled 154,594 children; Georgia enrolled 47,581 children; Massachusetts enrolled 67,852 children; Missouri enrolled 49,529 children; New Jersey enrolled 75,652 children; New York 521,301 children; North Carolina enrolled 57,300 children; Ohio enrolled 83,688 children; and South Carolina enrolled 45,737 children.

Of the states that chose to create a separate children's health program, many are extending coverage to more children than is Texas, including California at 250 percent; Connecticut at 300 percent; New Jersey at 350 percent; Vermont at 300 percent; and Washington at 250 percent.

Texas can do more. And we should do more. We have the highest rate of uninsured persons in the country.

And, Texas has the second highest rate of uninsured children in the nation. Over 41% of parents of eligible uninsured children postponed seeking medical care for their child because they could not afford it.

There are 1.4 million uninsured children in Texas—600,000 are eligible for, but not in Medicaid; nearly 500,000 qualify for CHIP.

Texas covers children whose family incomes range from below the federal poverty level to 200% of the federal poverty level. Yet the Federal government allows coverage to children as high as 300%.

Texas, like the rest of the nation, could do more to conduct an aggressive outreach to ensure that eligible children receive the services they need.

New outreach is clearly needed—now, more than ever. Like many states, after federal welfare reform was enacted in 1996, we saw a huge drop in the number of persons applying for and participating in Medicaid. 193,400 Texas children fell off the Medicaid rolls during the past three years, a 14.2% decline.

Because these two programs are no longer linked, many lower-income persons do not realize that they are eligible for health insurance.

Unfortunately, Texas is the worst state in the Nation in terms of retaining low-income kids on Medicaid.

And, a recent New York Times article shows that Texas has used none of the federal funds it is entitled to for outreach. We can do better.

Why are so many persons not receiving the Medicaid and CHIP services they're entitled to?

Red tape burdens the neediest families in Texas.

Medicaid program eligibility requirements in Texas include:

A Face-to-face interview

An Asset test

No continuous eligibility—families must periodically re-enroll

No presumptive eligibility—even if families have proven that they are eligible for another program with the same income guidelines,

they must go seven states (Texas included) expanded coverage to only 100 percent of the as quickly as possible implement changes in Children's Medicaid eligibility.

Texas can take steps now to reduce its state government bureaucracy. For example, the state could:

Eliminate the assets test for children's Medicaid. Texas now makes parents of Medicaid-eligible children document not just income, but also the value of savings, IRAs, automobiles, and valuables.

The test is not required by federal law, and 40 states plus the District to Columbia have already dropped it for children.

Texas could also drop the requirement for face-to-face application/recertification interviews for children's Medicaid and allow mail-in applications.

Thirty-eight states plus the District of Columbia allow mail-in application for children. Three states also allow community-based enrollment outside the welfare office.

Texas could adopt for children's Medicaid the same simple, flexible documentation and verification options used for Texas CHIP. To make a joint mail-in application feasible, children's Medicaid and CHIP must accept the same documents for income and other required verifications.

Federal law allows states to reduce income documentation for children's Medicaid in any way, or even to eliminate it in favor of using third-party verification. Seven states require no income documentation for children's Medicaid.

The state could adopt 12-month continuous eligibility for children's Medicaid. Children enrolled in Texas CHIP stay enrolled for 12 months, regardless of any changes in income during that period.

In Texas Medicaid, parents must report any income change within 10 days, and Medicaid is cut off the next month if the new family income is too high for Medicaid.

Texas could also adopt twelve-month eligibility for Children's Medicaid—this continuous eligibility is a state option Congress created when it passed CHIP. Fifteen states have adopted continuous eligibility for Children's Medicaid, and Ohio will begin the policy in July 2000.

Hopefully, my colleagues in the state legislature will consider some of these ideas as they continue their push to expand health care to the uninsured.

Thanks to their efforts, Texas has done many good things in the past year to reduce the number of uninsured children. We can certainly do more. I am hopeful that successful state partnerships like Medicaid and CHIP will be used by the state to their full potential.

#### EDUCATION IN AMERICA AND PUBLIC SCHOOL REFORM

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

Mr. SCHAFER. Mr. Speaker, I intend to be joined here in a few minutes by the gentleman from Michigan (Mr. HOEKSTRA) and possibly some other Members of the House as well.

Mr. Speaker, we had the occasion today of holding a field hearing in St.

Paul, Minnesota, and I want to talk a little bit about the content of that hearing, and also some other issues that are critical with respect to education in America in and public school reform in general.

Mr. Speaker, the hearing was held, as I mentioned, in St. Paul this morning. It was conducted by the gentleman from Michigan (Mr. HOEKSTRA). The subcommittee that conducted the hearing was the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce, the committee that deals with most of the investigations not only that we have conducted with respect to waste, fraud, and abuse in the Department of Education, but also focusing on research and investigation into different innovative activities in public schools; finding out what works, for example, and what does not work; finding out and learning more and witnessing firsthand some of the innovative ideas that are taking place throughout the fifty States under the leadership of Governors and State legislators and other more local leaders.

Today we met with the Superintendent of Schools and some State legislators and some others who are leading the way in education reform and providing some great examples in the State of Minnesota. That just adds, Mr. Speaker, to the collection of data and information that we have been assembling from throughout the country. The subcommittee has been now to 21 different States analyzing the various education reform efforts that are taking place in those States.

One of the topics that was discussed at great length this morning at the hearing was charter schools. Charter schools really got their start in the State of Minnesota. The idea had been discussed and had been bantered around in the halls of State legislatures throughout the country from time to time prior to that. I think it was in 1991 that Minnesota became the first State to pass charter school legislation.

Charter schools are public schools. They are still funded by the government, run by the government. In fact, they are owned by the government, but they are managed and operated often in different ways, largely defined by a specific contract or a charter, as it is called; hence the name "charter schools."

That contract is one that is usually proposed by a group of parents, sometimes a group of teachers, sometimes an organization of some sort. In many cases, charter schools are established by existing public education institutions that find particular difficulty with the policies, rules, regulations, or funding mechanisms of the State they are in or the district that they fall under. That usually constitutes the need or the origin of the charter.

What motivates these groups and these operations or individuals and parents to venture off on their own and

try a new way of educating, trying to, for example, break the mold of education delivery in a community, it is often motivated by test scores that are insufficient to meet the needs of the parents that consider charter schools.

Sometimes it is a management-related issue. In many cases we have heard, for example, there is a strong desire to treat teachers like real professionals. Too often the union wage scale that is at play in most States around the country prevents teachers from being treated like real professionals. Consequently, most teachers are paid in a way where the absolute best teacher in a district is compensated on the same basis as the absolute worst teacher in a district.

So often we find education professionals and parents who believe that their children learn best in a professional learning environment, where teachers are treated like professionals rather than all treated the same, as though there is no distinction between them.

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Charter schools are flourishing throughout the country. We are seeing more and more of them. That is certainly the case in Minnesota, as provided in the testimony to the committee today. I think they said there are somewhere on the order of 60 or 70 charter schools, somewhere in that neighborhood, I do not remember the number exactly, charter schools that exist now in Minnesota. Some have closed, which is something that we should actually focus on a little bit tonight.

These charters, these contracts, are usually for a limited duration and period of time, at the end of which the contract ends or expires and must be renewed between the charter applicant and the school district. If the charter has met all of the objectives and the goals that it outlined in the original application, then the charters presumably will be continued. Sometimes there are political battles that prevent that from occurring, but for all intents and purposes they are generally approved if they met the objectives that they initially set out to achieve.

But if a charter school fails to meet those objectives, they frequently find themselves shut down, put out of business. Often it does not even take that long for the renewal question to be raised. Often it comes down to a matter of cash flow. If charter schools cannot satisfy customers, in other words if they cannot satisfy the parents of those children, who care about them the most, in a way that convinces those parents that the education of their child is being accomplished, well, then they simply go somewhere else and the cash flow dwindles and the charter school cannot survive.

It is always unfortunate to see a school fail, but it is important that it occur. And that competitive notion, that level of accountability placed in

the hands of parents, rather than the hands of government workers, is what makes all the difference in this particular venue of education reform; and it is why charter schools work well generally throughout the country, and why almost every charter school in America has a substantial waiting list of customers that would like to be educated in those schools.

That is the case in Minnesota as well. When a charter school fails or does not meet those objectives, the doors close. So the question ought to be for all of us here, if we look at charter schools as these microcosms of education research, of experimentation at some times certainly, but as laboratories of sorts where different educational methods are tested, we ought to also consider the customer-driven impacts that charter schools are subject to and ask ourselves when will we ever start applying the same kind of standards to the rest of government-owned schools in general?

Mr. Speaker, what I mean by that is that when a regular government-owned or public school fails to meet the needs of local parents and raise the academic standards and the opportunity for children, those are kind of handled administratively. But the children who are in those schools are frequently trapped there, their parents having virtually no opportunity or no choice to go somewhere else or leave. Consequently, there really is no recourse for those parents; no consequence for a school that is not meeting the needs of its community.

So we ought to ask ourselves why, if charter schools and the presence of competition and parent-driven measurements of quality results in about 4 percent of charter schools failing, why is there no equivalent measurement with the regular government-owned schools? And that is something we ought to explore and we ought to perhaps provide. Because what really drives the agenda in regular community schools and government-owned institutions and neighborhoods, regular public schools as we know them, is the particular attributes that are assembled there: the principal that was assigned there by the district and the teachers that were hired there by a school district. Then the parents of the children who happen to live in a particular neighborhood pick these school for a variety of reasons.

The school curriculum, the way it is managed, the way it is organized, and the way it is funded frequently have little to do with why a family decided to live in a neighborhood, let alone be enrolled in a particular education establishment and education institution.

So it was an interesting hearing because the message that was given to members of the subcommittee was that Washington ought to go slow when it comes to charter schools. Charter schools were created at the State level. They were inspired by local initiative. They were a response to the demands



of customers and the responsiveness of State legislators, primarily, in Minnesota, California, and Colorado and in other States since then, those early days in the early 1990s.

Mr. Speaker, it is a response that is working and is providing a remarkable education opportunity for many, many children across the country.

"Keep your hands off of these schools for a while," is the way I would summarize today's message on charter schools. There are efforts here in Washington to try to address some of the problems that charter schools are confronting, namely start-up costs and getting themselves off the ground. Finding a way to organize an education institution from scratch is a very difficult endeavor indeed. Finding a building to house a charter school is a critical challenge as well.

So there is a temptation on behalf of those of us here in Washington who want to see charter schools succeed to reach into the Federal coffers and find ways to get funds from Washington, D.C., to help these local problems; and that is a good problem to be concerned about. That is a sentiment that I find gratifying; and I am encouraged by it, that there are people here who want to help charter schools.

But the concern voiced today on behalf of those who actually run those schools was one of appreciation for Federal concern, but a well-placed fear of the mandates that typically follow the Federal funds that come out of Washington.

I say a "well-placed fear" because that is the history, in fact, of the Federal involvement in education. Every time something good happens in education, people here in Washington want to celebrate it and then become a part of it, and politicians just cannot resist the temptation for claiming credit for it. The best way people have in Washington, it seems, to show compassion and concern for something that works well is by dishing out lots of cash. Ultimately, the cash gets attached to Federal rules, Federal guidelines, Federal regulations and pretty soon that enterprise that was a good idea, that started out as a remarkable reform, perhaps a transformation of education, becomes co-opted by the Federal Government.

That was the concern voiced by some of the most forceful charter school advocates that we heard from this morning in our hearing in Minneapolis.

Mr. Speaker, the gentleman from Wisconsin (Mr. RYAN), my colleague, has joined me on the floor. He has heard a little bit of the discussion, and I yield the floor to him.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from Colorado (Mr. SCHAFFER) for his leadership on education in the Committee on Education and the Workforce. He is one of the bright, shining stars in Congress on pushing for education reform. I just wanted to come down and join him in this discussion about education. Specifically, about the kinds of unfunded

Federal mandates that we are imposing on our local school districts.

This week, Mr. Speaker, we are going to be considering the Labor-HHS-Education bill. That is the bill that funds all the Federal Government education programs. Well, what I find is unique and interesting is that for the last 30 years we have been doing this, and then some, is that in 1975 Congress passed a law, a good law, the Individuals With Disabilities Education Act. Everybody calls this IDEA. Well, what that law basically did was to say that all children with disabilities should receive a quality education.

That is a very prudent measure, and a law that I think the gentleman from Colorado and I both support. But what they did in that law was say that the Federal Government would fund 40 percent of IDEA spending in our local schools and that the State government would then fund the remaining 60 percent. So a local school district would not have to pay for the educational mandate being imposed on local school districts.

Mr. Speaker, that was 1975. That just is not the case today. Today, in the First District of Wisconsin, Janesville, Beloit, Racine, Kenosha, they are getting about 7 percent of the funding for IDEA. Now, nationwide, the average is about 12 percent, because this Congress and a couple before have doubled the commitment to IDEA under the new majority in Congress. But that is just not enough.

Mr. Speaker, I would like to give a quick illustration of what this unfunded mandate does to our local schools. Many of us, and I know the gentleman from Colorado is a leader in this, are advocates for local control. I, and many others, believe that the educational decisions should best be left to those who know our children the best: teachers, parents, administrators.

As a former Secretary of Education, Bill Bennett, once said: "Education is the moral obligation and responsibility of the parent, the ethical responsibility of the teacher, and the constitutional responsibility of the State."

But an education with respect to IDEA, it specifically is a Federal mandate that forces our local schools to pay for this. But when the local school districts come in and have to pay for this, where is Washington? In my case, where is Madison, the State government? They are nowhere to be found. Local school districts are being stuck with the bill.

What this means is that local control is atrophying. Local control is being sucked out of our schools because our local school boards or property taxes are being driven toward chasing unfunded mandates from Washington.

In a State like Wisconsin where we have a revenue cap on education spending and our education budget, it is even felt more. So when we have a revenue cap on what we can spend on education, on how high property taxes can go, and then Washington comes along,

as it is doing, and imposes this mandate, a very costly one, a prudent one, but a very costly one, and does not live up to its end of the bargain, what we do is take every dollar out of those local education needs and put it towards chasing an unfunded Federal mandate.

So every time Madison and Washington impose this mandate on our schools on a year-to-year basis, every time a school board in Janesville, Wisconsin, wants to come up with a new innovative program, a new innovative idea to treat the unique needs and problems of our schools in Janesville or Beloit or Kenosha or Colorado, every dollar we send is a dollar taken out of local control, a dollar taken out of that local resource decision-making.

By imposing these unfunded mandates, as we are doing in IDEA, on our local school districts, we are taking money away from local decision-making.

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

Mr. RYAN of Wisconsin. I yield to the gentleman from Colorado.

Mr. SCHAFFER. Mr. Speaker, that was the second point I wanted to get into, because we also heard today at that subcommittee hearing in St. Paul from State Representative Alice Seagren of the Minnesota House of Representatives. Alice was a very articulate spokeswoman for not only the charter school movement, but when it came to the discussion of whether the Federal Government ought to provide additional funding for school construction at the local level.

She said, "That is a nice thought and we appreciate the sentiment, but if you really want to help our schools, fully fund the mandate under the IDEA."

Going back to the 1970s, the gentleman is right. This is a mandate that was really handed down by the Supreme Court. And for those of us who are conservatives, and we are now joined by the gentleman from Michigan (Mr. HOEKSTRA), as the three of us here are, we believe that the role of the U.S. Department of Education ought to be minimal when it comes to managing our local schools. The IDEA program is probably the one Federal program where we have an obligation to put the cash forward for it, primarily because the Supreme Court has interpreted the Constitution in a way that suggests we have to.

But the gentleman is right. What started out as a program where the Federal Government promised to fund 40 percent of the total cost of implementing the Individuals With Disabilities Education Act, under the Clinton and Gore administration that percentage was dropped all the way down to 6 percent. We fought for the last 5 or 6 years here as a Republican majority in the House and in the Senate to bump that up. We have got it up to I think it was 12 last year. It is scheduled to go up to about 15 this year. But it is still far short of the 40 percent.

Mr. Speaker, getting us up to 40 percent ought to be our top priority, and

I know we are all united in our agreement on that point.

Mr. RYAN of Wisconsin. If the gentleman would yield, so when the gentleman is saying that the President, the Clinton administration dropped the commitment to the Individuals with Disabilities Education Act, did general Federal education spending drop at the same time?

Mr. SCHAFFER. Not at all. General education funding has increased dramatically. But the priority of this one mandate that the Supreme Court has tasked this body with funding has gone in the opposite direction and has actually been reduced in funding.

Mr. RYAN of Wisconsin. What we have been seeing with this administration, and the gentleman should correct me if I am wrong, is the fact that they have lessened our commitment. They have gone away from funding the unfunded mandate we are imposing on local schools, to funding more Federal education programs that have even more strings attached to them, which tie the hands of local education decision-makers, and give us even more unfunded mandates in our schools?

Mr. SCHAFFER. Mr. Speaker, the gentleman is precisely right. One of the expert witnesses we heard from today, Dr. Karen Effrem, who is an M.D., a pediatrician, put that figure at about 70 percent Federal mandate percentage. She said, paraphrasing her words: essentially, what Washington is doing to States is providing somewhere around 6 to 7 percent of the total funding that actually gets to a classroom, and in exchange for that is attaching about 75 percent of all the rules, regulations, and mandates that a local school has to deal with.

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So the effect of the Clinton-Gore administration in Washington on education is just as the gentleman from Wisconsin (Mr. RYAN) has described. It has been one to pump more cash into the Department of Education, not to classrooms, but to the Department, the bureaucracy, to spread that bureaucracy wider and to more and more Federal programs, none of which work very well. I might add that the end result at the end of the day is that the few important legitimate programs that Washington ought to be concerned about, Individuals with Disabilities Education Act being primary, is diffused in this morass of waste, fraud, and abuse of bureaucratic expenditures. The taxpayers are getting very little for their education funding when we talk about dollars that come to Washington.

Our goal is to try to shrink the size of the Federal government, reduce its influence on managing the day-to-day activities in classrooms, and give the resources to where the local leaders tell us they need it most, Individuals with Disabilities Education Act being paramount.

Mr. RYAN of Wisconsin. Mr. Speaker, I see we have been joined by the gen-

tleman from Michigan (Mr. HOEKSTRA), another education reformer. And I would like to include the gentleman from Michigan in the conversation, but I would like to inform my colleagues of an amendment that I have pending in the Committee on Rules right now that recognizes the fact that Washington has been creating new programs, growing new programs, putting new strings on these programs, and diminishing the commitment to IDEA. I have an amendment which seeks to try and put some more money within the existing appropriations bill into Individuals with Disabilities Education Act to try and help toward funding that unfunded mandate.

What I found is if one looks at the 21st Century Learning Centers, it is a new program that started in 1995. In tracking this program, it was a program conceived of, authored by, and passed by a Republican Congressman from Wisconsin where I come from, Steve Gunderson, who is no longer serving in Congress.

He passed that program at that time to do this, to open up schools, specifically high schools, to rural areas who do not have those kinds of facilities from other means. Meaning if one is in rural western Wisconsin, one does not have a YMCA, one does not have a library or village hall, allow the community as a large to use the swimming pool of a high school, the library of a high school, the computer lab of a high school after schools, during summers. That program was funded with \$750,000 to basically keep the schools open for these purposes. Guess what that is funded at now in this bill, \$600 million. We have seen an 800 percent increase in the funding for the 21st Century Learning Centers.

The other point is this, Congressman Gunderson, who actually offered this, came to the committee fairly recently and said, This program does not look anything like the program I wrote when I passed it into law. This program has gone well beyond its scope and intent. This program has nothing to do with its original intent. It is overfunded. Its mandate is much, much larger. Now it is duplicating other Federal programs we have in the Federal Government from the Department of Education.

So we have another duplicative program from the Department of Education. It has gone beyond its original mandate. It has grown 800 percent in the last 6 years when we are still sending this unfunded mandate on our local school districts, and we still have kids with disabilities who are being educated, and one is almost pitting those kinds of kids against all other kids in schools when Washington continues to send this unfunded mandate to our school districts.

What my amendment would do is take half of the money from this new growing program that duplicates other programs and put it into Individuals with Disabilities Education Act, and

simply say that, if we are going to be increasing programs from the Department of Education which already duplicates other programs by 800 percent, why do not we first take care of the unfunded mandates we have right now. Why do we not first pay our bills and tell our local school districts, we want you to at indicate the resources. We want you to make the decisions in our schools, in our classrooms, in our school districts.

That is why I am hoping that this amendment will be made in order by the Committee on Rules so we can have a demonstration of our commitment on the floor of Congress for trying to get to this unfunded mandate, for saying no to growing new programs, duplicative programs by the tune of 800 percent, and getting to this unfunded mandate.

Mr. HOEKSTRA. Will the gentleman from Colorado (Mr. SCHAFFER) yield?

Mr. SCHAFFER. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I, along with three of our other colleagues, had a great hearing in Minnesota today. It really builds on what we have learned. I think today was the 21st State that we have gone to, the 23rd field hearing that we have gone to people at the local and at the State level. We have asked them what is working in education and then really, and we should maybe do this in future hearings, to give us a grade as to how Washington is either helping them or assisting them in getting them and enabling them to get done what they want to get done at the local level.

I think one of the witnesses that we had today, I do not remember exactly which one it was, maybe the gentleman from Colorado (Mr. SCHAFFER) does, who said when one takes a look at the system that we have created here in Washington, of hundreds of different programs, hundreds of different mandates, and the number that we have heard today was, we get 6 percent of the money from Washington, we get 70 percent of the rules and the regulations.

That is not outlandish. I mean, consistently when we go from one State to the next, Ohio, they have documented it. They said we get 7 percent of our money from Washington, we get 50 percent of the mandates, 50 percent of the paperwork. So that is consistent from all the States that we have talked to.

But one of the people said, "Only you in Washington could come up with a system that looks like this. If you are actually focused on kids, if you were focused on results, which is kids learning, you would have a very different set of programs and requirements. Only a system that is focused on process, you know, that this is what we want to have happen and this funding stream and a system that measures process rather than kids learning is what we have created here in Washington."

Again, we heard it in Minnesota today. We have heard it at every single

State that we have gone to; that is, the formula for kids' learning, parental involvement, number one. That is the key. A focus on basic academics.

Again, we have got a charter school today talking, traditional public schools talking about a focus on basic academics. You have to provide a safe and a drug-free school. You cannot have learning go on where kids are concerned about their safety or they are concerned about what their colleagues or their peers are doing in the classroom or in the hallways. You have to focus on getting dollars into the classroom. That consistently is the formula.

The gentleman from Wisconsin (Mr. RYAN) is talking about we have got this program, we have got that program, what have we learned? We learned that, when one has got hundreds of education programs, one has got streams of paperwork of bureaucracy; that every time Wisconsin, Michigan, or Minnesota sends dollars to Washington for education they have got to come back to us begging to get some of their money back.

We then give it to them. We give it to them with a whole string of mandates so they end up spending it on things they do not necessarily believe are their priorities. Instead of getting a dollar back for every dollar that they send here, when one calculates all the paperwork, all of the bureaucracy, all these types of things, we believe that at most they get 60 cents back.

Maybe sometime later as we go through the process there are some other things that we can talk about. We can talk about exactly how effective the bureaucracy is here in Washington.

This is a Department that now, for 2 years in a row, has failed its audit, meaning that it cannot come back to Congress, it cannot come back to the American people, the people that fund this agency, and say we have been very careful in managing your money and we can tell you exactly where it goes. We know for 2 years they failed their audit. We know that for at least 3 more years, they will not be able to get a clean audit.

We all know that, in that kind of environment, there have been a number of opportunities for waste, fraud, and abuse. We can maybe outline what some of those are later on as we go through this process. Then we can also talk about what some of our priorities are for addressing this issue.

My colleagues have already mentioned one, which is let us fully fund and meet the commitments that we have made to local school districts by increasing and meeting our commitment on IDEA.

We can talk about eliminating bureaucracy and red tape through the Ed-Flex program, giving school districts more flexibility through the State, the straight A's program where we give them the money and say you decide whether you want to hire teachers, train teachers, reduce class size, or

whatever, and also we want to focus on getting 95 cents of every Federal education dollar into the classroom. So there is a whole series of things that we can talk about as we continue through this hour.

I yield back to the gentleman from Colorado (Mr. SCHAFFER) to either build on some of these thoughts or on some other ideas that he may have.

Mr. SCHAFFER. Mr. Speaker, first of all, I want to express my appreciation to the gentleman from Minnesota (Chairman HOEKSTRA) for holding that hearing in Minnesota. I, as a member of the subcommittee, have benefited greatly just by having the chance to travel to many communities throughout the country and hear the various ideas that have been invented in States with respect to school reform, but to also have the opportunity to hear the frequency and the consistency of the message my colleagues just described.

It does not matter whether we are in Minnesota, in Florida, in Colorado, or in California, the message never really changes with respect to the Federal involvement in education; that is, we really appreciate all you folks back there in Washington caring about schools, but stop trying to run them from out there. You do not know the names of our kids. You do not even know the names of the schools that we have here much less know about the specific qualities of a neighborhood or the needs of a specific community.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, I think the best example today was we know that most States or many States, I think it is over 30, 33, 35 States, have embarked on a charter school initiative. We have gone around and we have heard and we recognize each State is different. This week we are going to embark here in Congress on a program to help charter schools. Part of that is going to be a school construction program. The State representative from Minnesota.

Mr. SCHAFFER. That was representative Alice Seagren was her name.

Mr. HOEKSTRA. Ms. Seagren said, Before you go off on this construction program, giving us construction money, let me tell you what we are doing here in Minnesota. We do not build schools. We do lease plans. So if you come up with a construction program for charter schools in Washington, D.C., I am telling you right now that here is one State where this only does not work, it flies directly in the face of the strategy that we have put in place for charter schools in our State. So what is going to happen is people from Minnesota are sending money to Washington, and we are not going to be able to get any of it back unless we let you in Washington change our strategy for funding charter schools. We think we have got a pretty good system. We think it makes sense. It is not perfect, but this works for us, and this is what we want to do.

Now, all of a sudden, to get our money back, we are going to have to change our program. Well, up until today, we did not even know that Minnesota had that kind of a strategy in place.

Mr. SCHAFFER. That is precisely right. I want to go back to the gentleman from Wisconsin (Mr. RYAN) and his proposal because I assure him, he is going to have lots of support here on the floor for an amendment that moves to fully fund IDEA at the expense of lower priorities that are funded or proposed to be funded in the education budget.

I think there will be other proposals like that, because we are a long, long way from being just up to the 40 percent. When we say full funding, we are only talking about 40 percent of the total cost of the program. This is expensive.

I do not think any of us deny that those who suffer from various, whether it is behavioral disorder or learning disability of some other case or so on, that those individuals, those students deserve an equal opportunity and access to quality education. We think that is important. That ought to be a national priority. The Supreme Court has certainly established it as a national priority.

Our point, though, is if we really believe that, if we really are sincere in our belief that all children deserve to learn, and no child should be left behind, then we cannot just come up with the rules and expect somebody else to pay. That is what is going on in America today. So we just want to get up to our commitment to pay 40 percent of the cost associated with these Federal mandates. We are not even close. We are at about 15 percent today.

But the direction of the amendment of the gentleman from Wisconsin (Mr. RYAN) is really the ultimate local control, because the tremendous cost associated with complying with the Individuals with Disabilities Education Act steals dollars from every other important priority that might exist in the State of Wisconsin, the State of Michigan, my State of Colorado, and all States. If we just focus on getting the dollars to the one priority we know we have to deal with through the concept of fungibility, that frees up funds for everything that is important.

So for those States, the gentleman mentioned the 21st Century Learning Centers earlier, for those States that believe 21st Century Learning Centers are what they want and important in that State, paying for IDEA frees up the cash to buy 21st Century Learning Centers. But in my State, it might be something else. It might be teacher pay in my State which is a high priority for us.

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Funding IDEA is a way to provide better pay for teachers. And other States they want to lower the property taxes to make it more business friendly, and fully funding IDEA frees up

funds to lower the property taxes in other States.

So the key and the strength of the argument that I think the gentleman has in his favor when he comes to the floor with that amendment is that fully funding IDEA really is at the heart of local control in Washington, and it ought to be. It seems counterintuitive to some. Here we are as conservatives talking about pouring money into a program. The reason it works and the reason it is a conservative idea is because it does have a liberating effect on States. It focuses our emphasis here on Washington more narrowly than what the Clinton/Gore administration has tried to do by diffusing dollars to so many programs that do not work, and it ultimately results in more dollars getting to children, which is what we are for.

Mr. RYAN of Wisconsin. Mr. Speaker, If the gentleman will yield, the gentleman has interpreted my amendment precisely correct. I have had the opportunity as a freshman Member to have many, many, many meetings with school board members, superintendents, teachers, administrators, all the different school districts in the district I represent. I have an educational advisory board with these types of people on there, including parents and home schoolers, to talk about these issues. I get the same thing over and over, let us do our job.

Just in the district I represent, they have vastly different needs, vastly different problems. In one end, in Kenosha, you have different problems; in the other end, in Janesville you have far different problems, let alone the problems that may exist in Harlem or East L.A. or Sante Fe, New Mexico. The point is we have a very vast and different country.

We have a priority of educating our children, but the problems we are experiencing in our school districts are so different. There are so many different ideas out there, so many different solutions out there. By funding IDEA, you free up that decision-making power. So when I bring an amendment to the floor, which I am hoping the Committee on Rules will allow me to do, by funding IDEA or getting closer to meeting that mandate, you are not just voting against one program to put money into another, you are voting for all those programs out there that could be created, if school districts did not have to chase these unfunded mandates.

You are voting for freeing up the hands of parents, teachers, and administrators to get involved in their school districts, to tackle problems, to address the needs that we have in our individual school districts. As a Member of Congress, when you vote to fund IDEA, to free up those local resources, reduce property taxes, find the problems and address them. My school districts that I represent right now cannot do that. They do not have the resources to do the things they think are

necessary. And you know why? It is because they are chasing unfunded Federal mandates. That is really the crux of the matter.

I noticed that all of these new programs that are coming up here in Washington through the administration and the Department of Education look pretty good to a politician in Washington. You do not get a lot of political kudos when you simply say let us put more money on unfunded Federal mandates that has been around since 1975. You get more press, you get more notoriety, you sound more proeducation, when you stand up here and have a press conference saying I have this brand new program or this new program or this new program. But what actually ends up happening is each of these new programs takes on a life of their own. They put new mandates on our local school districts; they tell the administrators how to do every I, how to cross every T. It is a cookie-cutter, one-size-fits-all mandate on all of our schools, regardless of the uniqueness, regardless of the individual problems they may have; and it comes at the expense of funding a mandate that the Supreme Court said we have to fund, that current law says we have to fund, a mandate that we should fund.

That is why I think it is important that as we look at our spending priorities in any budget in Congress, you prioritize; and that is why I am trying to pass an amendment to prioritize this unfunded mandate before going down the road of creating new programs or expedientially increasing new programs that are actually duplicative of other programs. If we fund unfunded mandates like IDEA, you can have a safe drug-free program in every district if you wanted. You could have 21st century learning centers in every school district if you want it.

But guess what, the decision would not be made by politicians in Washington who can take credit for it. It would be made by local decision-makers, school board members, administrators, parents, teachers. That is what the whole debate is about, whether we want Washington to micromanage education or we want our local people, those who know our kids the best, the names of our schools, to manage education. That is what it is really all about.

I just want to say it is a pleasure to be here on the floor of Congress with two of the leaders in education reform, the gentleman from Colorado (Mr. SCHAFER), the gentleman from Michigan (Mr. HOEKSTRA). They have really set the trend, set the way for education reform in America. They have wakened up the call for reform for education in America, and they have really done this country a great service by highlighting some of the waste, fraud, and abuse that is occurring at our Department of Education. I just really applaud the gentlemen for that.

Mr. SCHAFER. I thank the gentleman for the nice comments. I appre-

ciate that. The theme of local control is really at the core of our reform efforts that we are pushing here. I want to yield back to the gentleman from Michigan (Mr. HOEKSTRA), and I am hoping I can persuade him to reflect a little bit and share with the Members here and those that are monitoring tonight's proceedings about the testimony of John Scribante, who is the businessman who was at the hearing this morning, who started out in his testimony, I know he referred to the Minnesota State constitution which talks about the responsibility of the State of Minnesota for educating all of the children in Minnesota in order to preserve their liberty and by focusing on their intelligence. He focused on that word and underscored the word intelligence; and he said that is not skills, it is intelligence.

He spoke of the importance of the intellect and the training of the young minds of Minnesota, how critical it is to maintain their liberty, that is not an idea he thought of; but it is one that he saw fit to reference from Minnesota's State constitution. And I was moved by his patriotic compassion at one point in his testimony in which he spoke about the devastating impact that the Federal Government is having in preventing Minnesota from achieving its constitutional objectives.

I am wondering if the gentleman from Michigan can comment further on that. Go ahead.

Mr. HOEKSTRA. Mr. Speaker, I also wanted to build on the comments of our colleague from Wisconsin (Mr. RYAN) because he said some very nice things about us in awakening the call for educational reform. I do not think we have done that. What we have done is we have kind of provided an echo chamber for what people at the local level are demanding. They want their schools back. They know the names of their kids. They know what is best for their kids. Governor Carlson today talked about going back into his public school in the Bronx. We have been to the Bronx. We have had hearings there.

I do not know if we went through the litany with the gentleman from Wisconsin (Mr. RYAN) of the places where we have been; but it was almost every place that he outlined, we have been there. I mean, we have been in to Albuquerque. We have been into L.A. We have been to the Bronx. We have been to Chicago, Milwaukee, Minneapolis. We have been all over the place.

The response we continually get is from local officials and local parents, and they do not exactly say it this way; but what they do say in so many words is Washington has gotten to the point where you want to build our schools, you are going to give us 6 percent of what it takes to build a school, but we will give you the regulations to tell you exactly how to build the whole thing. You want to hire our teachers. You want to train our teachers. You want to develop our curriculum; you want to teach our kids history, set history standards; you want to teach

them about art. You want to have school health clinics. You want to buy our technology. You want to feed our kids breakfast. You want to feed our kids lunch. You want to do after-school programs. You want to develop safe and drug free programs, and this is just a small litany of the programs. But after you give us 6 percent of each of the dollars required for each of these programs and you burden on a whole set of rules and regulations, then you step back and say, but other than that, it is your school.

I think, again, one of the witnesses today said that, and we were talking about the school-to-work program, it is like we have received \$16 million from Washington to conduct our school-to-work program, but receiving that \$16 million has really driven about a half a billion dollars of State spending, State spending that came from the Minnesota taxpayers and went to the State government. And I think this is what Mr. Scribante was talking about saying, we love our kids. We want control of our schools, and we want our schools to be focused on developing the skills of each and every child in our community. And the quote that he had from Winston Churchill, I think he is going to get us that so that we get it right, but maybe my colleague from Minnesota (Mr. GUTKNECHT) has it, but it is really saying, this battle of who controls our schools is important enough to fight and debate today, because now is when we can still have an impact, where there really is still a lot of local control, but where that has been eroding.

I will yield to my colleague from Minnesota, who maybe has the quote right there. He is smiling. He must have it. I appreciate the gentleman very much being a wonderful host today, helping us get an excellent set of witnesses. I think we had 10 or 11 witnesses in Bloomington, I guess we were at today, and just excellent testimony that I think really helped us. I yield to my colleague.

Mr. GUTKNECHT. Let me, first of all, say I thank the gentleman, and second I do not have that quote; but I do have it in my office now, and I will be sharing it from time to time. He quoted Winston Churchill, though; and I think the point was well taken.

Let me give you a simpler quote from Winston Churchill, it is one actually my wife needlepointed for me on my office wall, and it is simple, it says, "Success is never permanent. Failure is never fatal. The only thing that really counts is courage."

And what we saw today in Minnesota, and I cannot thank the gentleman enough, I left that meeting so excited about the future of education, not just in Minnesota, but around the country, because it renewed my belief that Americans do care. They care about their kids, and they want to make certain that every child, and this was what really came through with virtually all of the testimony today, that

every child, whether they come from a family of privilege or a family of poverty, every child deserves a first-rate education in this country today.

The truth of the matter is, and we all know this, people on all sides of the political aisles of every spectrum philosophically, we all know that too many kids today are being cheated by the system, and we in Washington cannot completely change everything, but I think we can make some reforms. And the gentleman is making reforms, and I want to thank the gentleman for that and we see it happening.

I was so impressed, and I have worked for many years with Governor Ernie Carlson, now former Governor Carlson; but his testimony today was powerful. I think the only regret I have is that more Americans did not get a chance to actually see and hear that testimony today because it was from the heart. He grew up in a tough section of New York. He told us about PS36. He told us about what it was like when he was growing up, but the great thing was he told us what is happening today with the right leadership, with the right flexibility, allowing that new principal there to control his school, to motivate his teachers, to motivate those students; and, guess what, the results are there.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will just yield, PS36 is Public School 36.

Mr. GUTKNECHT. Yes.

Mr. HOEKSTRA. For those who may be observing or watching this discussion, not knowing what is PS36, it is a public school. It is Public School 36 that Governor Carlson went to in the Bronx. When we were there, we were not at Public School 36, but probably a very rough neighborhood, probably low income; and he talked about some of the kids who would come to school and the first thing they would get from their principal each and every day was kind of talking about what happened at night because a number of them may have had a rough night.

So it is a tough part of New York City, and this principal and this public school has gone in and they have embraced these kids and are really making a difference; and what the gentleman said, what the gentleman saw today in Minnesota, I think that is what the gentleman from Colorado (Mr. SCHAFFER) and I have had the opportunity to see around the country, is that you get to the local level, these parents, these administrators, these legislators, they have got a passion for their kids.

They absolutely have a passion for their kids, and they are kind of, you know, wanting us to get out of the way so that they can really do and help for these kids, and Governor Carlson's public school 36 is just one phenomenal example where they are having great success, not because of what we are doing, but because they are going in and taking the leadership.

Mr. GUTKNECHT. If the gentleman would yield back, and that was the

thing that really impressed me, virtually everybody who testified today did not talk about preserving the status quo or protecting certain vested interest. It was not about protecting, you know, these rights and so forth. It really was all about what can we do to improve the quality of education for kids. And it was not us versus them. Unfortunately, what we hear so many times in the debate about education, both here in Washington and around the country, sort of a trench warfare mentality.

I want to congratulate Dr. Keith Dixon, who is a superintendent of schools in Faribault in my district, and he came to us from Colorado, and I was so impressed with him, because, you know, he did not get into this debate about charter schools versus public schools versus private schools. His concern was for the kids. He said to us that he really considered himself the superintendent of all of the children in the district, and it was his job to see that they got a chance. And for some kids maybe it worked out better for them and their parents that they got to charter schools.

He said some of them went to charter schools part of the day and part of the day they went to the public schools, and some went to the public schools part of the day and part of the day the private schools, but they are working out arrangements; but it is all about what is best for the kids.

Mr. HOEKSTRA. If the gentleman will yield, I thought he was a wonderful breath of fresh air in how he viewed that job, in saying, I am a superintendent for all the kids; and I recognize that, you know, my traditional public school may not be the best for all of the kids in this district each and every day, and so what I am doing is, in the business world we call it mass customization.

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He says, I am using the resources that I have been given and I am going to help parents put together a structured program that matches the needs of every child. And so, if some of the parents believe that home schooling, for whatever reason, is best for their kids, you know, if they come through and they want to use the school for band, for some extracurricular or advanced science classes, we are going to be there and we are going to open the door and we are going to work that out for the parents.

And it is the same for the charter and the parochial. It really was a demonstration of what he said, a superintendent for all of the kids in the district. And what I would guess they are doing in that district is just building a phenomenal partnership and a phenomenal loyalty in that community with all of these groups coming together, with the focal point being the kids, not home schooling, not charter schools, not public schools, not parochial schools, but they are developing a

trusting relationship between all of the providers of services to these kids that says, let us keep the kids and learning at the center, let us put aside our differences and let us come together and make sure that we have a relationship that enables us to be creative to meet the needs.

I thought it was awesome testimony.

Mr. GUTKNECHT. Mr. Speaker, it absolutely was. I would bet long money and short odds that all the kids in Faribault are going to benefit from that kind of an attitude.

But the other thing I wanted to mention about Governor Carlson, he said something really profound; and that is that, for too long in public education and education in general, we have measured quality education by inputs. And he sort of reversed. Maybe it is because he came from PS-36. Maybe it is because he was State auditor. But when he was governor, he said, we better start measuring outputs. Because we have all labored under this Lake Wobegone mentality that all our children were above average, and that is not necessarily true. And when we began to actually test the students, we began to find out they were not doing nearly as well in many of the areas as we thought they were doing.

And so, we are starting to measure quality now in Minnesota not by how much we put into the process, and we put an awful lot of money in public education in the State of Minnesota, as my colleagues do in Colorado and in Michigan, as well. But we want to find out how well the students really are doing in terms of learning. And I think that if we focus on the students, if we focus on the children, and if we focus on outputs, what we are really getting out for the resources we put into it, I think in the long run the real winners are going to be the children.

So the testimony today was excellent. I cannot thank my colleagues enough. I came away charged up reminded that the Forefathers were even smarter than we thought they were when they created the system that we have today where each State becomes the laboratory of democracy.

We are seeing this happening in places like Milwaukee and in Minnesota and all around the country from governors, State legislators, private nonprofit groups. We heard from a number of them. The Executive Director of Partnership for Choice and Education spoke to us. Kids for Scholarship Fund. They are offering 1,200 scholarships a year now in the State of Minnesota to poor kids to go to the school of their choice. And we heard from some parents excellent testimony of the benefits of allowing students to have that kind of choice.

So I really came away with a renewed optimism that Americans do care about education, they do care about the children, and, in places like Minnesota, there are a lot of people doing the right things and, ultimately, the kids will be the beneficiaries.

So I want to thank my colleagues for coming to Minnesota. I thought the hearing was excellent. As I say, the only regret that I had was that we did not get more people at that hearing so more people could see what is really happening in places like Minnesota. We would love to have our colleagues come back and perhaps bring some of those folks into Washington to share with some of our colleagues what really is happening in terms of educational reform in Minnesota.

Mr. SCHAFFER. Mr. Speaker, the constituents of my colleague were perfect people to testify; and Minnesota turned out to be a perfect place to hold the hearing that we did because their comments were reflective, I think, of the same kind of comments that we have heard throughout the country.

But one of the interesting perspectives that I think we probably spend more time on in Minnesota than most other States is on the topic of the School to Work Program, which passed in 1994 by Congress. It was a program that was inspired by the Nation's desire to see schoolchildren graduating with the skills necessary to help them become more gainfully employed and ready to go to work.

And so, as classically happens here in Washington, there is a legitimate need that is identified by the country; and we throw lots of money at it in Washington. Now, this was before we took the majority. This was when the Democrats ran the House, and we saw even more of that then. But create a new program, throw hundreds of millions of dollars into a program called School to Work; and these dollars were funneled back to the States and once again the States were told, if you want your money back, you have to spend it the way we tell you to.

The School to Work Program is something that is in full force today in all 50 States. It is a mandatory program, there is no voluntary quality about it, that even from the very young ages of kindergarten starts orienting more and more students toward workplace skills. And the concern we heard voiced today was that that focus on workplace skills often comes at the expense of developing one's intellect in an academic approach to learning.

This is a complaint we are hearing more and more about. The School to Work Program, again, built around the right motives and identification of a very legitimate problem that occurs, but the solution is one that deemphasizes academic performance and academic progress in schools and moves the focus to actually an objective that is outside even the Department of Education, that includes the Department of Labor, where this morning the Medicare program is involved in School to Work. And it is kind of a comprehensive Government effort to try to change the way we have educated our children for hundreds of years in America.

Mr. HOEKSTRA. Mr. Speaker, and that is going on at the same time. I

still remember the first hearing or one of the first hearings that we did. We did a run through California. And then as we were doing the education at a crossroads hearing, we also did a hearing and we did it in California and we met with a number of the college presidents or the deans of various universities in California. And it was right after this process had started and as we were gathering the data. In one of these initial hearings, the deans came in and said, you know, one of the programs that we need more funding for is for remedial education. And we kind of get a startled look on our face, and these are from some prestigious colleges telling us that they need more money for remedial education. And we hear that from two or three of these experts from the colleges and we finally say, excuse me, why does a prestigious university with high academic standards and high entrance requirements, what do they need money from us for for remedial education?

The answer is, well, 25 percent of the students that are coming to college today are not ready for college requirements. And what does that mean? It meant that they were not at an 8th or 10th grade level for reading, writing, and math. And so, it is one of those key criteria again for successful schools is, rather than overlaying a whole new system on to our education, which is focusing on developing the skills to work, the emphasis should be on teaching our kids and getting them basic academics.

We have seen that on international standards, international comparisons. We are not doing well enough on our kids learning the basics. So before we go off and try to dilute this process any further, let us focus on basic academics.

I do not know if the gentleman was in Arkansas when we went to Arkansas in Little Rock when we were at Central High School.

Mr. SCHAFFER. Mr. Speaker, I was not there.

Mr. HOEKSTRA. Again, it was fascinating. The school in Arkansas that gets some of the highest test scores, we asked them the question, Why are you getting such high test scores? Because they were the lowest funded school in the State? The answer was, We only have the time, energy, and money to focus on basic academics.

Mr. SCHAFFER. Mr. Speaker, I thank the gentleman from Michigan (Mr. HOEKSTRA) for joining us in this special order. I see we are almost out of time. I hope this topic of School to Work is one we will be able to spend more time on and explore the impact that it has had in other States. I suspect the testimony we heard in Minnesota is similar to the impact to that which we would hear from other States. And it is one example where, once again, Washington is diffusing the emphasis of education on academic learning in a knowledge-based education.



We need to stop that, really, and we need to start allowing schools to focus on what they believe to be important locally.

#### VARIOUS ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Under the Speaker's announced policy of January 6, 1999, the gentleman from California (Mr. SHERMAN) is recognized for 60 minutes.

Mr. SHERMAN. Mr. Speaker, a few minutes ago I became aware that this hour of time to speak before this House was available. I thought about it for a moment. I am confident that my presence here will not adversely affect the ratings of other cable television shows, many of which are made in our area. And so I figured I would take this opportunity even though I have not had the chance to prepare and my remarks may not be quite as crisp as I would like.

I would like to address a number of different topics that I have been thinking about, particularly over this last district work period. The first is an odd attempt by those who claim to love Ronald Reagan to rewrite the history of the fall of the Soviet Union.

We know what the real history was. The Soviet Union looked powerful. We spent on our defense, fearful of Soviet aggression and expansion, and Ronald Reagan led us in those efforts.

Our deficit grew. We tightened our belts domestically. We did so because we were told that the Soviet Union could expand, that it was powerful, that it could emerge as the most powerful nation on Earth.

In 1991, to the surprise of just about everyone both inside and outside the Soviet Union, the Soviet Union began to collapse. That is what really happened.

It is kind of disconcerting to think that all the experts in all the capitals did not foresee such an enormously important event. And experts are reluctant to admit that they cannot always see the future. But what is worse is that those who have come to idolize Ronald Reagan have started to rewrite history.

In their rewriting of history, Ronald Reagan foresaw as early as the early 1980s that, within a decade, the Soviet Union could be pushed into the dust bin of history, that Reagan knew that the Soviet Union had begun to corrode from the inside and far from being a challenge to the United States, in fact, it was a nation that could not survive.

These supposed supporters of Ronald Reagan ascribe to him an omniscience and all-knowingness, that they think is complimentary.

In fact, what these supporters of Reagan are doing are besmirching Ronald Reagan's character, attacking his honesty, and telling us that our former President is a liar to the American people.

Time and again, President Reagan came before us in this hall, I was not

here, stood and delivered the State of the Union address and rallied America to spend more and more on our defense.

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He never told us it was offense. He said it was necessary to prevent Soviet expansion, not some secret plan to force the Soviet Union into collapse. Ronald Reagan came before the American people and told us the Soviet Union was a powerful threat and would remain so for quite some time. He urged us to embark upon military expenditure projects, some of which would last a decade or 2 decades because, he told us, the Soviet Union was a threat. Now, those who claim to be Ronald Reagan's ideological descendants, some who claim to be his friends, tell us it was all a lie, that Ronald Reagan knew that the Soviet Union had corroded from the inside, that he knew that these expenditures were not necessary to defend us but rather were part of a secret plan to force the Soviet Union to spend more and more on its defense in a dangerous game in which the Soviet Union would be faced either with the prospect of launching a nuclear strike or consenting to an arms race that it could not win, an arms race launched against it by a Reagan administration with a secret plan to drive it into destruction. Ronald Reagan never told us that we were engaged in such an effort. Ronald Reagan never told us that we were trying to push the Soviet Union to destruction, that they would face a moment at which they would blame us and would realize that either they would launch a military strike or go into the dustbin of history.

He never told us this, because he never believed it; and the Soviet Union in its dying hours did not believe it, either. The Soviets knew that their system collapsed of its own weight. Only retroactive American arrogance would say that the other superpower collapsed because of something we did here in Washington, D.C.

The fact of the matter is Communism does not work, and in the last decade or two, both Communist giants have ceased to embrace their ideology; and without that ideology they have ceased to be exporters of Communism, ceased to have confidence in Communism, and it has shaken them to their roots. Are we going to say that Communism lost favor in the Soviet Union because of American hostility and Communist ideology lost favor in China because of American friendship? That either friendship or hostility from America creates the same result? I think not. Communism does not work. Russia and China realized it. This forced a crisis of confidence in both places. The Soviet Union not being one nation but rather an amalgam of nations held together by a failed ideology collapsed, and China has moved from the ideology of Communism to the ideology of nationalism overseen by a relatively small group of oligarchs and local potentates

that control the economy. To say that it all happened according to a plan is to dangerously rewrite history.

While I talk about the Reagan administration and the collapse of the Soviet Union, it leads naturally to a discussion of Star Wars, an issue that is still before us. Just because the Soviet Union is no longer intact does not mean that we are safe. In fact, the world is more complicated and more dangerous. There are those who have come before this House and suggested that the world does not have to be a dangerous place if only we developed a missile defense system.

Now, Mr. Speaker, I would like to see us continue to research in this area, and when our technology has advanced to the point where we can provide some reasonable defense at reasonable cost, deployment is certainly called for. But let us not fool the American people. Those that cannot hit us with an ICBM, those who cannot hit us with an intercontinental ballistic missile will be able to smuggle nuclear weapons into our cities no matter how effective our missile shield. A nuclear weapon is about the size of a person, some smaller than a child. And anyone who has been in Southern California or probably just about any major city in this country is aware that every year hundreds of thousands, every day thousands of illegal immigrants are snuck across our border not just from the southern border but the northern as well; that illegal drugs are smuggled into America with relative ease, and this is by people being paid a few hundred dollars to sneak a person into the United States, marijuana importers or smugglers, criminals bringing in bales of marijuana for a few thousand dollars in compensation.

How difficult would it be to sneak a nuclear weapon into an American city? A nuclear weapon smaller than a child does not need ventilation, does not need to be fed. Children who are smuggled into America scream and cry. Nuclear weapons would not. So imagine that we had a perfect defense against Iranian or Iraqi or North Korean missiles. What would those countries do? They would smuggle a weapon or two into an American city, hire or kidnap an American scientist to come look at it, detain that American scientist until it could be moved to another apartment or another city, and inform our government that in some apartment, in some city, in some State in this country, there was a nuclear weapon in the custody of someone reporting to Baghdad or to Tehran.

I would like to see a defensive shield shielding us from intercontinental ballistic missiles. But let us not fool the American people. That is just one small element of our defense. And if we spend a trillion dollars building a roof over a building that has no walls, we will have been misallocating resources. I am not sure that we can police our borders well enough to prevent nuclear weapons from being smuggled here, but

I do know that a missile defense shield is of only modest use as long as our borders remain porous.

We need to focus our attention on the rogue states that are currently developing nuclear weapons and might be willing to use them even if they faced the threat of annihilation from our nuclear weapons. And we need to cut off money, investment funds, from going to the regimes of North Korea, Iran and Iraq, because all three of those countries are trying to develop nuclear weapons.

North Korea has agreed to stop its program, and I leave them aside. We can discuss them separately at a different time. But let us focus for a while on the two great enemies or rivals that we face in Southwest Asia. We do need to prevent the government in Baghdad and the government in Tehran from getting their hands on money. When investment capital flows into those two countries, when money is loaned to them, money is given to them, export markets are given to them, when Iraq is allowed to sell its oil and not spend the money on food for its people, then money is in the hands of those who would wish to develop nuclear weapons and whom as I have pointed out will face little difficulty in smuggling them into the United States. Unfortunately, our efforts to stem the flow of money to Tehran and Baghdad have been set back in several different ways.

Today, Mr. Speaker, it was revealed that Iran, having suffered hundreds of thousands of casualties in a war of aggression launched by Iraq 2 decades ago, now is allowing Iraq to use its coastal waters to evade the U.N. blockade, evade U.N. sanctions, sell a billion dollars perhaps every year of oil, and this would not be money in the oil-for-food program controlled by the United Nations. This is money directly into the hands of the Iraqi military.

Mr. Speaker, we could spend a trillion dollars on a missile defense system, but if we do not stop those oil tankers from leaving the Strait of Hormuz, if we do not prevent that oil from being exported, we are literally allowing Saddam Hussein to build nuclear weapons and then we can worry about how to keep them out of the United States. What concerns me, Mr. Speaker, is that our policy toward Iran has been ineffective. The ineffectiveness is shown today by Iran allowing that Iraqi oil to be exported.

Now, we are told that the ships that come from Iran down into the Persian Gulf pass a checkpoint controlled by the revolutionary guard. We are told the revolutionary guard does not report to the President of Iran, and so we should not get bent out of shape if they allow those oil tankers into their coastal waters. The fact remains that in Iran, the president is not the head of their government or military. The supreme leader is. That leader controls those revolutionary guards, and those guards have allowed those tankers to use Iranian coastal waters.

Iran has said, well, we need help in stopping these ships. All Iran has to do is announce that those countries that are enforcing the U.N. blockade are allowed into Iranian coastal waters, allowed within 12 miles of its coast, and we will be able to shut down these illegal Iraqi oil exports. But instead, Iran lets the tankers go by the checkpoint and claims they cannot do anything to stop it and will not let United Nations ships or, rather, American and British ships detailed to enforce the U.N. blockade, will not allow them in their coastal waters.

Mr. Speaker, this is a dangerous situation; and it shows that our policy toward Iran, especially in the last 2 months, has been mistaken. Two months ago, the Secretary of State announced unilaterally, without really much consultation with Congress at all, certainly without any congressional encouragement or approval, the Secretary of State announced that the United States would allow Iran to export to the United States pistachios, carpets, caviar, dried fruit; and many people joked, how important could that be.

Mr. Speaker, first it is symbolically important, because if America will do business with Iran, business as usual, if America will open its markets to these nonenergy exports of Iran, then how can we turn to Europe and Japan and tell them not to do business as usual with Iran on a bigger scale? How can we today turn to Japan and Germany and tell them to stop buying Iranian oil because Iran is clearly complicit in the illegal export of Iraqi oil? Certainly it weakens our position.

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These exports, these non-energy exports from Iran, are important to Iran. They are its major non-energy exports. They pale into insignificance in dollar amount compared to oil, but reflect on this: Iran will always get the world price for its oil. Nothing we do is going to change by one penny the amount of revenue Iran gets for every barrel that it exports to a world thirsty for its oil.

In contrast, those other exports, the carpets, pistachios, et cetera, those exports need every market they can find to try to push up the price, and by opening up our markets we invigorate the world market for those Iranian exports, exports as to which there is no fixed world price, exports that are important to the Iranian economy. Some 5 million people, it is reported, work in the Iranian carpet industry. That is just one of the four imports.

We would think that today the State Department would react, react to these illegal shipments through Iranian waters and cut off Iran's access to America's markets. My fear is that that will not happen. Every time there is an opportunity to make a unilateral concession to Iran, we seem to do it and do it quickly, unilateral concession after unilateral concession.

The latest pat on the back that Iran has received is a \$231 million loan from

the World Bank. The U.S. voted against that loan, but we certainly did not tell our European allies that we would take their votes in favor of that loan as a reason to perhaps reexamine other aspects of our foreign policy. We were good losers. We accepted the defeat. This calls into question how we provide foreign aid.

Mr. Speaker, I have come to this floor in the past to support American foreign aid. I think we should do what we can to help the Third World develop, to help the poorest people on this planet survive. But the recent action by the World Bank threatens America's support for foreign aid. That support is not all that deep to begin with, but how do we go back to our districts and explain that America participates in the World Bank, its capital was provided in significant part by the American taxpayer, and the World Bank disbursed \$231 million of loans to Iran; money that is fungible, money that allows the Iranians to spend their oil resources and oil revenues on their military programs? This is going to be a hard sell.

Mr. Speaker, sometime this month we will be dealing with the foreign ops appropriations bill. At that point, we will be asked to appropriate hundreds of millions of dollars to the IDA program administered by the World Bank. We have to be aware that money of the United States disbursed to that program could be lent on a concessionary basis, could be lent at very low interest rates, pay-us-when-you-feel-like-it terms, to such countries as North Korea or Sudan, or any other country that claims to have a good project and is very poor.

North Korea and Sudan are very poor because of the evil of their governments, not because of a lack of world aid. How are we going to go back to our constituents and say, these hundreds of millions of dollars were turned over to an international organization free to make loans to some of the most evil nations or evil governments, I want to stress evil governments, on this planet?

Better we appropriate these same funds, and I do not want to see a reduction, I want to see, if anything, an increase in our foreign aid, and provide these same funds to entities under the control of the United States government or entities where we at least have a veto power, so these funds are loaned or given only for projects in countries that have some minimal respect for human rights?

I look forward to working with Members of the relevant subcommittee and of the Committee on Appropriations to see what we can do to make sure that when we go back to our districts and defend foreign aid, we can say that all U.S. tax dollars are going for projects in countries that we can support.

Mr. Speaker, this is an additional reason why the loan to Iran was not only a poor decision but one that was ill-timed, as well. Not only does Iran

today, a few days after the loan, decide to facilitate Iraqi evasion of U.N. sanctions, not only does Iran sponsor terrorism and is on the State Department terrorism list, not only is Iran, along with Iraq, one of the two greatest threats for possible destruction of American cities at such time as they develop nuclear weapons, but Iran a year and a half ago decided to continue its oppression of its small Jewish community, just as it oppresses those of the Baha'i faith.

The Iranian government since its revolution has executed on trumped up charges 17 members of its small Jewish community. Well over half of that community has fled, and now 13 Jews are on trial in the city of Shiraz on the most trumped up charges in trials that would have made Josef Stalin ashamed, trials where the only evidence is the apparently tortured or coerced confessions of the defendants in which the defendants confessed to crimes they could not possibly have committed.

Mr. Speaker, here in the United States we live in a multi-ethnic, multicultural society in which people of any ethnic or religious group may be found in our national security agencies, and yes, may be found among those few who commit espionage.

Mr. Speaker, we have had British-American spies, we have had Jewish-American spies, we have allegedly had Chinese-American spies. Anybody of any ethnic group could find themselves in a position where they are the custodians of our national secrets. Iran is just the opposite. No one of the Jewish faith is allowed near anything of any military or national security significance whatsoever.

Mr. Speaker, these 13 are accused of spying for the CIA, and I put forward that we could not be the world's only superpower, we could not have emerged in this powerful position, if our CIA went to Iran looking for spies and decided to hire people from the small ethnic group that are prohibited from getting anywhere near any of the information our CIA might be interested in.

These charges are absurd. The World Bank loan to Iran, as this trial continues, was the kind of mistake that imperils American support for foreign aid and American support for the World Bank, and imperils a relationship that has recently been celebrated by the President in his farewell tour, farewell as President tour of Europe, involving ties that are certainly disrupted when European nations say, we will ignore the trial of the 13 Jews in Shiraz, we will ignore Iran's other problems, and when they will force the World Bank to take American capital and money borrowed on the strength of American capital and hijack that money to Tehran.

Mr. Speaker, I would now like to shift my focus to a bill that will come before this House I believe on Friday, and that is a bill to repeal the estate tax.

At the outset, let me stress that 98 percent of all Americans, when their

wills become operative, do not pay a penny of estate tax. This is a tax paid by only 1½ percent of all the families in America. Yet, to read some of the letters, to listen to some of the rhetoric on this floor, we would think that the estate tax was the most burdensome tax on American working families.

Estates of under \$2 million will, after the current law becomes hopefully effective, pay absolutely nothing, as long as some law and estate planning documents are drafted in advance. Mr. Speaker, I introduced a bill that made this law I think less burdensome on upper middle class American families, and said that \$2 million could be left by a man and wife or a husband and wife, to their children with no estate tax, even if they did not prepare a bunch of estate planning documents in advance.

This bill was designed to liberate widows and widowers from these by-passed trusts, complicated legal documents, almost required of them by our current estate tax law. But that bill did not get a hearing because there is an effort here not to liberate upper middle class families, and of course, those of lesser means are already exempt, but not to liberate upper middle class families from the estate tax and from the burdens of doing estate planning. The plan here is to abolish this estate tax altogether.

The estate tax is a painful tax. It is a bad tax. I hate the tax. I hate all taxes. Every single one of them is painful. There is no way for the Federal government to get money that does not have a bad effect on those who are required to pay.

The question is not whether the estate tax is a bad tax, but whether it is our worst tax. I ask Members, is a tax that 98½ percent of all Americans are exempt from, is that our worst tax? Or is it an income tax and a FICA tax that falls so heavily on the working poor? Must we first eliminate a tax that falls chiefly on those with estates over \$10 million, or must we first eliminate taxes on those who are making \$10 an hour or less? Should it be \$10 million and more, or \$10 an hour or less? Where should we focus our generosity? Where should we focus our tax cuts?

Mr. Speaker, there is an earned income tax credit, but it is not available to many of the working poor, and is not available to any that do not have children in their homes. So we have a situation where we are told that the estate tax diminishes the incentive to work because somebody working at age 40 or age 50 or age 60 is thinking ahead to the point when their estate plan would become effective, in their eighties or nineties, thinking ahead to what the estate tax law might be at that point, knocking off work early and going to the golf course.

Maybe it is happening, maybe it is not. But let us talk also about the effect that our current taxes have on the working poor, people who are called upon to work the second job to support

a family, people who are called upon to get off of welfare and to enter the work force, and we tell them, we are going to take a chunk of your money, of your paycheck, to support the social security system, and I support the social security system. We are going to impose an income tax. We are not going to give you a tax credit for the social security tax you pay, and we will give you no tax credit for the State sales tax that you pay.

People who make less than \$10 an hour are paying a lot of tax. What about them? Are they affected by incentives? Are we to say that the ability to leave the second \$10 million to your kids 20 or 30 years from now is what is uppermost on the minds of somebody building a business, but that the size of today's paycheck is irrelevant to a person who is working two jobs? I do not think so.

Yes, all taxes have an adverse impact on incentive, the incentive to work, the incentive to participate in the economy. But I venture that there is a far worse effect on our economy from taxing those who make less than \$10 an hour than taxing those who have more than \$10 million.

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I would also point out that before we cut the estate tax, before we eliminate the estate tax, we ought to make sure that we are not endangering Social Security, that we are not putting ourselves in a position when we will not be able to provide any pharmaceuticals to those who are on Medicare, some who need \$1,000, \$5,000, \$10,000 a year of pharmaceuticals to survive.

Mr. Speaker, they retired believing they had Social Security and now find that they are insecure, find that they do not have the wherewithal to pay for the pharmaceuticals that they need to survive.

Mr. Speaker, what will come before this House on Friday is a bill to repeal the estate tax before we have made Social Security secure, before we have made Medicare recipients secure. Every Medicare recipient today knows that tomorrow they could be diagnosed with a disease requiring \$5,000 or \$10,000 a year of pharmaceuticals for which they will get no Federal aid; and we are told that the most important thing we can do with the available Federal funds is to deal with a tax that falls most significantly on those with more than \$10 million.

Mr. Speaker, I suggest that we need to explore a number of avenues. Now, I do not want to ignore the adverse effects of the estate tax. It does make it more difficult to leave a business or a family farm to the next generation. And we hear statistics about how businesses are not always left intact to the next generation and we are told that it is the estate tax.

It is not always the estate tax. The son or daughter of a farmer does not necessarily want to farm. The owner who builds a business from nothing to

a \$50 million business may find that his sons and daughters feel themselves unqualified or just disinterested in continuing to own that business. There is no proof that family businesses will stay in families if only we reduce taxes on those with assets of over \$10 million.

Finally, Mr. Speaker, one little secret about the estate tax. No one will tell it to us. That is that at every major hospital complex, nonprofit hospital, at every major university in this country, if we abolish the estate tax, the buildings will not have names. I am not saying that we will not be able to find our way around campus. That is not the problem. The problem is that gifts, major gifts to our universities and hospitals will slow to a trickle.

If we go to any campus today, we see this building is named after the Smith family and that building is named after the Cohen family and we wonder why. The answer is simple. The families involved made huge gifts to the university, huge gifts to the hospital, motivated in part by the fact that those gifts will not be subject to the estate tax.

Charitable giving at the low end, the \$5 and \$10 put in the collection plate, would not be affected by a repeal of the estate tax. But at the high end, when people are bequeathing millions of dollars to universities that in their graciousness choose to name buildings after the donors, at the high end where people make gifts that are income tax deductible in their 80s, knowing that not only do they get an income tax deduction today but perhaps if they die in their 90s they get estate tax relief as well, those gifts are motivated by the fact that 60 or 70 percent of the gift's value is represented by a tax deduction. That \$5 million Smith building cost the Smith family only 30 percent of \$5 million.

What is going to happen when we repeal the estate tax? The universities and hospitals will be here saying: now, Congress, you have to appropriate some special money for us. But how will we do that? We will cut our own revenues by \$17 billion a year. The colleges, the universities, the hospitals will not come here and tell us about this because essentially they do not want to bite the hand that feeds them.

Speaking of the hand that feeds them, I have had a lot of town halls in my district. I have heard hundreds of questions, hundreds of complaints. I am out in the community almost every day that I am in California. Mr. Speaker, at these public gatherings, I cannot remember a single occasion when someone has come up and said: let us abolish the estate tax.

Mr. Speaker, I hate to admit it, but it is a sin of which virtually everyone in this House suffers or is guilty. I also spend time raising money for my campaign and for the campaigns of my colleagues. Not a day goes by, or not even a couple hours go by. If a couple of hours are spent talking to those who

might make major contributions, the estate tax comes up every time. Not with every person, but certainly in every hour or two.

The reason for that is that this tax does fall upon those who can most afford to come to fundraisers. I think that we in this House need to pass campaign finance reform for a lot of reasons, but one of them is that we spend too much time at fundraisers, and we hear too often too repeatedly from that 1½ percent of Americans who pay the estate tax, who happen to be the same 1½ percent of Americans who donate the most money for political campaigns.

Mr. Speaker, if we do not stop and think about it, if we do not filter it out, we are going to come to the conclusion if one serves in this House that the whole country is concerned about the estate tax, because in the average month we hear about it five, 10, 20 times. We have to remember that every one of those times was not out at the community Little League, was not at a visitation to a senior center, was not at a widely publicized town hall, but in nine out of 10 cases, or maybe 10 out of 10 cases, it was through a friend that is a supporter of either us or our colleagues here.

Yes, if we serve in this House, we need to keep in touch with people, and sometimes that is thrown askew when the fundraising burdens and the time commitments of that are imposed upon us.

Mr. Speaker, I would like to comment just briefly on Governor Bush's Social Security plan and some of the rhetoric surrounding that plan. Governor Bush has turned to young people and said that they only get a 1 or 2 percent return for the money they put in Social Security. What he has not said is that the first two generations to participate in Social Security did incredibly well. Social Security brought us out of the Depression as much as any program. And the first two generations to participate in that program contributed for only a portion of their working lives and received the benefits, benefits that many are still receiving today in their 80s and 90s.

So what does this mean? It means that today's Social Security tax is paying for our grandparents' retirement. This was never a pension system where our money is saved exclusively for us. Rather, our money is being used to fund the retirement of those who went before, just as their money went to fund the retirement of those who went before, and we can trace it back to the Depression generation.

Now, we are told that the new generation does not have to contribute to pay for the previous generation's retirement. We are going to have their money diverted into separate individual accounts and that anything else would be unfair. Mr. Speaker, we cannot simultaneously take all the funds that are coming into Social Security and say that is the money of the people

who put the money in and continue to fund the Social Security payments to those who are receiving checks today, people whose tax dollars, FICA contributions were used to pay the prior generation's benefits.

The proposal that the governor has put forward is to take one-sixth of the money, virtually, that is now going into the regular Social Security Trust Fund and divert it into special assets owned by those who contribute the funds. I wish we could promise that. I wish we could do that. But before we start bestowing multitrillion dollar benefits, new benefits, why do we not make sure that the program can continue to pay the existing benefits?

Another huge benefit promised by the governor of Texas is that if one were to die before reaching 65, their family gets a huge check from Social Security. Or if they were to die at age 68 or 69 or 70, before they have received their actuarial expected benefit, the family receives a giant benefit.

That is a wonderful promise. I wish I could make that promise. I would be a lot more popular if I made that promise. But what do we do to those who live to 90 or 100? Do we say that those who live less than their average life span get their money back and those that live longer than the average life span stop receiving benefits? There is no solution offered by the governor of Texas. Two huge benefits promised; no source of revenue to pay for them. A sixth roughly of the money diverted. Let us make Social Security secure, and then we can focus on whether we can do better.

Mr. Speaker, I have talked about a number of topics. Topics that are complex topics that I do not get enough time to study about, read about; and it leaves me longing for a greater level of intelligence. Mr. Speaker, there are those working on greater levels of intelligence today. There are those engaged in silicon chip engineering who are creating more intelligent machines all the time. And there will come a time when the silicon chip-driven machines rival humans in intelligence.

There are genetic engineers mapping the human genome and within a few decades they may be in a position to create a more intelligent human being, perhaps one that could have dealt with all of the topics confronting this Congress with greater wisdom than I have been able to muster.

There are those dealing with nanotechnology, technology where things are manipulated at the atomic and molecular levels, technologies that offer a chance to engineer either from biological materials or from electronic materials or from a combination of the two a level of intelligence way beyond today's computers, way beyond today's animals, and perhaps way beyond today's humans.

Speaking of intelligent humans, on August 7, 1939, Albert Einstein wrote to President Roosevelt and brought to his attention clearly and crisply the importance that nuclear technology

might have for the future of the world. In just a few years, that nuclear technology literally exploded. What was the high and unusual science of 1939 became the public policy issue of 1945 and beyond.

We today are still wrestling with the political, the international, and the ethical issues of nuclear power and, of course, nuclear weapons.

Would it not have been great if we had gotten a bit more of a head start? Would it not have been good for humankind if the scientists had come to us 20 or 30 years before the nuclear weapons were created and told the world's political leaders that the genie will soon be leaving the bottle and it is time to develop a code of ethics and central understandings that will fit the new technology?

2145

Now, some more than 50 years after nuclear weapons, we are still struggling with the ethical issues that they create. Well, I do not know how many years we have before what I refer to as remembered intelligence poses even more severe ethical issues for us than nuclear weapons do.

Let me bring a few of them to our attention. I know this may sound like science fiction today, but I do not think anyone familiar with science would say that these are not real possibilities. I am not saying this decade, maybe not next decade, maybe not in the lifetime of those of us who have lost our hair, but certainly within the lifetime of some of the younger folks in the back of the room.

First, we will see genetic engineering that will either create or offer to create our slaves or our masters. Today dogs are a man's and woman's best friend. They are great pets, and a few of them are engaged in work, shepherding sheep, for example. Today's dogs have been bred, not genetically engineered, just bred to be friendly, docile, and obedient.

There are a few who think it raises ethical issues, but most of us view a dog's intelligence as below that of self-awareness and consciousness and are quite happy to have dogs that are obedient, docile.

But what happens when the genetic engineers start developing more intelligent canines? What happens when we start having dogs as intelligent or more intelligent than apes? Fortunately, I do not think we are going to face this issue in the next decade. But we are going to face it this century, and we are probably going to face it before we figure out what to do with it.

At what point must we recognize other life forms as being protected by our Constitution? How intelligent must a genetically engineered animal be to be worthy of our protection and respect? I do not know.

Likewise, we have seen many science fiction shows where scientists start with human DNA and deliberately try to create a being that is less intelligent

or simply more docile than the average human form, and we are told to imagine a race invented for slavery. I think all of us recoil at the ethics of that.

But will we recoil with the same level of revulsion if the nearly as intelligent as human or perhaps as intelligent as human docile race is engineered from canine DNA or simian DNA, perhaps someday if we are not careful, human DNA? But not only may there be genetic engineering that invents those entities which some would wish to enslave, genetic engineering, whether it starts with simian DNA or human DNA, could very well invent a level of intelligence well beyond that of any of us here, perhaps even beyond that of the Albert Einstein I quoted earlier. Then how should human kind react?

That which can be done with genetic engineering may also be done with silicon chip engineering. A book I have not had a chance to read bears the interesting title the Age of Spiritual Machines. How many decades is it before the computer screen lights up with the question, am I alive? Why am I here? Should there be any ethical limitations on creating computers with intelligence, not just to balance our checkbooks or to figure the trajectory of the rocket, but computers intelligent enough to ask the spiritual questions? I do not know. I do know that it will take a panel of Einsteins to give us some guidance as to what our laws should be. This is going to be a tough issue.

I am going to propose probably next Congress, if I am fortunate enough to be here, if there is interest by some of my colleagues, perhaps we could work on it this month or next month, that we create a national commission on the ethics of engineered intelligence to try to give some guidance to those lawmakers that will come after us in dealing with the issues of silicon or carbon-based intelligence that approach or exceed that of today's human being.

I do not know how to deal with these issues. It is a tradition in this town that, when one does not know what to do, one creates a commission. There is also a tradition in this town to wait till the last minute, to wait till some development is going to impair jobs in our own districts before we get serious about the issue. I would say that these are issues, and there are others as well that we ought to try to tackle at least at the thinking stage at the earliest possible time.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4576, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-652) on the resolution (H. Res. 514) providing for consideration of the bill (H.R. 4576) making appropriations for the Depart-

ment of Defense for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATION BILL, 2001

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-653) on the resolution (H. Res. 515) providing for consideration of the bill (H.R. 4577) 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, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3605, SAN RAFAEL LEGACY DISTRICT AND NATIONAL CONSERVATION ACT

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106-654) on the resolution (H. Res. 516) providing for consideration of the bill (H.R. 3605) to establish the San Rafael Western Legacy District in the State of Utah, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### ILLEGAL NARCOTICS

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes.

Mr. MICA. Mr. Speaker, I come to the floor as we return from the Memorial Day work recess and am again pleased to appear before the House and my colleagues to talk about what I consider the most important subject facing this country and this Congress and that is the problem of illegal narcotics.

During this recess, as chair of the oversight and investigation Subcommittee on Criminal, Justice, Drug Policy and Human Resources of the House of Representatives, I had the opportunity to continue our series of hearings, both here in the Congress the day before we left and adjourned and then during this holiday recess to conduct three national field hearings.

One of those was in New Orleans at the request of the gentleman from Louisiana (Mr. VITTER), also a member of the Subcommittee on Criminal, Justice, Drug Policy and Human Resources, to look at a drug testing program that had been instituted in some

of the private schools and is being expanded to the public schools in New Orleans. That hearing was conducted during the recess.

Then we moved our field hearings to Orlando, my own backyard, the area immediately south of me where we conducted a field hearing on the subject of club drugs and designer drugs and their impact now in central Florida, the State of Florida, and across the Nation.

Then we conducted a third hearing in the Dallas/Fort Worth, Texas area, actually in the city of Mesquite outside of Dallas at the request of the gentleman from Texas (Mr. SESSIONS). We looked at an area that had been hard hit by narcotics, illegal narcotics, primarily heroin, looked at the trend in illegal narcotic trafficking, particularly some of the designer drugs, methamphetamine, and focused our attention on what that community had done in successful treatment and prevention education, community-based programs to deal with the problem of illegal narcotics and drug abuse.

So we have had a full schedule, and tonight I want to update my colleagues and the American people on where we stand in our efforts to combat illegal narcotics.

Now, today is the 6th of June, and we come back from Memorial Day, a time when we remembered those who fought and died in service to this country to our great Nation. We remember today of course D-Day, such a memorable day in the history of the country, the beginning of the end of World War II when thousands of Americans died on the beaches of Normandy in attempting to bring the Second World War to an end.

As we remember each of those fallen heroes on Memorial Day and remember this day, we must realize that these individuals gave up their lives for service to this country and respect their great sacrifice and always honor that great sacrifice.

Tonight our country does not face the threat of a Cold War, of nuclear bombs possibly being rained from a Soviet Union. We still have many external threats. But today we face probably the most serious domestic threat since the very founding of this Nation. The toll continues to mount.

I asked my staff to research the number of American dead in some of the wars. In World War I, 117,000, nearly 117,000 Americans lost their lives. In World War II, over 408,000 Americans lost their lives. In the Korean War, some 52,246 Americans died in service of their country. The Vietnam War, some 58,219. In the Persian Gulf conflict in the past decade, 363 Americans gave their life in those battles.

It is incredible to note the loss of life directly and indirectly to illegal narcotics. Our Drug Czar, head of the National Office of Drug Control Policy, Barry McCaffrey, testified before our Subcommittee on Criminal, Justice, Drug Policy and Human Resources in

the neighborhood of 52,000 Americans lost their lives the last year as a result of direct and indirect deaths.

As a result of direct deaths, the last statistic that we have is 1998, and that figure was 15,973 Americans lost their lives. It is only to be compared to the external conflicts in which we have lost so many Americans.

So it is fitting that in the light of Memorial Day that we remember those who lost their lives in service to this great Nation, but it is sad to come back and face the reality of tens of thousands of Americans dying at the hands and at the call and at the destruction of illegal narcotics across our land.

2200

The toll in dead and destroyed families goes on and on. We have conducted field hearings across the Nation in the past year and a half since I have assumed the chairmanship and this responsibility. I am concerned that this situation may be getting even worse, rather than better.

Tonight I want to talk about where we are, some of the things we learned in our field hearings, where we can go from here, what we have done in the past that was correct, and what we have done most recently that has been incorrect, and what path we need to follow to get this situation under control. But, again, we have a very, very serious situation. It was brought to light in the hearing that was conducted in my own backyard in central Florida.

The last hearing we held focused on the last year and a half. That hearing focused on the number of deaths from heroin overdoses, which unfortunately continues to rise and even the number of admissions from overdoses of heroin continues to rise dramatically. The only reason we have not had more deaths, I am told by medical and law enforcement experts, is that they have developed better techniques to save our young people. And those who suffer from overdoses, they do not fall victim; but, nonetheless, we have even greater numbers of deaths from heroin.

We have taken a measure to create a high intensity drug traffic area, which is just getting underway the last year and a half in central Florida, and that may well be expanded up until Jacksonville and go through Orlando to Tampa, combined with the Miami HIDTA and Puerto Rican HIDTA, high intensity drug traffic area, Federal designation by Federal law that allows every possible Federal asset to be combined with State, local, other law enforcement efforts, to go after traffickers, certainly, a Federal responsibility. But even with those efforts underway, the incidents of death by heroin are still dramatically high.

Now we have learned about and we focused our hearing on club drugs, designer drugs and particularly Ecstasy. The cover of this week's Time magazine features Ecstasy, and it was ironic that we would have this national publi-

cation come out at the same time that we had this hearing in Orlando.

We had planned the hearing in advance of this publication, but certainly the problem that we heard in Orlando with Ecstasy and designer drugs, unfortunately, in this article, for those of us who will read it, will disclose, in fact, that Ecstasy and designer drugs are now rampant across the United States.

Club drugs, those drugs that are in dance and rave clubs in central Florida and around the country now, where sometimes parents think that their children are going to a dance or a music concert or activity where there is security, where there is no alcohol, these places that seem and sound secure have now turned, according to testimony we have had, into major sources of illegal designer drugs for our young people.

In Florida, the head of our State office of drug control policy, Jim McDonough, testified that we lost 200 individuals in Florida in the last several years to designer and club drugs and overdoses of these new fancy narcotics.

I do not think I have ever seen a more insidious threat to this country than what we face probably in the next year, not only from external heroin and cocaine coming in to the United States in unprecedented quantities and waves. And I will talk about how we got ourselves into that situation. Now we find the threat of these designer drugs, Ecstasy, coming in also through every conceivable means, huge quantities coming in from the Netherlands, which has had lax laws relating to narcotics distribution and consumption; huge quantities coming in from Mexico, our neighbor to the south, which we have given free and open trade access to the United States and to our markets.

Also the problem of methamphetamine, which really was not on the charts some 6 years ago or 7 years ago, and now we see an epidemic of methamphetamine from the West Coast, to the East Coast, from the North to the South, methamphetamine with consequences on individuals, that puts crack to shame. The crack epidemic that we had in the 1980s was brought under control by the Reagan administration. And this crack that caused people to do such bizarre actions, commit such bizarre crimes is nothing compared to what we are seeing around this country with methamphetamine.

It is hitting the rural areas. We are going out to Iowa to conduct a hearing at the request of the representative from Iowa (Mr. Latham), the heartland and core of America. Minnesota, another area filled full of family and tradition is now also ravaged by methamphetamine.

We conducted a hearing several weeks ago and had for the first time the Federal Sentencing Commission in, and the Sentencing Commission provided us with some charts, which I would like to put up and have my colleagues and the speaker pay attention



to for a minute, this problem has gotten entirely out of control since 1992. We look at the crack problem that we had, and I mentioned in the 1980s that was brought under control and rather limited.

If we look at this chart in two areas, in 1992, at the end of the Bush administration, Bush and Reagan had done an incredible job in bringing that situation under control. Methamphetamine in 1992, and again, I did not produce this chart, this was given by the Federal Sentencing Commission to our subcommittee, there is almost no meth on the chart in 1992.

If we go to 1993, we see the spread of crack, the appearance of methamphetamine. In 1994, you have to remember some of the situations which we developed; this is the end of the Bush and Reagan administration. This is the beginning of the Clinton/Gore just say maybe to drugs. Here is just say no era. Here is the just say maybe. Here is the appointment of a chief health officer of the United States, Jocelyn Elders, who said to our children, if it feels good, do it, the just say maybe generation.

Here we see the beginning of the meth epidemic, the cocaine, the crack reappearance. Again, these charts are just absolutely dramatic and revealing. 1994, in 1993, they began the closedown of the war on drugs.

During the break, I was home and heard one of our local councilmen, who is also an active Democrat, say that well, in fact, the problem is the war on drugs is a failure, and we just have not put enough money into treatment.

Let me just, if I may, show how much money we have put in treatment. Here is 1991, 1992, even in the Bush administration in these eras, we had put money into treatment. In almost every succeeding year and from this point on here, we have almost doubled the amount of money in treatment.

At the same time, this administration began the employment of an unprecedented number of people, and even the White House Executive Office of the President with such recent drug use histories that they could not pass security checks, the situation was so bad that, in fact, the Secret Service required a drug testing program be instituted before they would grant additional clearances to these individuals.

We ended up with an administration that began the dismantling of the war on drugs, cutting, with a Democrat-controlled House of Representatives, the entire executive branch, the presidency, the House and the Senate, the other body, by huge majorities, from 1993 to 1995 controlled this whole process. They began the dismantling of the war on drugs.

The money that had previously been used, the funds that had been previously used for stopping drugs at their source called international programs or funds were cut in half, gutted by, again, a White House and a Democrat-controlled Congress bent on just going for treatment, ignoring a war on drugs, closing down on a war on drugs.

The drug czar's office was slashed from 120 positions to some 30 positions in 1993. The use of the military for interdiction to stop drugs most cost effectively from their source before they got into the country, and our military people must understand, do not become involved in drug enforcement, they provide surveillance information; that information is given to source countries, and the source countries go after the drug traffickers. That is the pattern, and that is what can work, worked so effectively in the Bush and Reagan administration, no question about it.

They chose another path. This is, again, the result, another chart showing what took place from almost, again, if we went back to 1992, we had no methamphetamine on this chart and two spots of crack showing up. 1996, this is the result of that policy. 1997, almost the entire country now engulfed, finishing the job in 1998 and 1999.

These are some of the most dramatic charts, again, ever supplied, I think, to Congress showing the failure of a policy of this Congress, and the damage that was done in a 2-year, 3-year period by this administration.

I can only say to those that think the war on drugs is a failure to, again, please look at this chart.

And no matter how I stand, if I got up on top of this and looked down, if I look at it from the side, or if I get underneath, these are the facts. The source is the University of Michigan. In the Reagan administration, we see the long-term prevalence of drug use taking a decline; in the Bush administration, a dramatic decline.

I have not doctored these. I have not touched these. These were presented to our subcommittee. For any illicit drug, this is probably the best barometer that is produced on this. You look at the Clinton administration, you look at the emphasis of putting all of the money into treatment, closing down the enforcement or closing down the interdiction, closing down the source country, failing to stop drugs at their source, closing down the drug czar's operation, as we knew it, and these are the results.

So this, my friends, is not failure. This is success. This is a reduction. This is failure. It is incredible to see that where the Republicans took over, and even with the thwarting of this administration blocking the new majority's efforts to stop drugs at their source, to regain the cooperation and use of the military for surveillance purposes, and going after tough prosecution on some of the things that we have done, have we even begun to stabilize this in the last several years.

2215

But now I submit that the situation is again getting out of hand, and for several specific reasons.

First, during the holidays, the headline is very telling in The Washington

Post. It says, "Antidrug Efforts Stalls in Colombia." And it is ironic that on the same page they have "U.S. Calls Peruvian Election Invalid."

This shows two great failures of this administration. First, we begged, we pleaded with this President since 1994, when they started first of all closing down the sharing of information with Peru and Colombia and other countries that were sources of hard narcotics, we pleaded with them to continue allowing that surveillance information to be given.

Liberals from this administration and others who went into these various agencies, including the Department of Defense, came up with a cockamamie, and I am not sure, for the benefit of the Speaker and the stenographer, how "cockamamie" is spelled, but a cockamamie opinion was drafted by these liberals that we could no longer share that information and they closed down the surveillance, they closed down stopping us providing that information and, basically, shut down the shoot-down policies that these countries had adopted.

When we would provide these countries information on drugs leaving their source, they would, in fact, send their pilot out after warning and shoot down drug traffickers. It worked. It worked in the Bush administration. It worked in the Reagan administration. And we saw this decline.

I always ask, how many people have HD TVs? Not many people have HD TVs. That is because there is not a big supply of HD TVs, there is a very small supply available and the price is very high.

With the policy of closing down the war on drugs, you would not have your planes shot down, if the surveillance is prohibited, which it was by this administration, and that mistake was made back in 1994 and 1995 and only corrected after a bipartisan effort, everyone in the House who dealt with this issue knew the great mistake that was made, the damage that was made, and we changed the law and allowed that information to be shared.

And then in the last 2 or 3 years, we see the same pattern over and over again. This administration has failed to provide the interdiction effort. The Department of Defense does not have the will. And I just thought of this the other day. Have my colleagues ever heard the President of the United States mention the war on drugs? Have we ever heard Bill Clinton, the Chief Executive Officer, from this podium, in a joint session of Congress or in any public forum? I cannot recall.

At one time I know that a search was done on one of these Nexus searches to see how many times he had mentioned illegal narcotics or an effort to deal with the drug problem; and, in fact, it is almost the lowest recorded of any President. That is why we see the lack of leadership from the White House and not only the lack of leadership and the message that is sent to our young people and our population, but also the

policy and the policy is an antidrug effort stalled in Colombia.

Why did it stall? This administration never brought up until the last minute, almost to the week of the presentation of the budget, their proposal for dealing with this problem in Colombia.

Now, when the gentleman from Illinois (Mr. HASTERT) chaired the subcommittee responsible for trying to deal with that narcotics problem, he actually was the chair of the subcommittee that had this responsibility in the last Congress, he began restoration in several countries and was able to get in Peru and Bolivia efforts started. They have eliminated between 55 and 60 percent of the cocaine production in both of those countries, successful programs.

That is why I thought this was ironic that the U.S. calls the Peruvian election invalid. I think they backed off today. But here, this administration, instead of praising President Fujimori, is condemning President Fujimori. Why in the world would we take a president who has stabilized the country, and I can tell my colleagues firsthand because I flew into Lima, Peru in 1990, the end of 1993, with the airport sandbagged, with people sleeping in the streets, with chaos, with thousands of displaced Indian population, hungry people, I will never forget going to a village outside of Lima and meeting a peasant woman and she had five children and the interpreter told me what she was saying, and she said that her difficulty, her problem, was she only had enough food for four of those children so she had to choose which child not to feed that would die.

This is the situation that President Fujimori inherited, complete chaos, 60, 70 percent of the cocaine coming into the United States produced in that country. Here is someone who brought law and order, who calmed a country that was in total disruption, and here is this administration condemning him for a candidate who called not to have a runoff election and would not commit to a date certain.

Could you imagine the Republicans saying, we will not have a runoff election or the Democrats in this country saying we will not have a runoff election or do not have a runoff election, and we will figure out at some time when the election will be? This is a slap in the face to President Fujimori who has done an incredible job of first stabilizing that country.

I remember going down when I took over chairmanship of this responsibility on our drug policy and trying to put these programs back together both with the gentleman from Illinois (Mr. HASTERT) and myself when I assumed this chair and met with President Fujimori, I was stunned at Lima, I was stunned at the countryside, at the order, the ability of people to conduct their daily business, of glass everywhere, which everything had been boarded, people sleeping in the alleys, bombs going off at night, gun-

fire. And that was a situation he inherited, brought the cocaine trafficking under control, brought down the terrorism that disrupted so many lives, and stabilized the economy so a mother would not have to make a decision whether she fed four children and let one die.

This is the type of foreign policy. Even the President of the United States's representative in Peru wrote this administration and said, your policy for, and this is the policy of a second time, they made the mistake in 1994 and 1993 by stopping the surveillance information, they stopped it again, and the President's representative, the ambassador of the United States of America, appointed by the President of the United States, said, this is a mistake in a report that was given to me in December by GAO, the General Accounting Office. I asked for a report from an impartial panel to see what was going on.

So mistake after mistake, error after error, has been made.

Now, again, in the 1980s, we had most of the cocaine coming in from South America and from Peru and Bolivia. About 95 percent of it really was coming in from those two countries. We were able to stem that. We were able to bring down the prevalence of drug use. This is the new picture; and we have almost all of the cocaine, probably 80 to 90 percent of the cocaine, now being produced in Colombia.

Now, in 6 or 7 years, we managed to turn Colombia from a transit and trafficking country into a producing country. Fortunately, the policies of the gentleman from Illinois (Mr. HASTERT) and the new Republican majority were instituted at very low cost, \$20 million, \$30 million, \$40 million in those source countries to stop incredible volumes of cocaine coming into the United States. But what happened is the Clinton administration blocked aid, blocked helicopters, blocked equipment again because the liberals in the administration said, oh, we cannot harm the hair on the back of any leftist, Marxist guerilla. It does not matter if they, in fact, were trafficking and supporting their guerilla activities through the sale of illegal narcotics that were coming into the United States.

So now we have really, protected by the Clinton-Gore administration, Colombia with no resources. It is almost farcical what has happened. And until the first couple of months of this year were we able to get to the National Police three Blackhawk helicopters, which we have been pleading and begging for 4 or 5 years to get down to Colombia.

We knew what was going to happen, and it happened. This administration ignored it. They sent the military assets to Haiti. Ironically, Haiti is now one of the biggest traffickers in the Caribbean, lawless killing. We have one corrupted administration replacing another one. After billions of American taxpayer dollars, this is now one of the

main routes. And Colombia is another disaster. The two foreign policy disasters unparalleled in the history of this hemisphere. Billions spent there, nothing spent there, creating a market, creating a source for drug trafficking.

There was almost no heroin produced in 1993 in January when this President took office, President Clinton; and this is now the source of some 75 percent of the heroin killing kids in Orlando and Plano, Texas and California; Chicago; and New York. And now it is transiting through the country, where we spent \$3 billion in nation building, in establishing a judicial system and electoral processes that have been, in fact, a farce.

It is the bad leading, the bad destroying American business activity there, forcing the whole island, at least this half, which is Haiti, of Dominica, the island nation of Haiti into a welfare state supported by U.S. taxpayers, one of the saddest chapters in failed policy of this administration.

And then what was not diverted here, the Defense Department will tell you was diverted to Kosovo, to Bosnia, to the other many deployments of this administration.

What are the results of these policies? For the first time again, we are seeing with the blocking of aid to Colombia, and I must say that at this point the Republicans must take some heat in the United States Senate, the other body, and some blame and responsibility for blocking the aid. The House did act and had a package ready to go to aid Colombia to get additional resources. The other body did not act with the speed they should have. But again, there is some justification because the President dragged his heels in getting this request to the Congress.

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This is what is happening now. We are seeing a resurgence of cocaine. The chart that I showed just a few minutes ago showed the crack coming in. Crack is part of the cocaine trafficking. This was presented to us by the Customs Service. These are boats mostly coming through Haiti with literally tons of cocaine which is smuggled in through the hulls of these vessels. This is 706 pounds of cocaine seized. This is just what they are seizing, January 31, 2000. This is another vessel, 1,083 pounds of cocaine coming in at the beginning of February. Another one, February 5, 539 pounds of cocaine. Another one, February 10, 226 pounds of cocaine, most of it coming into the United States through Haiti, some of it being transshipped through Puerto Rico, the Bahamas and into Florida. We are seeing an unprecedented amount of cocaine again for the first time coming in.

We are seeing an unprecedented amount of methamphetamine labs. Most of the meth we hear about is tied to Mexican gangs, Mexican drug dealers and chemical dealers who are selling the precursors or organizing the lab efforts. We have had testimony that

their operations from Mexico extend, of course, through Texas, through Oklahoma. We heard testimony that from 60 labs in the Oklahoma area that the FBI controls Oklahoma and Texas, there is now over 1,000 labs that have been busted. In Iowa, the heartland again of America. On the West Coast in Sacramento, up in the north central area, incredible amounts of methamphetamine all the way down to the base of California with methamphetamine. Methamphetamine we have done hearings on.

I want to digress for a minute and talk about methamphetamine. Because I do not think we have ever seen a more damaging substance than methamphetamine. These are some charts provided to us by the National Drug Institute. Dr. Leschner presented these before our subcommittee, showing the normal brain with dopamine which helps with the brain function which is shown in the bright yellow. This is the normal brain. The second is a brain that has had a small amount of methamphetamine. The third is someone addicted to methamphetamine. The last one is someone who has Parkinson's Disease in a serious stage.

This drug, methamphetamine, does incredible things to human beings. It causes the most bizarre actions. This is what chemically happens to the brain and destroys the brain function. It is not something that can be regenerated. This is permanent damage. This is damage so severe that mothers and fathers abandon their children not to reclaim them, as we found in testimony in California, where in a small county some 600 addicted to methamphetamine, only a handful were even capable or could take back or would take back their children. This is what happens to the brain. Meth is absolutely a destructive substance and again causes people to commit the most bizarre actions. The worst case we heard was a mother and father that tortured their child and then boiled the child to finally kill the child. Again, just incredibly bizarre acts that are committed on this drug.

Mr. Speaker, we are facing a very, very difficult situation. When you have in one small locale 1,000 meth labs and this methamphetamine being produced by recipes provided over the Internet, by people experimenting and getting substances from their drug stores, chemicals, and then the larger problem, the Mexican meth dealers and getting the precursor chemicals from predominantly Mexico, China, and the Netherlands according to testimony we have had.

We are facing an incredible challenge with these narcotics coming into the United States. I am convinced, too, given the ability to produce these drugs domestically, such as methamphetamine, and we can do our best, we have a responsibility to do our best to control the precursor chemicals and find them before they come into the country and then as they come into the

country and are used for these illicit purposes; but we must do an even better job of education and prevention.

Treatment is fine, but treatment assumes that someone is already addicted and a victim. If we fought World War II and we only treated victims, we did not invent the equipment that we did, the bomb that we did to go after the source, we did not stop the production of the German rockets, if we did not stop their war machine, we never would have brought the war under control. The war on drugs, it does not take a rocket scientist to figure out, you stop the drugs at their source. This also, though, as I have said, is a much more insidious threat than anything we have seen, again with Ecstasy, again with methamphetamine, again with GHB, and I believe it is GHB, I really do not know that much other than what I have heard at the last hearings about this new drug.

This is another drug that has an incredible consequence in its use. People are using it, mixing it with alcohol and dropping dead. The difference with GHB is that there is almost no trace left in the blood stream. There is almost no trace left in the body to detect. So it is a much more insidious drug; it is a deadly drug, and people are dying from it; and we do not even know they are dying. We had expert testimony that tells us because it dissipates from the body that what happens is the only way that you can really detect it is by doing a dissection of the brain and an autopsy after death and finding minute traces of this substance.

But we are facing with these designer drugs an incredible challenge to this Nation, to our young people, to parents. Parents have no idea about these drugs that are out there and again available in these clubs that sound like they would be something that you could securely send your children to with no alcohol, with security posted, with other limits. Yet these clubs, and we now have the term club drugs and we have this wide variety of small tablets and pills. Some of them we saw at the hearing that were presented in the Orlando hearing by this drug enforcement and customs agency that had been seized that are small pills with designer emblems, designer emblems of Nike, of other trademarks that are imposed, and the drugs have such an attractive appearance and seem almost harmless that now our young people are being victimized by even the appearance of these drugs. Again, the dramatic rise in death in Florida has been recounted, and the deaths that we cannot count because of, again, drugs like GHB that are almost impossible to detect.

Again, I think it is important that we look at what is happening. Our hearing focused on that in Orlando.

This chart talks about a comparison of designer drugs and other drug overdoses and shows in 1999, this would be other drugs and this is designer drugs in the year 2000 so far to date, we

see we are well on our way to breaking the records of 1999, and we are only partially through the year. What is interesting is we conducted this hearing in Orlando; we moved to New Orleans. I heard the same scenario being laid out by the district attorney there, Harry Connick, and others who testified, local sheriffs, the same problem is being repeated. Then we went on to Dallas and we hear the Dallas-Fort Worth area also being victimized by designer drugs and incredible increases in activity.

One of the problems that we have had in this administration, not only a failure in closing down some of the war on drugs, again, source country interdiction, the drug czar's office, getting that back up and running full speed, which I might say Barry McCaffrey is doing his best. General McCaffrey inherited a disaster from Lee Brown who should have been run out of office, who dismantled the drug czar's office, did the most damage of any public official probably in the history of the United States, just an incredible disaster. Barry McCaffrey and others like myself are now stuck with trying to bring us out of this morass.

One of the additional policy failures we have had, I talked about Haiti, the nation-building effort and now a disaster, one of the major sources of drug transit operations. This administration knew that Panama was going to cease our military operations in Panama. Panama was key to the war on drugs because all of the forward operating locations were centered from Panama. This little yellow dot here represents and is right over Panama. We had Howard Air Force Base, part of the \$10.5 billion in assets that we turned over to the Panamanians last year. May 1 of last year was an important date, about a year ago. The U.S. knew this was going to happen, but this administration failed to negotiate with Panama not for continued military use but for continued use of drug surveillance flights, because this was such a key area, and it covered this whole area very cost effectively. We had also built the infrastructure, billions of dollars for those bases, and we could have in fact even leased them for a small amount of money. Instead, the talks collapsed. Instead, the administration was left in the cold and they quickly scurried to the Department of Defense and Department of State to find other locations. Now, that is a responsible thing to do. It was irresponsible in the fashion it was done because it was delayed. We called them before our committee even before I was chair of this subcommittee; said, are things getting in place, are you ready, are you negotiating with the Panamanians, could we not just keep the drug operations out of there, this forward operation going and do it cost effectively with cutting a deal with the Panamanians?

In fact, what happened is it all fell apart. We were totally asked to leave, kicked out of Panama. Even Barry

McCaffrey told me that corrupt tenders by the Panamanians allowed the Chinese to take control of the two port activities and the U.S. was excluded from any flights as of May 1.

So as of May 1 last year, we have had a wide-open field day for drug traffickers because the United States, the Department of Defense and the State Department, have been handicapped in getting these forward-operating locations, drug surveillance operations back in place.

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When we do not have that information, we have this huge supply. Remember what I said about HDTVs? Not too many people have them because there is not a big supply. Well, on every street in this country we can find cocaine in unprecedented quantities today. On every street in this country we can find heroin in unprecedented quantities today, because we have an incredible supply.

Just doing treatment, as this administration put its eggs all in the treatment basket, it just does not cut it. We have to stop some of this supply from its source. We know it is coming from Colombia.

The American taxpayers are now stuck with the bill in trying to put together this operation in a piecemeal fashion with a base in Ecuador, a base in Curacao and Aruba, and possibly a base in El Salvador. Unfortunately, the price tag will probably be \$100 million.

Ecuador, in a recent hearing we conducted, and we will be talking about this again in a hearing on Friday with the Department of Defense and Department of State, it will not be until 2002 that this runway, which is incapable of supporting some of the aircraft that we need to do this surveillance work, it will not be until 2002 until that is in place, so that is one reason we have tons of this stuff coming in unchecked.

In Aruba, we do have some flights going out of Aruba. Unfortunately, they take off from a commercial field, and our staff has said that sometimes these flights are even delayed.

Now we have a problem with Venezuela, who has thumbed its nose at the President of the United States, at the United States' efforts to conduct surveillance flights in Venezuelan airspace or pursue traffickers, even when we provide them with information.

In the final area, we have two 10-year contracts here. We will be investing that money for 10 years, and again, not up until 2002. The last location that they have suggested and recently signed an agreement, but I believe it has not been approved by the El Salvador parliament, is a location in El Salvador. So we have three that will not be in place for a long time. More drugs will be coming into the country. It is another disaster at our doorstep.

Let me again look at, if we can, the money that was spent for interdiction and also international programs, which is source country programs. These are

the figures in 1991, 1992, and 1993. This would be the end of the Bush administration, the beginning of the Clinton administration.

Members will see the dramatic drop, the dramatic drop here. In fact, we are barely at, and with the efforts of the gentleman from Illinois (Mr. HASTERT), who was able to fund additional money when he had responsibility for chairing drug policy, we are barely back at the levels at the end of the Bush-Reagan administration when these programs were gutted.

As we gut these programs, it is interesting, and we turn to treatment, and we saw the graphs on treatment, we see again in the Reagan-Bush era that this is a lifetime annual and 30-day drug use, and we see it declining in the Bush and Reagan administration. We see it on a steep incline, and again, this is the policy of success of this administration.

We only see here where we began, again, the Republican and new majority takeover, some slight change. But I will tell the Members that this chart, if we continue and not stop drugs coming in from Colombia, not stop drugs coming in from their source, not interdicting drugs, not stopping the precursor chemicals that allow the production of deeper drugs and methamphetamine, Mr. Speaker, we are about to have this again go off the charts. The damage to our 12th graders and others will be unbelievable.

This is long-term trend of prevalence of heroin use, and also produced by the University of Michigan. We see in the Reagan administration pretty much a flat line, some downturn, another downturn in the Bush administration. In the Clinton administration, it is off the charts. I did not make these charts. We enlarged them. This obviously is a story of failure. This is success.

Now, any administration like the Clinton administration that can get us long-term trends on prevalence of heroin use going up like that, that is a success. That means that the war on drugs was a failure, but this is a success. Again, we see the first bleep there, again after some of the policies of the gentleman from Illinois (Mr. HASTERT), the new Republican administration of the Congress took over, not of the executive branch.

Again, we see in the Reagan era, this is long-term prevalence use of cocaine, and in the Bush era a dramatic success. This is the beginning of the Andean strategy, stopping the cocaine at its source. This was the Vice President's task force that Vice President Bush led. This is blue lightning and other initiatives to go after this stuff.

This did not work, Mr. Speaker. These are imaginary downturn lines, but then we see the Clinton administration, and I would be afraid to re-chart this given what we now know about the Clinton administration diverting assets, with Vice President Gore sending AWACs to Alaska to look for oil spills, the President of the

United States in his many deployments in Haiti diverting resources from this anti-narcotics effort to nationbuilding while our people are falling like flies, particularly our young people.

If Members do not believe those charts, there is a 1999 GAO report that I requested that shows in fact that in 1992-1993, the beginning of the Clinton administration, dramatic drops occurred in this.

First is the total use of DOD assets in the war on drugs. This is, again, not produced by me but the General Accounting Office; overall assets down dramatically.

This next line in red, the DOD, down dramatically. The Coast Guard was up slightly, but also leveled off here.

Mr. Speaker, I will continue next week on more information relating to our efforts to stem illegal narcotics and drug abuse in this country.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McNULTY (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Ms. SANCHEZ (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. PASTOR (at the request of Mr. GEPHARDT) for today on account of illness in the family.

Mr. VENTO (at the request of Mr. GEPHARDT) for today and the balance of the month on account of illness.

Mr. JEFFERSON (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. ENGLISH (at the request of Mr. ARMEY) for today on account of a death in the family.

Mr. GREENWOOD (at the request of Mr. ARMEY) for today and June 7 on account of personal reasons.

Mr. HILLEARY (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. SMITH of Michigan (at the request of Mr. ARMEY) for today and the balance of the week on account of emergency eye surgery.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LAMPSON) to revise and extend their remarks and include extraneous material:)

Mr. FRANK of Massachusetts, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. DEMINT) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today.

Mr. VITTER, for 5 minutes, today.

Mr. DEMINT, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today, June 7 and 13.

Mr. METCALF, for 5 minutes, June 7, 8, and 9.

Mrs. CHENOWETH-HAGE, for 5 minutes, today.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

Mr. KASICH, for 5 minutes, today.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 4489. To amend section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996, and for other purposes.

H.R. 3293. To amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

#### ADJOURNMENT

Mr. MICA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 7, 2000, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7875. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenhexamid; Pesticide Tolerances [OPP-300991; FRL-6553-7] (RIN: 2070-AB78) received April 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7876. A communication from the President of the United States, transmitting requests for Fiscal Year 2001 budget amendments for the Departments of Agriculture, Energy, Health and Human Services, and State; International Assistance Programs; the Corporation for National and Community Service; the Merit Systems Protection Board; the National Archives and Records Administration; and, the National Capital Planning Commission; (H. Doc. No. 106—251); to the Committee on Appropriations and ordered to be printed.

7877. A letter from the Principal Deputy Under the Secretary of Defense, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Air Force; to the Committee on Appropriations.

7878. A letter from the Director, Defense Finance and Accounting Service, Department of Defense, transmitting notification that the Defense Finance and Accounting Service is initiating an A-76 cost comparison study of the Security Assistance Accounting function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

7879. A letter from the Acting Secretary, Department of the Navy, transmitting the Secretary's determination and findings that it is in the public interest to use other than competitive procedures for a specific procurement, pursuant to 10 U.S.C. 2304(c)(7); to the Committee on Armed Services.

7880. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report on Federally Funded Research and Development Centers Estimated FY 2001 Staff-years of Technical Effort (STE), pursuant to 10 U.S.C. 2367nt.; to the Committee on Armed Services.

7881. A letter from the Assistant Secretary, Health Affairs, Department of Defense, transmitting a report entitled, "Dental Care For Active Duty Military Family Members 18 Years of Age and Under"; to the Committee on Armed Services.

7882. A letter from the Assistant Secretary, Health Affairs, Department of Defense, transmitting a report describing the scope of preventive health care benefits to all eligible TRICARE beneficiaries; to the Committee on Armed Services.

7883. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, "Distribution of DoD Depot Maintenance Workloads Fiscal Years 2000 Through 2004"; to the Committee on Armed Services.

7884. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a interim response to the Department of Defense missions and functions review report under OMB Circular A-76; to the Committee on Armed Services.

7885. A letter from the Acting Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Manufacturing Technology Program [DFARS Case 99-D302] received April 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7886. A letter from the Acting Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Caribbean Basin Countries [DFARS Case 2000-D006] received April 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7887. A letter from the Directors of Congressional Budget Office and Office of Management and Budget, transmitting a joint report on the National Defense Function (050) outlays for Fiscal Year 2001, pursuant to 10 U.S.C. 226(a); to the Committee on Armed Services.

7888. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of Lieutenant General Phillip J. Ford, United States Air Force; to the Committee on Armed Services.

7889. A letter from the Secretary of Transportation, transmitting the annual report of the Maritime Administration (MARAD) for Fiscal Year 1999; to the Committee on Armed Services.

7890. A letter from the Senior Banking Counsel, Office of General Counsel, Department of the Treasury, transmitting the Department's final rule—Bank Holding Companies and Change in Bank Control (RIN: 1505-AA78) received March 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7891. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Single Family Mortgage Insurance; Appraiser Roster Removal Procedures [Docket No. FR-4429-F-03] (RIN: 2502-AH29) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7892. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Malaysia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

7893. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Asset and Liability Backup Program (RIN: 3064-AC23) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7894. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Activities and Investments of Insured State Banks (RIN: 3064-AC38) received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7895. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Amendment of Membership Regulation and Advances Regulation [No. 2000-10] (RIN: 3069-AA94) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7896. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Devolution of Corporate Governance Responsibilities [No. 2000-09] (RIN: 3069-AA-96) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7897. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Determination of Appropriate Present-Value Factors Associated With Payments Made by the Federal Home Loan Banks to the Resolution Funding Corporation [No. 2000-15] (RIN: 3069-AA92) received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7898. A letter from the Secretary, BCP, Division of Financial Practices, Federal Trade Commission, transmitting the Commission's final rule—Advisory Opinion Regarding the Fair Debt Collection Practices Act—received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7899. A letter from the Chairman, National Credit Union Administration, transmitting the 1999 Annual Report of the National Credit Union Administration, pursuant to 12 U.S.C. 1752a(d); to the Committee on Banking and Financial Services.

7900. A letter from the Chairman, National Credit Union Administration, transmitting the 1999 annual report regarding activities related to credit practices, pursuant to 12 U.S.C. 1752a(d); to the Committee on Banking and Financial Services.

7901. A letter from the Director, Office of Thrift Supervision, transmitting the Preservation of Minority Savings Institutions Annual Report to Congress for 1999; to the Committee on Banking and Financial Services.

7902. A letter from the Director, Office of Management and Budget, transmitting the OMB Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

7903. A letter from the Secretary of Labor, transmitting the Department's annual report to Congress on the FY 1998 program operations of the Office of Workers' Compensation Programs (OWCP), the administration of the Black Lung Benefits Act (BLBA), the Longshore and Harbor Workers' Compensation Act (LHWCA), and the Federal Employees' Compensation Act for the period October 1, 1997, through September 30, 1998, pursuant to 30 U.S.C. 936(b); to the Committee on Education and the Workforce.

7904. A letter from the Acting Assistant General Counsel for Regulations, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Teacher Quality Enhancement Grants Program—received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7905. A letter from the Acting Assistant Secretary for Postsecondary Education, Department of Education, transmitting the Department's final rule—Teacher Quality Enhancement Grants Program—received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7906. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule—Projects With Industry (RIN: 1820-AB45) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7907. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Federal Perkins Loan Program—received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7908. A letter from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Projects With Industry (RIN: 1820-AB45) received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7909. A letter from the Chairman, National Council on the Humanities, transmitting the Federal Council on the Arts and the Humanities' twenty-fourth annual report on the Arts and Artifacts Indemnity Program for Fiscal Year 1999, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

7910. A letter from the Administrator, Energy Information Administration, transmitting the Energy Information Administration's "International Energy Outlook 2000," pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Commerce.

7911. A letter from the Secretary, Department of Health and Human Services, transmitting the 1999 annual report on the Loan Repayment Program for Research Generally, pursuant to 42 U.S.C. 2541-1(i); to the Committee on Commerce.

7912. A letter from the Assistant General Counsel for Regulatory Law, Western Area Power Administration, Department of Energy, transmitting the Department's final rule—Energy Planning and Management Program; Integrated Resource Planning Approval Criteria (RIN: 1901-AA84) received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7913. A letter from the National Committee on Vital and Health Statistics, Department of Health and Human Services, transmitting the Third Annual Report to Congress on the Implementation of the Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act, pursuant to Public Law 104-191, section 263 (110 Stat. 2033); to the Committee on Commerce.

7914. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Removal of Designated Journals; Confirmation of Effective Dates [Docket No. 99N-4957] received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7915. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and

Promulgation of Implementation Plan; Indiana [IN99-1a; FRL-6573-7] received April 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7916. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone [FRL-6575-7] received April 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7917. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Interim Enhanced Surface Water Treatment Rule (IESWTR), the State 1 Disinfectants and Disinfection Byproducts Rule (Stage 1DBPR), and Revisions to State Primary Requirements to Implement the Safe Drinking Water Act (SDWA) Amendments [FRL-6575-9] (RIN: 2040-AD43) received April 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7918. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP); Delegation of Authority to the States of Iowa; Kansas; Missouri; Nebraska; LINCOLN-Lancaster County, Nebraska; and City of Omaha, Nebraska [FRL-6577-1] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7919. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Connecticut; Plan for Controlling MWC Emissions From Existing MWC Plants [Docket No. CT-055-7214A; FRL-6577-3] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7920. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Delaware; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerators [DE040-1023a; FRL-6577-7] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7921. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Mississippi [MS23-200015a; FRL-6574-3] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7922. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans, California—South Coast [CA-237-0221; FRL-6570-7] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7923. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Allegheny County, Pennsylvania; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerators [PA152-4099a; FRL-6571-5] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7924. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District and Mojave Desert Air Quality Management District [CA231-0227a; FRL-6570-9] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7925. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to the Georgia State Implementation Plan: Transportation Conformity Interagency Memorandum of Agreement [GA-48-200010(a); FRL-6573-5] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7926. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Transportation Conformity Amendment: Deletion of Grace Period [FRL-6574-7] (RIN: 2060-A176) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7927. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that State has Corrected the Plan Deficiency and Stay of Sanctions; Phoenix PM-10 Nonattainment Area, Arizona [AZ092-002; FRL-6575-2] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7928. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Revised VOC Rules [MA063-01-7200a; A-1-FRL-6574-7A] received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7929. A letter from the Deputy Chief, Industry Analysis Division, Federal Communications Commission, transmitting the Commission's final rule—Local Competition and Boardband Reporting [CC Docket No. 99-301] received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7930. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Voluntary Submission of Performance Indicator Data [NRC Regulatory Issue Summary 2000-08] received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7931. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Use of Risk-Informed Decision-making in License Amendment Reviews [NRC Regulatory Issue Summary 2000-07] received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7932. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting the Board's report entitled "Report to the U.S. Congress and the Secretary of Energy—1999 Findings and Recommendations," pursuant to 42 U.S.C. 10268; to the Committee on Commerce.

7933. 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 Israel for defense articles and services (Transmittal No. 00-43), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.



7934. 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 the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 00-41), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

7935. 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 the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 00-42), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

7936. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a copy of Transmittal No. 14-99 which constitutes a Request for Final Approval for the Memorandum of Agreement with Canada and the United Kingdom concerning Chemical, Biological and Radiological (CBR) Defense Material, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7937. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on chemical and biological weapons proliferation control efforts for the period of February 1, 1999 to January 31, 2000, pursuant to 22 U.S.C. 5606; to the Committee on International Relations.

7938. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

7939. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's Determination No. 2000-16, regarding certification of the 26 major illicit drug producing and transit countries; to the Committee on International Relations.

7940. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the 1999 annual reports on activities of the Occupational Safety and Health Review Commission, pursuant to 29 U.S.C. 675; to the Committee on Government Reform.

7941. A letter from the Comptroller General, General Accounting Office, transmitting List of all reports issued or released by the GAO in March 2000, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

7942. A letter from the Federal Co-Chairman, Appalachian Regional Commission, transmitting the FY 2001 Performance Plan and the Annual Performance Report for FY 1999; to the Committee on Government Reform.

7943. A letter from the Chairman, Broadcasting Board of Governors, transmitting a copy of the Broadcasting Board of Governors' 1999 Annual Report, pursuant to 22 U.S.C. 6204; to the Committee on Government Reform.

7944. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List: Additions and Deletions—received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7945. A letter from the Chairman, Defense Nuclear Facilities Board, transmitting the Annual Program Performance Report for

Fiscal Year 1999; to the Committee on Government Reform.

7946. A letter from the Assistant Secretary, Civil Works, Department of the Army, transmitting the Annual Financial Report for Fiscal Year 1999; to the Committee on Government Reform.

7947. A letter from the Chief Financial Officer, Department of Energy, transmitting the Fiscal Year 1999 Accountability Report; to the Committee on Government Reform.

7948. A letter from the Administrator, Environmental Protection Agency, transmitting the Fiscal Year 1999 Annual Performance Report; to the Committee on Government Reform.

7949. A letter from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Fiscal Year 1999 Annual Performance Report and Fiscal Year 2000 Annual Performance Plan; to the Committee on Government Reform.

7950. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the 1999 Program Performance Report; to the Committee on Government Reform.

7951. A letter from the Director, Federal Emergency Management Agency, transmitting the Fiscal Year 2001 Annual Performance Plan; to the Committee on Government Reform.

7952. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Fiscal Year 1999 Annual Program Performance Report; to the Committee on Government Reform.

7953. A letter from the Chairman, Federal Maritime Commission, transmitting the Annual Program Performance Report for FY 1999; to the Committee on Government Reform.

7954. A letter from the Director, Holocaust Memorial Museum, transmitting the Annual Performance Report for Fiscal Year 1999; to the Committee on Government Reform.

7955. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Fiscal Year 1999 Performance Report; to the Committee on Government Reform.

7956. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the Fiscal Year 1999 Annual Performance Report; to the Committee on Government Reform.

7957. A letter from the Chairman, National Capital Planning Commission, transmitting the Commission's annual report fulfilling the reporting requirements of the Inspector General Act of 1978 (IG Act), as amended, and the Federal Manager's Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7958. A letter from the Executive Director, National Council on Disability, transmitting the Annual Performance Report Fiscal Year 1999; to the Committee on Government Reform.

7959. A letter from the Chairman, National Credit Union Administration, transmitting the 1999 Performance Plan and the Annual Plan for 2000; to the Committee on Government Reform.

7960. A letter from the Director, National Gallery of Art, transmitting the Annual Program Performance Report for FY 1999; to the Committee on Government Reform.

7961. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Performance Program Report for Fiscal Year 1999; to the Committee on Government Reform.

7962. A letter from the Director, Office of Personnel Management, transmitting the Fiscal Year 1999 Annual Performance Report; to the Committee on Government Reform.

7963. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of the King, WA, Non-appropriated Fund Wage Area (RIN: 3206-A175) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7964. A letter from the The Special Counsel, Office of Special Counsel, transmitting the Annual Performance Report for Fiscal Year 1999; to the Committee on Government Reform.

7965. A letter from the Secretary of the Treasury, transmitting the FY 1999 Annual Performance Report; to the Committee on Government Reform.

7966. A letter from the Secretary of the Treasury, transmitting the Financial Report of the United States Government for the Fiscal Year 1999; to the Committee on Government Reform.

7967. A letter from the Secretary of Housing and Urban Development, transmitting the Government National Mortgage Association's (GNMA) management report, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

7968. A letter from the Secretary of Labor, transmitting the Fiscal Year 1999 Annual Report on Performance and Accountability; to the Committee on Government Reform.

7969. A letter from the Secretary of Transportation, transmitting the Fiscal Year 2001 Performance Plan combined with the Fiscal Year 1999 Performance Report; to the Committee on Government Reform.

7970. A letter from the Director, U.S. Trade and Development Agency, transmitting the Annual Performance Report for FY 1999; to the Committee on Government Reform.

7971. A letter from the Secretary of Commerce, transmitting the 1999 Biennial report with respect to the Striped Bass Research Study, pursuant to 16 U.S.C. 1851; to the Committee on Resources.

7972. A letter from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting notification of proposed refunds of offshore lease revenues where a refund or recoupment is appropriate, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

7973. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Northern Idaho Ground Squirrel (RIN: 1018-AE84) received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7974. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District of the Bering Sea and Aleutian Islands [Docket No. 000211040-0040-01; I.D. 040300A] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7975. A letter from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Grant Minority Serving Institutions Partnership Program: Request for Proposals for FY 2000 [Docket No. 000218045-0045-01] (RIN: 0648-ZA80) received March 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7976. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the

Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska [Docket No. 000211039-0039-01; I.D. 033100A] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7977. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock Within the Shelikof Strait Conservation Area in the Gulf of Alaska [Docket No. 000211039-0039-01; I.D. 032300A] received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7978. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Amendment 9 [Docket No. 991008273-0070-02; I.D. 062399B] (RIN: 0648-AK89) received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7979. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Hawaii-based Pelagic Longline Fishery Line Clipper and Dipnet Requirement; Guidelines for Handling of Sea Turtles Brought Aboard Hawaii-based Pelagic Longline Vessels [Docket No. 000214041-0081-02; I.D. 012100C] (RIN: 0648-AN50) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7980. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Spiny Dogfish Fishery Management Plan [Docket No. 990713189-9335-02; I.D. 060899B] (RIN: 0648-AK79) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7981. A letter from the Attorney General, transmitting the FY 1999 Annual Accountability Report; to the Committee on the Judiciary.

7982. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report on Forensic DNA Laboratory Improvement Program, Phase 4 for Fiscal Year 1999; to the Committee on the Judiciary.

7983. A letter from the Chief Financial Officer, Paralyzed Veterans of America, transmitting a copy of the annual audit report of the Paralyzed Veterans of America for the fiscal years ended September 30, 1998 and 1999, pursuant to 36 U.S.C. 1166; to the Committee on the Judiciary.

7984. A letter from the Director, The Federal Judicial Center, transmitting the Federal Judicial Center's Annual Report for 1999, pursuant to 28 U.S.C. 623(b); to the Committee on the Judiciary.

7985. A letter from the Administrator, Federal Aviation Administration, transmitting the fourth annual report of actions the Federal Aviation Administration has taken in response to Section 304 of the Federal Aviation Administration Authorization Act of 1994, pursuant to 49 U.S.C. 4010Int.; to the Committee on Transportation and Infrastructure.

7986. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Estab-

lishment of Jet Routes; AK [Airspace Docket No. 98-AAL-13] (RIN: 2120-AA66) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7987. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule—Federal Motor Carrier Safety Regulations; Definition of the Commercial Motor Vehicle [FHWA Docket No. FHWA 97-2858] (RIN: 2125-AE22) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7988. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the Dimensions of the Grand Canyon National Park Special Flight Rules Area and Flight Free Zones [Docket No. FAA-99-5926 NM 3-27-00; Amendment No. 93-80 NM 3-28-00] (RIN: 2120-AG74) received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7989. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commercial Air Tour Limitation in the Grand Canyon National Park Special Flight Rules Area [Docket No. FAA-99-5927; Amdt. No. 93-81; NM-3-28-00] (RIN: 2120-AG73) received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7990. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Colored Federal Airways; AK [Airspace Docket No. 98-AAL-15] (RIN: 2120-AA66) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7991. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Delaware, OH [Airspace Docket No. 98-AGL-37] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7992. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29977; Amdt. No. 1985] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7993. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29976; Amdt. No. 1984] received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7994. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. J-2 Series Airplanes That Are Equipped With Wings Lift Struts [Docket No. 99-CE-13-AD; Amendment 39-11479; AD 99-26-19] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7995. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes [Docket No. 99-NM-317-AD; Amendment 39-11459; AD 99-25-16] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7996. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Series Airplanes Equipped With Rolls Royce Engines [Docket No. 99-NM-125-AD; Amendment 39-11431; AD 99-24-07] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7997. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW 4000 Series Turbofan Engines [Docket No. 97-ANE-55-AD; Amendment 39-11220; AD 99-15-01] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7998. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc. Models SA226-T, SA226-T(B), SA226-AT, and SA226-TC Airplanes [Docket No. 99-CE-15-AD; Amendment 39-11348; AD 99-21-05] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7999. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica, S.A. (EMBRAER), Model EMB-145 Series Airplanes [Docket No. 99-NM-203-AD; Amendment 39-11655; AD 2000-07-01] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8000. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-200, -200C, -300, and -400 Series Airplanes [Docket No. 99-NM-84-AD; Amendment 39-11654; AD 2000-06-13] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8001. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-86-AD; Amendment 39-11656; AD 2000-07-02] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8002. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-9, DC-9-80, and C-9 (Military) Series Airplanes; and Model MD-90 Airplanes [Docket No. 98-NM-147-AD; Amendment 39-11208; AD 99-13-13] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8003. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R44 Helicopters [Docket No. 99-SW-08-AD; Amendment 39-11657; AD 2000-07-03] (RIN: 2120-AA64) received April 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8004. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidance for Developing TMDLs in California EPA Region

9—received April 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8005. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal of Certain Federal Human Health and Aquatic Life Water Quality Criteria Applicable to Rhode Island, Vermont, the District of Columbia, Kansas and Idaho [FRL-6576-2] received April 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8006. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—EPA Review and Approval of State and Tribal Water Quality Standards [FRL-6571-7] (RIN: 2040-AD33) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8007. A letter from the Chairman, Federal Maritime Commission, transmitting the 38th Annual Report of the Federal Maritime Commission for fiscal year 1999, pursuant to 46 U.S.C. app. 1118; to the Committee on Transportation and Infrastructure.

8008. A letter from the Chairman, Bureau of Consumer Complaints and Licensing, Federal Maritime Commission, transmitting the Commission's final rule—In the Matter of a Single Individual Contemporaneously Acting as the Qualifying Individual for Both an Ocean Freight Forwarder and a Non-vessel-operating Common Carrier [Docket No. 99-23] received March 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8009. A letter from the Deputy Administrator, General Services Administration, transmitting informational copy of a lease prospectus for FY 2001, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

8010. A letter from the Administrator, General Services Administration, transmitting an informational copy of the lease prospectus for the Federal Bureau of Investigation, Cleveland, OH, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

8011. A letter from the Secretary of Transportation, transmitting a report on the Coast Guard's regulations concerning oils, including animal fats and vegetable oils, carry out the intent of the Edible Oil Regulatory Reform Act (P.L. 104-324) Section 1130 of the Coast Guard Authorization Act of 1996 (P.L. 104-324) directs the Secretary of Transportation to submit these annual reports; to the Committee on Transportation and Infrastructure.

8012. A letter from the Secretary of Labor, transmitting a report entitled, "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERA) Annual Report to Congress For Fiscal Year 1999"; to the Committee on Veterans' Affairs.

8013. A communication from the President of the United States, transmitting notification of his determination that continuation of the waiver currently in effect for Vietnam will substantially promote the objectives of section 402 of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106-252); to the Committee on Ways and Means and ordered to be printed.

8014. A communication from the President of the United States, transmitting notification of his determination that a continuation of a waiver currently in effect for the People's Republic of China will substantially promote the objectives of section 402, of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106-253); to the Committee on Ways and Means and ordered to be printed.

8015. A communication from the President of the United States, transmitting notification of his determination that a continuation of a waiver currently in effect for the Republic of Belarus will substantially promote the objectives of section 402, of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106-254); to the Committee on Ways and Means and ordered to be printed.

8016. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Floor Stocks Tax for Cigarettes (99R-259P) [T.D. ATF-423] (RIN: 1512-AB95) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8017. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Yountville Viticultural Area (98R-28P) [TD ATF-410; RE: Notice No. 864] (RIN: 1512-AA07) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8018. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Chiles Valley Viticultural Area (96F-111) [TD ATF-408; Re: Notice No. 858] (RIN: 1512-AA07) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8019. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Increase in Tax on Tobacco Products and Cigarette Papers and Tubes [99R-88P] [T.D. ATF-420] (RIN: 1512-AB88) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8020. A letter from the Acting Assistant Secretary for Import Administration, International Trade Administration, Department of Commerce, transmitting the Department's final rule—Amended Regulation Concerning the Revocation of Antidumping and Countervailing Duty Orders [Docket No. 990521142-9252-02] (RIN: 0625-AA54) received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8021. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Charitable Split-Dollar Insurance Reporting Requirements [Notice 2000-24] received April 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8022. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Department Stores Indexes [Rev. Rul. 2000-21] received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8023. A letter from the Secretary of Health and Human Services, transmitting the 1999 Report on the Analysis of the Impact on Welfare Recidivism of PRWORA Child Support Arrears Distribution Policy Changes; to the Committee on Ways and Means.

8024. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Determining Disability and Blindness; Classification of "Age" as a Vocational Factor [Regulations Nos. 4 and 16] (RIN: 0960-AE 96) received April 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8025. A letter from the Secretary of Defense, transmitting a notification of the designation of operations in East Timor are expected to exceed \$50 million; jointly to the Committees on Armed Services and International Relations.

8026. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Presidential Determination 2000-19, the President has exercised the authority provided to him and has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office and on expenditure of PLO funds for a period of six months; jointly to the Committees on International Relations and Appropriations.

8027. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification: Nonproliferation and Disarmament Fund (First Submission for FY 00); jointly to the Committees on International Relations and Appropriations.

8028. A letter from the President, U.S. Institute of Peace, transmitting the audit of the Institute's accounts for the fiscal year 1999 conducted by certified accountants from the firm of Ernst & Young, pursuant to 22 U.S.C. 4611; jointly to the Committees on International Relations and Education and the Workforce.

8029. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting a listing of one property covered by the Coastal Barrier Improvement Act of 1990; jointly to the Committees on Resources and Banking and Financial Services.

8030. A letter from the Secretary of the Interior, transmitting a legislative proposal entitled, "Coalfields Security Act of 2000"; jointly to the Committees on Resources and Ways and Means.

8031. A letter from the the Commissioners, the National Commission on Terrorism, transmitting a report entitled, "Countering The Changing Threat Of International Terrorism," pursuant to Public Law 105-277; (H. Doc. No. 106-250); jointly to the Committees on the Judiciary and International Relations, and ordered to be printed.

#### 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:

*[Pursuant to the order of the House on May 25, 2000 the following reports were filed on June 1, 2000]*

Mr. LEWIS of California: Committee on Appropriations. H.R. 4576. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106-644). Referred to the Committee of the Whole House on the State of the Union.

Mr. PORTER: Committee on Appropriations. H.R. 4577. A bill making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106-645). Referred to the Committee of the Whole House on the State of the Union.

Mr. REGULA: Committee on Appropriations. H.R. 4578. 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 (Rept. 106-646). Referred to the Committee of the Whole House on the State of the Union.

#### DISCHARGE OF COMMITTEE

*[The following action occurred on May 26, 2000]*

Pursuant to clause 5 of rule X the Committee on Ways and Means discharged. H.R. 1070 referred to the Committee of the Whole House on the State of the Union.

[Submitted June 6, 2000]

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3605. A bill to establish the San Rafael Western Legacy District in the State of Utah, and for other purposes; with an amendment (Rept. 106-647). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4435. A bill to clarify certain boundaries on the map relating to Unit NC01 of the Coastal Barrier Resources System (Rept. 106-648). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3176. A bill to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii (Rept. 106-649). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3535. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning; with an amendment (Rept. 106-650). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 8. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period; with an amendment (Rept. 106-651). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 514. Resolution providing for consideration of the bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106-652). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 515. Resolution providing for consideration of the bill (H.R. 4577) making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for fiscal year ending September 30, 2001, and for other purposes (Rept. 106-653). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 516. Resolution providing for consideration of the bill (H.R. 3605) to establish the San Rafael Western Legacy District in the State of Utah, and for other purposes (Rept. 106-654). Referred to the House Calendar.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[The following action occurred on May 26, 2000]

H.R. 984. Referral to the Committees on International Relations, Banking and Financial Services, the Judiciary, and Armed Services extended for a period ending not later than June 7, 2000.

H.R. 1656. Referral to the Committees on Commerce and Education and the Workforce extended for a period ending not later than June 7, 2000.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HANSEN:

H.R. 4579. A bill to provide for the exchange of certain lands within the State of Utah; to the Committee on Resources.

By Mr. BLUMENAUER (for himself and Mr. WU):

H.R. 4580. A bill to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN (for herself, Mrs. JONES of Ohio, Mr. HILLIARD, Ms. CARSON, Mrs. CLAYTON, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, Mr. PAYNE, Ms. LEE, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. OWENS, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. TOWNS, Ms. MILLENDER-MCDONALD, Ms. WATERS, Mr. WYNN, Mr. SCOTT, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. FORD, Ms. MCKINNEY, Ms. KILPATRICK, Mr. MEEKS of New York, Mr. DIXON, Mr. FATTAH, Mrs. MEEK of Florida, and Mr. WATT of North Carolina):

H.R. 4581. A bill to authorize the Home-ward Bound Foundation to establish the Middle Passage National Monument; to the Committee on Resources.

By Mr. DEMINT (for himself, Mr. CANDY of Florida, Mrs. CHENOWETH-HAGE, Mr. COBURN, Mr. METCALF, Mr. SALMON, Mr. SANFORD, Mr. TANCREDO, and Mr. TOOMEY):

H.R. 4582. A bill to provide Internet access to congressional documents, including certain Congressional Research Service publications, and for other purposes; to the Committee on House Administration.

By Mr. HANSEN:

H.R. 4583. A bill to extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs; to the Committee on Resources.

By Mr. LAFALCE:

H.R. 4584. A bill to require insured depository institutions to make affordable transaction accounts available to their customers, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LEACH:

H.R. 4585. A bill to strengthen consumers' control over the use and disclosure of their health information by financial institutions, and for other purposes; to the Committee on Banking and Financial Services, 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. MARKEY (for himself, Mrs. CAPPS, Mr. LUTHER, and Mr. EVANS):

H.R. 4586. A bill to amend the Consumer Product Safety Act and the Federal Hazardous Substances Act regarding repair, replacement, or refund actions, civil penalties, and criminal penalties under those Acts; to the Committee on Commerce.

By Ms. MCKINNEY:

H.R. 4587. A bill to authorize the Broadcasting Board of Governors to make available to the Institute for Media Development certain materials of the Voice of America; to the Committee on International Relations.

By Mr. YOUNG of Alaska:

H.R. 4588. A bill to amend the Radiation Exposure Compensation Act to include workers who were employed on Amchitka Island, Alaska, in the construction and maintenance of deep shafts for underground nuclear test-

ing and various other military purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 4589. A bill to direct the Administrator of the Environmental Protection Agency to establish an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska; to the Committee on Resources.

By Mr. GUTIERREZ (for himself, Mr. BACA, Mr. GONZALEZ, Mr. MENENDEZ, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. REYES, Mr. RODRIGUEZ, and Ms. ROY-BAL-ALLARD):

H.R. 4590. A bill to amend the Immigration and Nationality Act to establish special procedures for the filing and consideration of asylum applications by alien children who are unaccompanied by a parent or guardian and for the detention of any alien children unaccompanied by a parent or guardian; to the Committee on the Judiciary.

By Mr. ROHRBACHER:

H.J. Res. 99. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Ways and Means.

By Mr. ROEMER:

H. Con. Res. 344. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to present the Congressional Gold Medal to Father Theodore Hesburgh; to the Committee on House Administration.

By Mr. ROGAN:

H. Con. Res. 345. Concurrent resolution expressing the sense of the Congress regarding the need for cataloging and maintaining public memorials commemorating military conflicts of the United States and the service of individuals in the Armed Forces; to the Committee on Resources.

By Mr. WYNN:

H. Con. Res. 346. Concurrent resolution concerning the establishment of a permanent United Nations security force; to the Committee on International Relations.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

317. The SPEAKER presented a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5050 urging Congress to pass legislation allowing state-inspected meat and meat products to be shipped interstate and to pass legislation increasing the number of poultry to be slaughtered at home and offered for sale to the consumer; to the Committee on Agriculture.

318. Also, a memorial of the Legislature of the State of Wisconsin, relative to 1999 Senate Joint Resolution 13 memorializing Congress to amend the Federal Meat Inspection Act to allow for the interstate shipment of state-inspected meat; to the Committee on Agriculture.

319. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 125 memorializing Congress to restore quality health care to active duty and retired military personnel and their families; to the Committee on Armed Services.

320. Also, a memorial of the Senate of the State of Iowa, relative to Senate Joint Resolution No. 107 memorializing the United States Department of Defense, the United States Army, and the United States Congress to place production work at the Rock Island Arsenal, and to consider increased utilization of the Arsenal's facilities, so that the capabilities of the Rock Island Arsenal, and economic vitality of the surrounding region, may be utilized to the fullest extent

possible; to the Committee on Armed Services.

321. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 92 memorializing the United States Congress and the United States Department of the Army to select Fort Belvoir as the site of the United States Army Museum; to the Committee on Armed Services.

322. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 222 memorializing the United States Congress to increase funding for Historically Black Colleges and Universities (HBCUs) and financial aid for middle income students; to the Committee on Education and the Workforce.

323. Also, a memorial of the Senate of the State of Missouri, relative to Senate Resolution No. 1034 memorializing the President and the Congress of the United States to provide the full forty-percent federal share of funding for special education programs so that Missouri and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; to the Committee on Education and the Workforce.

324. Also, a memorial of the Legislature of the State of Utah, relative to House Joint Resolution No. 10 memorializing the President and the Congress to authorize humanitarian assistance to the people of Taiwan and urging the President to seek public renunciation from China of any potential use of force by China against Taiwan; and affirming that Taiwan's future should be resolved peacefully; to the Committee on International Relations.

325. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Resolution 1001 proposing amendments to the Constitution of Arizona; amending article X, sections 1 through 4, 7 and 10, Constitution of Arizona; amending article X, Constitution of Arizona, by adding sections 12, 13 and 14; Relating to State Lands; to the Committee on Resources.

326. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2003 memorializing the President, the Secretary of the Interior and the Congress of the United States to take action to prevent the designation of any additional National Monuments or Forest Service roadless areas in this state without full public participation and an express act of Congress; to the Committee on Resources.

327. Also, a memorial of the Legislature of the State of Arizona, relative to House Joint Resolution 2001 denouncing the establishment of new national monuments in the State of Arizona without full public participation, consent and approval of local governments, the Arizona Legislature, the Governor and Congress; to the Committee on Resources.

328. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 108 urging the President of the United States and the Congress of the United States to enact federal legislation to provide full deductibility from federal income taxes of health insurance premiums for individuals, the self-employed and small groups; to the Committee on Ways and Means.

329. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 98 memorializing the Congress of the United States to amend that portion of the Trade Act of 1974 establishing the North American Free Trade Agreement Transitional Adjustment Assistance Program to extend the maximum time period for receipt of benefits from 52 weeks to 78 weeks; to the Committee on Ways and Means.

330. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution No. 3 memorializing the United States Congress to immediately increase the tax-exempt private activity volume cap and the allocation of low-income housing tax credits available to Utah to levels that would fully restore the tax-exempt private activity bond volume cap purchasing power of the states to levels that would offset the diluted effects of inflation since 1987, and to index increases for these resources to inflation in future years; to the Committee on Ways and Means.

331. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 35 memorializing the Congress of the United States to enact "The Keep Our Promise to America's Military Retirees Act"; jointly to the Committees on Armed Services and Government Reform.

332. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 255 memorializing Congress to protect Virginia's dairy industry by approving the Southern Dairy Compact and ensuring that the federal Clean Water Act is implemented in a way that does not place an undue burden on farmers; jointly to the Committees on the Judiciary and Transportation and Infrastructure.

333. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial No. 8017 memorializing the President of the United States and the Congress to provide federal assistance in ensuring pipeline safety; jointly to the Committees on Transportation and Infrastructure and Commerce.

334. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Resolution No. 109 memorializing the President of the United States and the Congress of the United States to enact federal legislation to increase Medicare reimbursements to levels allowing providers to fully recover the actual costs of providing necessary health care services to Medicare eligible patients; jointly to the Committees on Ways and Means and Commerce.

335. Also, a memorial of the Senate of the State of New Hampshire, relative to Senate Resolution No. 14 memorializing the Congress of the United States to repeal the new 25 percent Weatherization Program match requirement scheduled to go into effect in 2001, which would place states like New Hampshire at potential risk of loss of all federal funding for this valuable program and to support increased funding for much-needed federal programs, so that states can best assist residents and businesses to decrease their fuel consumption and afford essential heating costs; jointly to the Committees on Commerce, International Relations, and Education and the Workforce.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. FORD introduced a bill (H.R. 4591) to provide for the reliquidation of certain entries of steel wire rods; which was referred to the Committee on Ways and Means.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. TRAFICANT, Mr. MALONEY of Connecticut, and Mr. SMITH of New Jersey.

H.R. 49: Mr. KUCINICH, Mr. HOLT, and Mr. MEEHAN.

H.R. 207: Mr. HOYER.

H.R. 220: Mr. BARTLETT of Maryland.

H.R. 229: Mrs. TAUSCHER, Mr. BOUCHER, and Mr. STARK.

H.R. 460: Mr. CALVERT, Mr. OWENS, Mr. CARDIN, and Ms. KILPATRICK.

H.R. 483: Ms. WOOLSEY.

H.R. 488: Ms. LOFGREN.

H.R. 531: Mr. GUTKNECHT and Mr. WYNN.

H.R. 534: Ms. DELAURO, Mr. HORN, and Mr. JEFFERSON.

H.R. 583: Mr. GORDON.

H.R. 632: Mrs. CLAYTON, Mr. WATT of North Carolina, Mr. SAWYER, and Mr. SAXTON.

H.R. 742: Ms. BERKLEY.

H.R. 860: Ms. BROWN of Florida.

H.R. 1020: Mr. MASCARA, Mr. HALL of Ohio, Mr. WYNN, Mr. NETHERCUTT, Mr. GILLMOR, Mr. MARTINEZ, Mr. WAMP, Ms. SANCHEZ, Mr. SAXTON, and Mr. ALLEN.

H.R. 1053: Mr. HILLIARD, Mr. SABO, and Mr. LANTOS.

H.R. 1080: Ms. NORTON.

H.R. 1179: Mr. NORWOOD.

H.R. 1216: Mr. RODRIGUEZ.

H.R. 1227: Mr. HILLIARD.

H.R. 1248: Mr. COYNE.

H.R. 1322: Mr. CHAMBLISS, Mr. OSE, Mr. CONDIT, Mr. COBLE, Mr. FORD, Mr. LEACH, Ms. DANNER, and Mr. JOHN.

H.R. 1382: Mr. SAXTON.

H.R. 1396: Mr. CROWLEY, Mrs. CAPPS, and Mr. THOMPSON of Mississippi.

H.R. 1494: Mr. RILEY and Mr. THORNBERRY.

H.R. 1532: Mr. MORAN of Virginia.

H.R. 1623: Mr. LUCAS of Kentucky.

H.R. 1634: Mr. BAKER.

H.R. 1640: Mr. TIERNEY.

H.R. 1732: Mr. SMITH of New Jersey.

H.R. 1795: Mr. LAHOOD, Mr. BARCIA, Mr. BARTLETT of Maryland, Mr. GUTKNECHT, and Mr. BLUMENAUER.

H.R. 1871: Mr. FRANK of Massachusetts.

H.R. 1914: Mr. NETHERCUTT.

H.R. 1926: Mrs. ROUKEMA.

H.R. 2129: Mr. WAMP, Mrs. FOWLER, Mr. RUSH, Mr. COOK, and Mr. GORDON.

H.R. 2298: Mr. WYNN.

H.R. 2341: Mr. WEXLER, Mr. NUSSLE, Mr. MOAKLEY, Mrs. CHRISTENSEN, Ms. NORTON, Mr. NEAL of Massachusetts, Mr. MEEHAN, and Mr. MCHUGH.

H.R. 2355: Mr. BORSKI.

H.R. 2451: Mr. JOHN.

H.R. 2485: Mr. SCHAFFER.

H.R. 2499: Ms. WOOLSEY.

H.R. 2512: Mr. LARSON.

H.R. 2528: Mr. CALVERT.

H.R. 2586: Mr. ALLEN.

H.R. 2631: Mr. ENGEL, Mr. GOODE, and Mr. DOYLE.

H.R. 2697: Mr. WYNN.

H.R. 2733: Mr. WYNN.

H.R. 2739: Mr. MCGOVERN.

H.R. 2741: Mr. WYNN, Mr. LANTOS, and Ms. LOFGREN.

H.R. 2790: Mr. ANDREWS, Ms. LEE, Mr. PASCRELL, Mr. REYNOLDS, Mr. TRAFICANT, Mr. WAMP, and Mr. STARK.

H.R. 2807: Mr. WYNN.

H.R. 2883: Mr. MORAN of Virginia.

H.R. 2892: Mr. COYNE and Mr. WAMP.

H.R. 2909: Mr. CASTLE and Mr. HINCHEY.

H.R. 2919: Mr. KINGSTON.

H.R. 2966: Mr. CUMMINGS.

H.R. 3006: Mr. NADLER.

H.R. 3083: Ms. KILPATRICK.

H.R. 3102: Mr. LIPINSKI and Mr. RUSH.

H.R. 3142: Mr. WYNN, Mr. BLUMENAUER, and Mr. HILLIARD.

H.R. 3144: Mr. JOHN.

H.R. 3161: Mr. GORDON.

H.R. 3235: Mrs. TAUSCHER and Mr. SHERMAN.

H.R. 3294: Mr. SANDLIN.

H.R. 3301: Mr. COYNE, Mr. THOMPSON of California, Mr. BLUMENAUER, and Mr. GILCREST.

H.R. 3315: Mrs. THURMAN, Mr. STRICKLAND, and Mr. UNDERWOOD.

H.R. 3433: Mr. PICKETT, Ms. STABENOW, Ms. ESHOO, Mr. CROWLEY, Mr. KUYKENDALL, Ms. LOFGREN, Mr. OBERSTAR, Mr. FORBES, Mr. ACKERMAN, Mr. GEJDENSON, and Mr. WEYGAND.

H.R. 3485: Mr. McNULTY, Mr. PASCRELL, Mr. MALONEY of Connecticut, Mr. GUTIERREZ, Mr. LOBIONDO, Mr. FROST, and Mr. CHABOT.

H.R. 3540: Mr. WELLER.

H.R. 3546: Mr. PICKETT, Mr. CALVERT, Mr. ISAKSON, Mr. ROMERO-BARCELO, Ms. NORTON.

H.R. 3576: Mrs. EMERSON, Mr. ROYCE, and Mr. COMBEST.

H.R. 3580: Mr. HILLIARD, Mr. SPRATT, Mr. RAMSTAD, Mrs. MINK of Hawaii, Ms. CARSON, Mr. SCARBOROUGH, Mr. PASCRELL, Mr. VIS-CLOSKY, Mr. BERRY, Mrs. CAPPS, Mr. CUMMINGS, Mr. DAVIS of Florida, Mr. DICKEY, and Mr. BEREUTER.

H.R. 3590: Mr. LEWIS of California.

H.R. 3609: Mr. ADERHOLT.

H.R. 3634: Mr. HILLIARD, Mr. HOLT, and Ms. JACKSON-LEE of Texas.

H.R. 3663: Mr. HUTCHINSON and Mr. HOYER.

H.R. 3677: Mr. SANFORD and Mr. WOLF.

H.R. 3688: Mr. HORN, Mr. BRADY of Pennsylvania, Mr. FORBES, and Mr. GANSKE.

H.R. 3694: Mr. BAKER.

H.R. 3766: Mr. NADLER and Mr. SAXTON.

H.R. 3817: Mr. HUNTER.

H.R. 3825: Mr. CLAY.

H.R. 3826: Mr. CAPUANO, Mr. HILLIARD, Mr. PASTOR, Mr. FILNER, Ms. KILPATRICK, Mr. BACA, and Mr. BOUCHER.

H.R. 3836: Mr. LAHOOD.

H.R. 3896: Ms. STABENOW and Mr. WU.

H.R. 3918: Mr. BONILLA, Mr. CALVERT, Mr. DEAL of Georgia, and Mr. DIAZ-BALART.

H.R. 4042: Mr. COOK and Mr. LANTOS.

H.R. 4118: Mr. MENENDEZ.

H.R. 4149: Mr. ENGEL and Mr. MARKEY.

H.R. 4176: Ms. SCHAKOWSKY, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCGOVERN, and Mrs. CHRISTENSEN.

H.R. 4196: Mr. HASTINGS of Washington.

H.R. 4206: Mr. CAPUANO, Mr. EVANS, and Mr. SANDLIN.

H.R. 4209: Mr. SMITH of New Jersey.

H.R. 4214: Ms. STABENOW, Mr. SNYDER, Mr. WYNN, and Mr. SAXTON.

H.R. 4219: Mr. GOODLING, Mr. HILLIARD, Mr. DOYLE, Mr. VISCLOSKY, and Mr. ALLEN.

H.R. 4239: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FORD, Mr. RUSH, Ms. DEGETTE, Mr. HILLIARD, Mr. WYNN, Mr. DELAHUNT, Mr. BECERRA, Mr. OLIVER, Mr. OWENS, Mr. TIERNEY, Mr. MATSUI, Mr. BISHOP, Mr. NADLER, Ms. BROWN of Florida, Mr. FROST, Mr. DICKS, and Mr. DOYLE.

H.R. 4245: Mr. HUTCHINSON, Mr. SNYDER, Mr. WYNN, and Mr. SAXTON.

H.R. 4246: Mr. ANDREWS.

H.R. 4257: Mr. CALVERT and Mr. COMBEST.

H.R. 4259: Mr. UDALL of Colorado, Mr. BAIRD, Mr. NETHERCUTT, Mr. GILCHREST, and Mr. MCGOVERN.

H.R. 4271: Mr. SALMON, Ms. PRYCE of Ohio, and Mr. KUCINICH.

H.R. 4272: Mr. SALMON, Ms. PRYCE of Ohio, and Mr. KUCINICH.

H.R. 4273: Mr. SALMON, Ms. PRYCE of Ohio, and Mr. KUCINICH.

H.R. 4274: Ms. PRYCE of Ohio, Mr. OWENS, and Mr. JEFFERSON.

H.R. 4277: Mr. HILLIARD, Mr. RAHALL, and Mr. PASTOR.

H.R. 4298: Mr. POMBO.

H.R. 4301: Mr. GORDON, Mr. BOEHNER, Mr. EWING, and Ms. LEE.

H.R. 4320: Mr. MORAN of Virginia, Mr. DICKS, Mr. ABERCROMBIE, Mr. DELAHUNT, Mr. DOYLE, and Mr. NADLER.

H.R. 4328: Mr. FROST, Mr. FILNER, Mr. SNYDER, and Mr. GILCHREST.

H.R. 4329: Mr. FOLEY and Mr. McNULTY.

H.R. 4334: Mr. WYNN and Mr. SAXTON.

H.R. 4357: Mr. GEORGE MILLER of California, Ms. LEE, Mr. NADLER, Mr. HALL of Ohio, Ms. NORTON, and Mrs. LOWEY.

H.R. 4361: Mr. OBERSTAR, Mr. KLINK, Mr. GUTIERREZ, Mr. LAHOOD, Mr. HUTCHINSON, Mr. PETRI, and Mr. MCGOVERN.

H.R. 4384: Mr. ROHRBACHER, Mr. GILMAN, Mr. GEKAS, Mr. MCINTOSH, Mr. BILBRAY, Mr. KNOLLENBERG, Mr. DOOLITTLE, Mr. JONES of North Carolina, Ms. DANNER, Mr. WOLF, Mr. SHOWS, Mr. EVANS, Mr. SPRATT, Mrs. THURMAN, Mr. WAXMAN, Mrs. NAPOLITANO, Mr. BLAGOJEVICH, Mr. PALLONE, Mr. ETHERIDGE, Mr. TAYLOR of Mississippi, Mrs. MALONEY of New York, Ms. BROWN of Florida, Mr. SAWYER, Mr. FROST, Mr. BLILEY, Mr. PAYNE, Mr. REYNOLDS, Mr. FLETCHER, Mr. MCINNIS, Mr. STUPAK, Mrs. BIGGETT, Mr. UPTON, Mr. MCHUGH, Mr. PETERSON of Minnesota, Mr. ORTIZ, Mr. THOMPSON of California, Mr. FOSSELLA, Mrs. KELLY, Mr. DOOLEY of California, Mr. THOMPSON of Mississippi, Mr. BARRETT of Wisconsin, and Ms. MILLENDER-MCDONALD.

H.R. 4393: Mr. BILIRAKIS and Mr. WAMP.

H.R. 4395: Mr. HAYWORTH, Mr. LEWIS of Georgia, and Mr. DOYLE.

H.R. 4442: Mr. GILCHREST and Mr. KENNEDY of Rhode Island.

H.R. 4453: Ms. NORTON, Mr. NADLER, Ms. MCKINNEY, and Mr. BROWN of Ohio.

H.R. 4467: Mr. UDALL of Colorado, Mr. ISTOOK, Mr. BARR of Georgia, Ms. CARSON, Mr. DOYLE, Mr. BACHUS, Mr. BARRETT of Nebraska, Mr. LATHAM, and Mr. EDWARDS.

H.R. 4470: Mr. MATSUI, Mr. SHAW, and Mr. FOLEY.

H.R. 4471: Mr. SALMON, Mr. BLUMENAUER, Mr. PETERSON of Minnesota, Mr. ROEMER, Mr. JOHN, Mr. JEFFERSON, Mr. RAMSTAD, Mr. KIND, and Mr. FORD.

H.R. 4483: Ms. MILLENDER-MCDONALD and Mrs. THURMAN.

H.R. 4492: Mr. GIBBONS, Mr. DAVIS of Virginia, Mr. SHIMKUS, Mr. LAHOOD, Mrs. KELLY, Mr. SMITH of Washington, Mr. OWENS, Mr. MORAN of Virginia, Mr. PRICE of North Carolina, Mr. DAVIS of Illinois, Mr. SWEENEY, Mrs. MINK of Hawaii, Mr. ROHRBACHER, Ms. DELAURO, Mr. SHOWS, Mr. WYNN, Mr. FROST, Mr. GUTIERREZ, Mr. BARRETT of Nebraska, Mr. SAXTON, Mr. GEJDENSON, Mr. BROWN of Ohio.

H.R. 4537: Mr. TIAHRT.

H.R. 4539: Mr. FRANKS of New Jersey and Mr. ROGAN.

H.R. 4542: Mr. HOYER.

H.R. 4547: Mr. HOBSON.

H.R. 4549: Mr. HILLIARD.

H.R. 4560: Mr. PETERSON of Minnesota and Mr. RADANOVICH.

H.R. 4567: Mr. WYNN, Mr. LARSON, Mr. PALLONE, Mr. OWENS, and Ms. DELAURO.

H.J. Res. 56: Mr. ACKERMAN.

H. Con. Res. 238: Ms. HOOLEY of Oregon.

H. Con. Res. 285: Mr. FOLEY and Mr. ANDREWS.

H. Con. Res. 306: Mrs. THURMAN, Mr. GILCHREST, Mr. BARRETT of Wisconsin, Mr. BOUCHER, Mr. MCDERMOTT, Mr. NADLER, Ms. DELAURO, Mr. LATOURETTE, and Mr. LUCAS of Kentucky.

H. Con. Res. 308: Mr. BROWN of Ohio.

H. Con. Res. 332: Mr. BROWN of Ohio.

H. Con. Res. 341: Mr. HOLT, Mr. MEEHAN, and Mrs. MALONEY of New York.

H. Con. Res. 343: Mr. FILNER, Mrs. JONES of Ohio, Mr. JEFFERSON, Mr. MATSUI, Mr. HILLIARD, and Mr. ENGEL.

H. Res. 37: Mr. BACA.

H. Res. 238: Mr. WYNN.

H. Res. 398: Mr. LARSON, Ms. NORTON, Mr. MCHUGH, Mr. LOBIONDO, Mr. BOEHLERT, Mr. KUYKENDALL, Mr. LAZIO, Mr. ENGLISH, Mr. FRANK of Massachusetts, Mr. COX, Mr. CAMPBELL, Mr. DEFAZIO, Mr. DEUTSCH, and Mr. SHAYS.

H. Res. 461: Mr. HOYER, Ms. NORTON, Mr. NADLER, and Ms. MCKINNEY.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4006: Mr. WELDON of Pennsylvania.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

86. The SPEAKER presented a petition of City of Cordova, relative to Resolution No. 04-00-17 supporting the Conservation and Reinvestment Act of 1999 H.R. 701 and S. 2123; jointly to the Committees on Agriculture, Resources, and the Budget.

87. Also, a petition of Kodiak Island Borough, relative to Resolution No. 2000-13 supporting the Conservation and Reinvestment Act of 1999 H.R. 701 and S. 2123; jointly to the Committees on Resources, Agriculture, and the Budget.

88. Also, a petition of Downers Grove Board of Park Commissioners, relative to Resolution No. 00-3 urging Congress to pass HR 701/S 2123 the Conservation Reinvestment Act (CARA) during its session in 2000; jointly to the Committees on Resources, Agriculture, and the Budget.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3605

OFFERED BY: Mr. HINCHEY

AMENDMENT No. 1: At the end of the bill, add the following new title:

### TITLE III—WILDERNESS

#### SEC. 301. SHORT TITLE.

This title may be cited as the "San Rafael Swell Region Wilderness Act of 2000".

#### SEC. 302. DESIGNATION.

(a) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain public lands in Utah, comprising approximately 1,054,800 acres as generally depicted on a map entitled "Proposed Wilderness within San Rafael Swell Region" and dated March, 2000, and as specified in subsection (b) of this section, are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System.

(b) WILDERNESS AREAS.—The areas designated as wilderness by subsection (a) are as follows:

(1) The lands identified as "Sids Mountain" and "Eagle Canyon" on the map referred to in subsection (a), comprising approximately 112,000 acres, which shall be known as "Sids Mountain-Eagle Canyon Wilderness".

(2) The lands identified as "Mexican Mountain" on the map referred to in subsection (a), comprising approximately 99,000 acres, which shall be known as "Mexican Mountain Wilderness".

(3) The lands identified as "Muddy Creek" on the map referred to in subsection (a), comprising approximately 235,000 acres, which shall be known as "Muddy Creek Wilderness".

(4) The lands identified as "Wild Horse Mesa" on the map referred to in subsection (a), comprising approximately 91,000 acres, which shall be known as "Wild Horse Mesa Wilderness".

(5) The lands identified as "Factory Butte" on the map referred to in subsection (a), comprising approximately 25,000 acres, which



shall be known as "Factory Butte Wilderness".

(6) The lands identified as "Red Desert" and "Capital Reef Adjacent Units" on the map referred to in subsection (a), comprising approximately 40,000 acres, which shall be known as "Red Desert Wilderness".

(7) The lands identified as "Price River-Humbug" on the map referred to in subsection (a), comprising approximately 99,000 acres, which shall be known as "Price River-Humbug Wilderness".

(8) The lands identified as "Lost Spring Wash" on the map referred to in subsection (a), comprising approximately 35,000 acres, which shall be known as "Lost Spring Wash Wilderness".

(9) The lands identified as "Mussentuchit Badlands" on the map referred to in subsection (a), comprising approximately 25,000 acres, which shall be known as the "Mussentuchit Badlands Wilderness".

(10) The lands identified as "Rock Canyon" on the map referred to in subsection (a), comprising approximately 17,000 acres, which shall be known as "Rock Canyon Wilderness".

(11) The lands identified as "Molen Reef" on the map referred to in subsection (a), comprising approximately 33,000 acres, which shall be known as "Molen Reef Wilderness".

(12) The lands identified as "Limestone Cliffs" on the map referred to in subsection (a), comprising approximately 24,000 acres, which shall be known as "Limestone Cliffs Wilderness".

(13) The lands identified as "Jones Bench" on the map referred to in subsection (a), comprising approximately 2,800 acres, which shall be known as "Jones Bench Wilderness".

(14) The lands identified as "Hondur Country" on the map referred to in subsection (a), comprising approximately 20,000 acres, which shall be known as "Hondur Country Wilderness".

(15) The lands identified as "Devil's Canyon" on the map referred to in subsection (a), comprising approximately 23,000 acres, which shall be known as "Devil's Canyon Wilderness".

(16) The lands identified as "Upper Muddy Creek" on the map referred to in subsection (a), comprising approximately 19,000 acres, which shall be known as "Upper Muddy Creek Wilderness".

(17) The lands identified as "Cedar Mountain" on the map referred to in subsection (a), comprising approximately 15,000 acres, which shall be known as "Cedar Mountain Wilderness".

(18) The lands identified as "San Rafael Swell Reef" on the map referred to in subsection (a), comprising approximately 105,000 acres, which shall be known as "San Rafael Swell Reef Wilderness".

#### SEC. 303. MAP AND LEGAL DESCRIPTION.

As soon as practicable after the date of the enactment of this Act, a map and a legal description for each of the Wilderness Areas shall be filed by the Secretary with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives. Each such map and legal description shall have the same force and effect as if included in this Act, except that the Secretary, as appropriate, may correct clerical and typographical errors in such legal description and map. Such map and legal description for each such Wilderness Area shall be on file and available for public inspection in the offices of the Director and Utah State Director, Bureau of Land Management, Department of the Interior.

#### SEC. 304. ADMINISTRATION OF WILDERNESS AREAS.

(a) IN GENERAL.—Subject to valid existing rights and to subsection (b), the Wilderness

Areas shall be administered by the Secretary in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in such provisions to the effective date of the Wilderness Act is deemed to be a reference to the effective date of this Act; and

(2) any reference in such provisions to the Secretary of Agriculture is deemed to be a reference to the Secretary of the Interior.

(b) FURTHER ACQUISITIONS.—Any lands within the boundaries of any of the Wilderness Areas that are acquired by the United States after the date of the enactment of this Act shall become part of the relevant Wilderness Area and shall be managed in accordance with all the provisions of this Act and other laws applicable to such a Wilderness Area.

#### SEC. 305. NO BUFFER ZONES.

The Congress does not intend for the designation of the Wilderness Areas by this Act to lead to the creation of protective perimeters or buffer zones around any Wilderness Area. The fact that nonwilderness activities or uses can be seen or heard from areas within a Wilderness Area shall not, of itself, preclude such activities or uses up to the boundary of the Wilderness Area.

#### SEC. 306. DEFINITIONS.

As used in this title:

(1) PUBLIC LANDS.—The term "public lands" has the same meaning as that term has in section 103(e) of the Federal Land Policy and Management Act of 1976.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) WILDERNESS AREA.—The term "Wilderness Area" or "Wilderness Areas" means one or more of the areas specified in section 302(b).

H.R. 3605

OFFERED BY: MR. HOLT

AMENDMENT NO. 2: Strike section 202(b) and insert the following:

(b) USES.—

(1) IN GENERAL.—The Secretary shall allow only such uses of the Conservation Area as the Secretary finds will further the purposes for which the Conservation Area is established.

(2) MOTORIZED VEHICLES.—Except where needed for administrative purposes or to respond to an emergency—

(A) no motorized vehicles shall be permitted in any wilderness study area or other roadless area within the Conservation Area; and

(B) use of motorized vehicles on other lands within the Conservation Area shall be permitted only on roads and trails designated for use of motorized vehicles as part of the management plan prepared pursuant to subsection (f).

H.R. 3605

OFFERED BY: MR. UDALL OF COLORADO

AMENDMENT NO. 3: In the last subsection of section 202 (relating to wilderness Acts), strike the final period and insert the following: ", and in order to maintain the options of Congress with regard to possible future designation of lands as wilderness, the public lands in the San Rafael area, comprising approximately 1,054,800 acres as generally depicted on a map entitled 'Wilderness Study Lands Within San Rafael Swell Region' and dated April, 2000, shall be administered by the Secretary in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976, so as not to impair the suitability of such areas for preservation of wilderness until Congress determines otherwise."

H.R. 4461

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 23: At the end of title VII of the bill, add the following new section:

SEC. 753. Section 502(h) of the Housing Act of 1949 (42 U.S.C. 1472(h)) is amended by adding at the end the following new paragraph:

"(13) GUARANTEES FOR REFINANCING LOANS.—Upon the request of the borrower, the Secretary shall, to the extent provided in appropriation Acts, guarantee a loan that is made to refinance an existing loan that is made under this section or guaranteed under this subsection, and that the Secretary determines complies with the following requirements:

"(A) INTEREST RATE.—The refinancing loan shall have a rate of interest that is fixed over the term of the loan and does not exceed the interest rate of the loan being refinanced.

"(B) SECURITY.—The refinancing loan shall be secured by the same single-family residence as was the loan being refinanced, which shall be owned by the borrower and occupied by the borrower as the principal residence of the borrower.

"(C) AMOUNT.—The principal obligation under the refinancing loan shall not exceed an amount equal to the sum of the balance of the loan being refinanced and such closing costs as may be authorized by the Secretary, which shall include a discount not exceeding 2 basis points and an origination fee not exceeding such amount as the Secretary shall prescribe.

The provisions of the last sentence of paragraph (1) and paragraphs (2), (5), (6)(A), (7), and (9) shall apply to loans guaranteed under this subsection, and no other provisions of paragraphs (1) through (12) shall apply to such loans."

H.R. 4576

OFFERED BY: MR. DEFazio

AMENDMENT NO. 1: Page 2, line 15, insert "(increased by \$1,500,000)" after the dollar amount.

Page 3, line 3, insert "(increased by \$197,500,000)" after the dollar amount.

Page 3, line 15, insert "(increased by \$1,500,000)" after the dollar amount.

Page 4, line 3, insert "(increased by \$45,000,000)" after the dollar amount.

Page 8, line 22, insert "(increased by \$168,000,000)" after the dollar amount.

Page 9, line 4, insert "(increased by \$68,000,000)" after the dollar amount.

Page 9, line 14, insert "(increased by \$414,400,000)" after the dollar amount.

Page 10, line 2, insert "(increased by \$34,100,000)" after the dollar amount.

Page 28, line 15, insert "(reduced by \$930,000,000)" after the dollar amount.

H.R. 4576

OFFERED BY: MR. DEFazio

AMENDMENT NO. 2: Page 28, line 15, insert "(reduced by \$930,000,000)" after the dollar amount.

H.R. 4576

OFFERED BY: MR. DEFazio

AMENDMENT NO. 3: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . . None of the funds made available in this Act may be used to enter into a contract with an entity that has submitted information to the Secretary of Defense, pursuant to the Federal Acquisition Regulation, that the entity has, on a total of three or more occasions after the date of the enactment of this Act, either been convicted of, or had a civil judgment rendered against it for—

(1) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, State, or local contract or subcontract;

(2) violation of Federal or State antitrust statutes relating to the submission of offers for contracts; or

(3) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

H.R. 4576

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 4: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to enter into a contract with an entity for which a total of 3 or more convictions or civil judgments are rendered (as determined using information available to the Secretary of Defense pursuant to the Federal Acquisition Regulation) after the date of the enactment of this Act for—

(1) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, State, or local contract or subcontract;

(2) violation of Federal or State antitrust statutes relating to the submission of offers for contracts;

(3) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or

(4) commission of any other offense indicating a lack of business integrity or business honesty that seriously or directly affects the present responsibility of a Government contractor or subcontractor.

H.R. 4576

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to enter into a contract with an entity for which a conviction or civil judgment is rendered (as determined using information available to the Secretary of Defense pursuant to the Federal Acquisition Regulation) for—

(1) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, State, or local contract or subcontract;

(2) violation of Federal or State antitrust statutes relating to the submission of offers for contracts;

(3) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or

(4) commission of any other offense indicating a lack of business integrity or business honesty that seriously or directly affects the present responsibility of a Government contractor or subcontractor.

H.R. 4576

OFFERED BY: MR. DICKS

AMENDMENT NO. 6: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . Notwithstanding any other provision of law—

(1) from amounts made available for Research, Development, Test and Evaluation, Air Force in this Act and the Department of Defense Appropriations Act, 2000 (Public Law 106-79), an aggregate amount of \$99,700,000 (less any proportional general reduction required by law and any reduction required for the Small Business Innovative Research program) shall be available only for the B-2 Link 16/Center Instrument Display/In-Flight Replanner program;

(2) the Secretary of the Air Force hereafter shall not be required to obligate funds for po-

tential termination liability in connection with the B-2 Link 16/Center Instrument Display/In-Flight Replanner program; and

(3) if any Act hereafter appropriates an amount for the B-2 Link 16/Center Instrument Display/In-Flight Replanner program for fiscal year 2001 or fiscal year 2002, the Secretary of Defense shall make such amount available for obligation not later than 60 days after the date of the enactment of such Act.

H.R. 4576

OFFERED BY: MR. HOSTETTLER

AMENDMENT NO. 7: At the end of title VIII (page 116, after line 22) insert the following new section:

SEC. . (a) PROHIBITION AGAINST USE OF FUNDS FOR CERTAIN PREFERENCE.—None of the funds made available in this Act may be used to give or withhold a preference to a marketer or vendor of firearms or ammunition based on whether the manufacturer or vendor is a party to a covered agreement.

(b) COVERED AGREEMENT DEFINED.—For purposes of this section, the term "covered agreement" means any agreement requiring a person engaged in a business licensed under chapter 44 of title 18, United States Code, to abide by a designated code of conduct, operating practice, or product design respecting importing, manufacturing, or dealing in firearms or ammunition.

H.R. 4576

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 8: Page 33, line 5, insert "(reduced by \$174,024,000)" after the dollar amount.

Page 35, lines 10 and 11, insert "(increased by \$174,024,000)" after the dollar amount.

H.R. 4576

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following: SEC. 8119. Of the amount provided in title IV for "Research, Development, Test, and Evaluation, Defense-Wide", not more than 1,566,214,000 shall be available for the National Missile Defense program.

(b) The amount provided in title IV for "Research, Development, Test, and Evaluation, Defense-Wide" is hereby reduced by \$174,024,000.

H.R. 4576

OFFERED BY: MR. MARKEY

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. 8119. (a) None of the funds appropriated or otherwise made available in title III of this Act may be obligated or expended for procurement for the National Missile Defense program.

(b) The amount provided in title III for "Procurement, Defense-Wide" is hereby reduced by \$74,530,000.

H.R. 4576

OFFERED BY: MR. SANDERS

AMENDMENT NO. 11: At the end of title VIII (page 116, after line 22) insert the following new section:

SEC. . GRANT TO SUPPORT RESEARCH ON EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS BY MILITARY PERSONNEL WHO SERVED IN THE PERSIAN GULF WAR.

(a) GRANT TO SUPPORT ESTABLISHMENT OF RESEARCH FACILITY TO STUDY LOW-LEVEL CHEMICAL SENSITIVITIES.—Of the amounts made available in this Act for research, development, test, and evaluation, the Secretary of Defense shall make a grant in the amount of \$1,650,000 to a medical research institution for the purpose of initial construction and equipping of a specialized environmental medical facility at that institution

for the conduct of research into the possible health effect of exposure to low levels of hazardous chemicals, including chemical warfare agents and other substances and the individual susceptibility of humans to such exposure under environmentally controlled conditions, and for the conduct of such research, especially among persons who served on active duty in the Southwest Asia theater of operations during the Persian Gulf War. The grant shall be made in consultation with the Secretary of Veterans Affairs and the Secretary of Health and Human Services. The institution to which the grant is to be made shall be selected through established acquisition procedures.

(b) SELECTION CRITERIA.—To be eligible to be selected for a grant under subsection (a), an institution must meet each of the following requirements:

(1) Be an academic medical center and be affiliated with, and in close proximity to, a Department of Defense medical and a Department of Veterans Affairs medical center.

(2) Enter into an agreement with the Secretary of Defense to ensure that research personnel of those affiliated medical facilities and other relevant Federal personnel may have access to the facility to carry out research.

(3) Have demonstrated potential or ability to ensure the participation of scientific personnel with expertise in research on possible chemical sensitivities to low-level exposure to hazardous chemicals and other substances.

(4) Have immediate access to sophisticated physiological imaging (including functional brain imaging) and other innovative research technology that could better define the possible health effects of low-level exposure to hazardous chemicals and other substances and lead to new therapies.

(c) PARTICIPATION BY THE DEPARTMENT OF DEFENSE.—The Secretary of Defense shall ensure that each element of the Department of Defense provides to the medical research institution that is awarded the grant under subsection (a) any information possessed by that element on hazardous agents and materials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War and on the effects upon humans of such exposure. To the extent available, the information provided shall include unit designations, locations, and times for those instances in which such exposure is alleged to have occurred.

(d) REPORTS TO CONGRESS.—Not later than October 1, 2002, and annually thereafter for the period that research described in subsection (a) is being carried out at the facility constructed with the grant made under this section, the Secretary shall submit to the congressional defense committees a report on the results during the year preceding the report of the research and studies carried out under the grant.

H.R. 4577

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: Page 84, after line 21, insert the following:

SEC. 518. None of the funds appropriated or otherwise made available by title III of this Act may be used to prohibit a State vocational rehabilitation agency, for purposes of reimbursement for the agency under the Rehabilitation Act of 1973, from counting a blind or visually-impaired person as successfully rehabilitated under such Act if the person is placed in a noncompetitive or non-integrated employment setting at the Federal minimum wage or higher.

H.R. 4577

OFFERED BY: MR. GARY MILLER OF  
CALIFORNIA

AMENDMENT NO. 2: Page 64, after line 6, insert the following:

SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading "DEPARTMENT OF EDUCATION—EDUCATION REFORM" for ready to learn tele-

vision, and by increasing the amount made available under the heading "DEPARTMENT OF EDUCATION—SPECIAL EDUCATION" for grants to States, by \$16,000,000.

H.R. 4577

OFFERED BY: MR. PAUL

AMENDMENT NO. 3: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . . None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b)).



United States  
of America

# Congressional Record

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No. 68

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer: Gracious God, yesterday was the eighty-first anniversary of the passage of the nineteenth amendment establishing women's suffrage. Thank You for the heroines of our heritage as we celebrate progress in the rights of women in our society. We thank You for the impact of women on American history. We praise You for our founding Pilgrim foremothers and the role they served in establishing our Nation, for the strategic role of women in the battle for independence, for the incredible courage of women who helped push back the frontier, for the suffragettes who fought for the right to vote and the place of women in our society, for the dynamic women who have given crucial leadership in each period of our history.

Today, Gracious God, we give You thanks for the women who serve here in the Senate; for the outstanding women Senators, for the women who serve as officers and in strategic positions in the ongoing work of the Senate, and for the many women throughout the Senate family who glorify You by their loyalty and excellence.

In Your holy name we pray. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable GEORGE V. VOINOVICH, a Senator from the State of Ohio, led the Pledge of Allegiance, as follows:

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

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. VOINOVICH). Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak for up to 5 minutes each.

The Senator from Idaho is recognized.

### SCHEDULE

Mr. CRAIG. Mr. President, today the Senate will be in a period of morning business, as the Chair has mentioned, until 12:30 p.m., with Senator DURBIN and Senator THOMAS in control of 1 hour each.

Following morning business, the Senate will recess for the weekly party conferences. As a reminder, the official Senate picture will be taken at 2:15 p.m. today. I encourage my colleagues to be prompt in an attempt to complete the photo in a timely manner.

When the Senate reconvenes, it is hoped the Senate can begin consideration of the Department of Defense authorization bill. Senators who intend to offer amendments to this important legislation are encouraged to keep their amendments germane in an effort to complete action on the bill prior to the end of the week.

I thank my colleagues.

The PRESIDING OFFICER. The assistant minority leader is recognized.

### ITEMS TO ACCOMPLISH BEFORE THE JULY 4 RECESS

Mr. REID. Mr. President, I look forward to this period of time prior to the July 4 recess, as does the entire minority. We are hopeful we can make progress on the appropriations bills, which certainly need to be accomplished. Also, I hope there will be an opportunity to do something about the Patients' Bill of Rights, prescription drugs; that we can complete work on

the minimum wage, and the juvenile justice bill.

A number of these matters have been languishing, waiting for the conference committees to act. We have all had our time at home, and we are ready to go. We hope we can move forward, I repeat, with the appropriations bills and these matters I have outlined.

### BUILDING A BIPARTISAN COMPROMISE

Mr. CRAIG. Mr. President, I certainly concur with my colleague that I hope we can move forward on these critical issues. We are now working hard at accomplishing some of those efforts. As he mentioned, the conference on the Patients' Bill of Rights is at work. We hope we can build a bipartisan compromise as necessary to produce that kind of program and law and protection for the American consumers of health care.

There is a great deal of work to be done. I hope we can come together in a united and bipartisan way to resolve some of these issues, to move the appropriations bills forward, to make sure we complete our business in a timely manner.

Of course, I understand, as I think my colleague from Nevada understands, that is going to take cooperation from both sides. Tragically, and sadly, we got into a bit of a nonproductive period prior to the Memorial Day recess. I hope the recess has cleared the air and we can come back in a productive way.

### MEASURES PLACED ON THE CALENDAR—S. 2645 AND H.R. 3244

Mr. CRAIG. Mr. President, I understand there are two bills at the desk due for their second reading.

The PRESIDING OFFICER. The clerk will read the bills by title.

The assistant legislative clerk read as follows:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S4507

A bill (S. 2645) to provide for the application of certain measures to the People's Republic of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes.

A bill (H.R. 3244) to combat trafficking of persons, especially into sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against the traffickers, and through protection and assistance to victims of trafficking.

Mr. CRAIG. Mr. President, I object to further proceeding on these bills at this time.

The PRESIDING OFFICER. Under the rule, the bills will be placed on the calendar.

The Senator from South Carolina is recognized.

(The remarks of Mr. THURMOND and Mr. DURBIN pertaining to the introduction of S.J. Res. 46 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolution.")

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. is under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I ask unanimous consent that at 12 o'clock I be allowed to speak for 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the time between 12:15 and 12:30 be reserved for myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Thank you, Mr. President. I thank the Senator from Illinois.

#### THE NEED FOR A MORATORIUM ON EXECUTIONS

Mr. FEINGOLD. Mr. President, the Federal Government has not executed a person in the name of people of the United States of America since 1963. For 37 years, we as a people have not taken that fateful, irreversible step. I rise today because all that is apparently about to change.

Since January, I have come to the Senate floor several times to urge my colleagues to support a moratorium on executions and a review of the administration of capital punishment. Mr. President, the need for that moratorium has now become more urgent.

During the Senate recess just ended, a Federal judge in Texas set a date for the execution of Juan Raul Garza. In only two months, on August 5, he could become the first prisoner that the Federal Government has put to death since 1963.

In the early hours of a Saturday morning, when most Americans will be sleeping, Federal authorities will strap Mr. Garza to a gurney at a new Federal facility in Terre Haute, Indiana. They will put the needle in his vein. And they will deliver an injection that will kill him.

Mr. President, I rise today to invite my colleagues to consider the wisdom of this action.

More and more Americans, including prosecutors, police, and those fighting on the front lines of the battle against crime, are rethinking the fairness, the efficacy, and the freedom from error of the death penalty. Senator LEAHY, a former federal prosecutor, has introduced the Innocence Protection Act, of which I am proud to be a cosponsor. Congressman DELAHUNT and Congressman LAHOOD have introduced the same bill in the House. Congressman DELAHUNT, also a former prosecutor, is concerned that our current system of administering the death penalty is far from just. He has said: "If you spent 20 years in the criminal justice system, you would be very concerned about what goes on."

In my own home state of Wisconsin, at least eleven active and former state and Federal prosecutors have said that executions do not deter crime and could result in executing the innocent. Michael McCann, the well-respected District Attorney of Milwaukee County, has said that prosecution is a human enterprise bound to have mistakes.

Mr. President, police—the people on the front lines of the battle against crime—are coming out against the death penalty. They are finding that it is bad for law enforcement. Recently, when police chiefs were asked about the death penalty, they said that it was counterproductive. Capital cases are incredibly resource-intensive. They do not yield a reduction in crime proportional to other, more moderate law-enforcement activities.

A former police chief of Madison, Wisconsin, for example, has said that he fears that the death penalty would make police officers' jobs more dangerous, not less so. He expressed concern that a suspect's incentive to surrender peacefully is diminished when the government has plans to execute.

Ours is a system of justice founded on fairness and due process. The Framers of our democracy had a healthy distrust for the power of the state when arrayed against the individual. Many of the lawyers in the early United States of America had on their shelf a copy of William Blackstone's Commentaries on the Laws of England, where it is written: "For the law holds, that it is better that ten guilty persons escape, than that one innocent suffer." And Benjamin Franklin wrote, "That it is better 100 guilty Persons should escape than that one innocent Person should suffer. . . ."

Our Constitution and Bill of Rights reflect this concern for the protection

of the individual against the might of the state. The fourth amendment protects: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures. . . ." The fifth amendment protects against being "deprived of life, liberty, or property, without due process of law. . . ." The sixth amendment guarantees that "the accused shall enjoy the right . . . to have the assistance of counsel for his defense." And the eighth amendment prohibits "cruel and unusual punishments."

Our system of government is deeply grounded in the defense of the individual against the power of the government. Our Nation has a proud tradition of safeguarding the rights of its citizens.

But more and more, we are finding that when a person's very life is at stake, our system of justice is failing to live up to the standards that the American people demand and expect. More and more, Americans are finding reason to believe that we have a justice system that can, and does, make mistakes.

Americans' sense of justice demands that if new evidence becomes available that could shed light on the guilt or innocence of a defendant, then the defendant should be given the opportunity to present it. Unfortunately, apparently, the people of New York and Illinois are the only ones who understand this. They have enacted laws allowing convicted offenders access to the biological evidence used at trial and modern DNA testing.

If you are on death row in a state other than Illinois or New York, you might be able to show a court evidence of your guilt or innocence based on new DNA tests. But your ability to do so rests on whether you're lucky enough to get a prosecutor to agree to the test or convince a court that it should be done. Or, as we have seen very recently, your ability to show your innocence may rest with the decision of the governor. And that raises the risk of a political decision, not necessarily one that is based solely on fairness or justice.

Mr. President, I am not surprised that both Texas Governor George Bush and Virginia Governor James Gilmore are no longer confident that every prisoner on death row in their states is guilty and has had full access to the courts. Allowing death row inmates the benefit of a modern DNA test is the fair and just thing to do. But scores of other death row inmates, in Texas, in Virginia, and around the country, may also have evidence exonerating them. They may have DNA evidence. Or they may have other exonerating evidence. We must ensure that all inmates with meritorious claims of innocence have their day in court. But, among problems in our criminal justice system, the lack of full access to DNA testing is, unfortunately, just the tip of the iceberg.

Americans' sense of justice demands fair representation and adequate counsel. In the landmark 1963 case of *Gideon v. Wainwright*, the Supreme Court held that "in our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him." The Court in *Gideon* wrote:

From the very beginning, our state and national constitutions and laws have laid great emphasis on procedural and substantive safeguards designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law. This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.

And, in cases since then, for example the 1988 case of *McCoy v. Court of Appeals*, the Supreme Court has ruled that: "It is . . . settled law that an indigent defendant has the same right to effective representation by an active advocate as a defendant who can afford to retain counsel of his or her choice."

But, Mr. President, more and more, we are finding counsel that fail the standard of adequacy. Drunk lawyers. Sleeping lawyers. Lawyers who never cross-examined. Lawyers whose first trial is a trial where the client's life is on the line. Lawyers who have been subsequently disbarred.

We would never allow a podiatrist to perform heart surgery. And we would never allow a surgeon to perform surgery while drunk, or to fall asleep during surgery. But courts, over and over again, have upheld convictions where the defendants' lawyers were not qualified to represent them, slept through trial, or were drunk in court.

Take the case of the lawyer Joe Cannon. In 1979, one Mr. Carl Johnson was convicted of murder and sent to death row by a Texas state court. During trial, his lead counsel, Joe Cannon, was often asleep. Cannon's co-counsel, Philip Scardino, was two years out of law school and recalls the whole experience as "frightening." He said, "All I could do was nudge him sometimes and try to wake him up." Johnson's appellate attorney, David Dow, said the trial transcript gives the impression that there was no one in the courtroom defending Johnson. It "goes on for pages and pages, and there is not a whisper from anyone representing him." Mr. Johnson was executed in 1995, the 12th execution under Governor Bush's watch.

Now as "frightening" as this sounds, the same attorney continued to work capital cases.

Like the majority of inmates on Texas' death row, Calvin Burdine could not afford an attorney, so the court paid a lawyer to represent him, and that lawyer again was Joe Cannon. Five years after Johnson's trial, and this time without co-counsel, Cannon represented Burdine, and again slept through crucial moments of the trial. The clerk for the trial judge said Cannon "was asleep for long periods of time during the questioning of wit-

nesses." Three jurors noted he did most of his nodding off in the afternoon, following lunch. Burdine's appellate attorneys contend that highly incriminating hearsay testimony was introduced and reached the jury because the attorney was sleeping. In 1995, the Texas Court of Criminal Appeals rejected his claim of ineffective assistance. Burdine's case is now before the U.S. Court of Appeals for the Fifth Circuit.

As Texas State Senator Rodney Ellis said of the Burdine case on ABC's *This Week* this past Sunday, "That is a national embarrassment." Incredulously, Senator Ellis lamented: "[T]he Texas Court of Criminal Appeals ruled apparently that you can be Rip Van Winkle and still be a pretty good attorney."

Two years after his death, lawyer Joe Cannon remains a courthouse legend. In a span of about 10 years, twelve of his indigent clients went to death row.

Americans' sense of justice demands that the poor, as well as the rich, should get their day in court. Even death penalty supporters like Reverend Pat Robertson recognize that this ultimate punishment appears reserved for the poor.

The machinery of death is badly broken. Since the 1970s, 87 people sitting on death row were later proven innocent. That means that for every seven executions, we've found one person innocent. But remember, this is after they were on death row. Eight of the 87 people later proven innocent relied on modern DNA testing to prove their innocence. But access to DNA testing plainly tells only a small part of the story of the mistakes in our criminal justice system. The remaining 79 innocent people gained their release based on other kinds of evidence—evidence like recanted witness testimony.

Sometimes, it is evidence that an ineffective attorney fails to introduce at trial. Take the case of Gregory Wilhoit. In 1987, an Oklahoma court sentenced Wilhoit to die for the murder of his estranged wife. The key evidence for the prosecution was expert testimony that a bite mark on the victim matched Wilhoit's. The defense never called an expert to challenge the prosecution's dental expert. The court of appeals granted a new trial, recognizing that Wilhoit had ineffective legal representation. The appellate court noted that his counsel was "suffering from alcohol dependence and abuse, and brain damage during his representation." Wilhoit describes his former attorney as "a drunk" and recalls several occasions when the attorney threw up in the judge's chambers. After spending six years on death row, Wilhoit was exonerated after 11 experts—11 experts—testified that the teeth marks did not match.

Mr. President, I hate to say it, but this is the worst of government gone amok. People understand that the government can make mistakes in other areas. They can only expect as much here. Columnist George Will recently

wrote that conservatives, especially, should be concerned. George Will wrote: "Capital punishment, like the rest of the criminal justice system, is a government program, so skepticism is in order."

When we do not exercise that skepticism, when we rush to execute with ever growing speed, we contribute to, rather than detract from, a culture of violence. It deprives us of the greatness that is America. We are better than this.

And so, Mr. President, the time has come to pause. That is why today, in the light of the scheduling of the first Federal execution in almost 40 years, and in light of the growing awareness that there are fundamental flaws in our system of justice, I urge my Colleagues to join me in the National Death Penalty Moratorium Act, which I introduced along with Senators LEVIN and WELLSTONE.

This bill is a common sense, modest proposal. It merely calls a temporary halt to executions while a national, blue ribbon commission thoroughly examines the administration of capital punishment. The bill simply calls for a pause and a study. That is not too much to ask, when the lives of innocent people hang in the balance.

When an airplane careens off a runway, the Federal government steps in to review what went wrong. This Nation's system of capital punishment has veered seriously off-course. It is now clear that it is replete with errors.

The time has come to pause and study what is wrong. The time has come to pause and ensure that our system is fair and just.

Our American tradition of fairness and due process demands it. Reverence for our democracy's protection of the individual against the state compels as much. The American people's love of justice deserves no less.

Mr. DURBIN. Mr. President, I commend my colleague from the State of Wisconsin. He is a person of principle. He comes to the floor of the Senate and reminds Members, whether in support of or in opposition to the death penalty, it is fundamental to the American system of justice that we insist on fairness.

In my State of Illinois, some 13 people who were on death row preparing to be executed by the State of Illinois were found by scientific testing to be innocent and were released. Because of that, the Governor of our State, a Republican, George Ryan, made what I consider to be an important and courageous decision. He suspended the death penalty in my home State of Illinois.

The Senator from Wisconsin, Mr. FEINGOLD, reminds Members that the experience in Illinois is not unique. In State after State, we have found people who have been called to justice and have received virtually no representation before the court of law. In the most serious possible cases under our system of justice, these men have been sentenced to death. In many cases,

that sentence was carried out with inadequate defense and representation.

For example, I think the decision by Governor Bush of Texas to at least suspend the execution of an individual for 30 days while DNA testing is underway is a thoughtful decision. I commend him for that. The State of Texas, I believe, leads the Nation in the number of executions, and the State of Texas has no public defender system. So in the State of Texas, if you are a criminal defendant facing a capital crime which could result in execution, it is literally a gamble, a crapshoot as to the person who will represent you to defend your life.

In cases that have been cited by Senator FEINGOLD, some of the most incompetent attorneys in America have been assigned this responsibility. In our State of Illinois, we found these attorneys to be not well versed in law; we found them to be lazy; we found them to be derelict in their duty, and in some cases, a person's life was at stake.

Again, I commend my colleague from the State of Wisconsin for his statement. It is a reminder to all, whether we support the death penalty—as I do—or we oppose it, that we in this country believe in a system that is based on fairness and justice.

I have introduced legislation to give to all Federal prisoners who were subjected to capital punishment the same right for DNA testing that exists in my State of Illinois. There are similar bills introduced by my colleagues. I hope that all, conservative and liberals alike, Democrats and Republicans, will at least adhere to the basic standard of justice when it comes to cases of this seriousness and this magnitude.

Mr. FEINGOLD. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mr. FEINGOLD. I thank the Senator and take my hat off to him and to our neighbor to the south, the State of Illinois. Without the leadership of Illinois, which had the courage to admit that it had a problem, this entire issue would not be receiving the kind of examination occurring across the country. That is to the Senator's credit, to that of the Governor, and to all the people of your State.

The bill I have introduced is modeled exactly after the pattern followed in Illinois; that is, the calling of a moratorium by a Governor who is, or at least has been, a death penalty supporter, and then the appointing of a very distinguished blue-ribbon commission, including our former wonderful colleague, Paul Simon, and including both pro- and anti-death penalty people.

Under Illinois' leadership, there will be this kind of pause and examination that is open to people of any view on the death penalty, to simply make sure that system is fixed.

As the Senator pointed out, Illinois could not possibly be the only State that has this problem. In fact, I predict

it will not turn out to be the one with the worst problem in this area.

The other States need to join in on this, the Federal Government needs to join, and I compliment your State, as I did in my earlier remarks, as being one of the only two States to recognize the right to have guaranteed DNA testing.

#### LEGISLATIVE AGENDA

Mr. DURBIN. Mr. President, in the time that remains in morning business, which I will share with my colleague from California, we will address several of the issues which still remain before this session of Congress. Many of us are just returning from a Memorial Day break which we spent with our families back in our States, trying to acquaint ourselves with the concerns of people and the concerns about issues we face here in Washington.

One of the concerns in the State of Illinois and in the city of Chicago continues to be gun violence. This is still a phenomenon which is almost uniquely American and which is tragic in its proportion. To think we lose 12 or 13 children every day to gun violence, that is a sad reminder of what happened at Columbine High School in Littleton, CO, a little over a year ago, when some 13 students were killed at that school. It is merely one instance of a situation which repeats itself every single day.

It has been more than a year since that tragedy, but still this Congress refuses to act on sensible gun safety legislation. I remind those who are following this debate, the proposal for this gun safety legislation is hardly radical. If people are going to buy a gun from a gun dealer in America, they are subjected to a background check. We want to know if they are criminals. We want to know if they have a history of violent crime or violent mental illness or if they are too young to buy a gun—basic questions. I understand that, as of last year, over 250,000 would-be purchasers of guns were denied that opportunity as a result of a simple background check.

Did they turn around and buy a gun on the street? It is possible. But we should not make it easy for them. It should not be automatic. In fact, I hope in many instances, having been denied at a gun dealer, they could not find a gun nor should they have been able to. We believe applying the same standard of gun safety legislation to gun shows just makes common sense.

So that is part of the gun safety legislation we passed in the Senate by a vote of 49-49, and a tie-breaking vote was cast by Vice President AL GORE. That bill left the Senate over 8 months ago, went over to the House of Representatives where it was emasculated by the gun lobby, where the National Rifle Association would not accept the basic idea that we should check on the backgrounds of people who buy guns at gun shows.

The National Rifle Association believes those who go into gun shows

should be able to buy a gun with no questions asked. That is just fundamentally unfair and ignorant. That position prevailed in the House of Representatives. The matter went to a conference committee where it has languished ever since.

Since Columbine High School, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will, each day, read the names of some, just some, who lost their lives to gun violence in the past year and will continue to do so every day the Senate is in session.

In the names of those who died, we will continue this fight, and in the names of their families who still grieve their losses, we will continue to remember these victims of gun violence.

Following are the names of some of the people who were killed by gunfire 1 year ago today, on June 6, 1999, at a time after the Senate passed gun safety legislation:

Earnest Barnes, 38, Atlanta, GA; Quentin A. Brown, 29, Chicago, IL; Dexter J. Caruthers, 46, Gary, IN; George Cook, 19, Minneapolis, MN; Don Ferguson, 80, Oakland, CA; Juan J. Gonzales, 28, Oklahoma City, OK; Mark S. Hansher, 33, Madison, WI; Joseph Jainski, 34, Philadelphia, PA; Maurice Lewis, 29, Philadelphia, PA; Donald Norrod, 67, Akron, OH; Allen Ringgold, 23, Baltimore, MD; Lawanza Robertson, 18, Detroit, MI; Agapito Rodriguez, 32, Dallas, TX; Jonathan Shields, 31, Washington, DC; Clarence Veasley, 44, St. Louis, MO; Kirk Watkins, Detroit, MI.

In addition, since the Senate was not in session this year from May 26 to June 5, I ask unanimous consent the names be printed in the RECORD of some of those who were killed by gunfire last year on the days from May 26 through June 5:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 26, 1999

Demarcus Clark, 22, Atlanta, GA.  
Delmar Guyton, 23, Detroit, MI.  
Shawn Timothy Hamilton, 35, Washington, DC.

James Johnson, 24, Denver, CO.  
William Partlow, 26, Charlotte, NC.  
Shayne Worcester, San Francisco, CA.

MAY 27, 1999

Steve T. Fleming, 27, New Orleans, LA.  
Bruce Harvard, 19, Pittsburgh, PA.  
Kewan McKinnie, 19, Detroit, MI.  
Victoria Moore, 41, San Antonio, TX.  
Bobby Piggle, 39, Kansas City, MO.  
Ramona Richins, 47, Salt Lake City, UT.  
Kevin Sellers, 25, Baltimore, MD.  
Termell Wollen, 31, Detroit, MI.  
Unidentified male, 24, Norfolk, VA.  
Unidentified male, 25, Norfolk, VA.

MAY 28, 1999

Raymond Adams, 30, Philadelphia, PA.  
Carrillo Ambrocio, 32, Houston, TX.  
Luz Balbona, 59, Miami-Dade County, FL.  
Jimmy Cottingham, 30, Washington, DC.  
Armando Garcia, 16, San Bernardino, CA.  
Ignacio Gonzalez, Sr., 42, Chicago, IL.  
Terrell Hatfield, 21, Seattle, WA.  
Donnell Holmes, 25, Miami-Dade County, FL.



Jose Reyes, 18, Hempstead, NY.  
Angela Yglesias, 18, Detroit, MI.

MAY 29, 1999

David D. Adams, 36, New Orleans, LA.  
Michael Cal Andretti, 29, St. Paul, MN.  
William Berry, 56, Philadelphia, PA.  
Vincent Dominguez, 42, Louisville, KY.  
Alayito Finney, 30, Detroit, MI.  
Bruce Goldberg, 39, Philadelphia, PA.  
Joseph Jenkins, 22, Charleston, SC.  
Dil Kahn, 57, Houston, TX.  
Roberto Lauret, 30, Miami-Dade County, FL.  
Craig Nelson, 34, Philadelphia, PA.  
Gregory Ramseth, 33, Seattle, WA.  
James Thurston, III, 19, Miami-Dade County, FL.  
Roger Vincent, 44, Mesquite, TX.  
Unidentified male, 35, Long Beach, CA.

MAY 30, 1999

Lawrence Albeniaic, 45, New Orleans, LA.  
Ryan Bailey, 19, Baltimore, MD.  
Maxine Bedell, 82, Rochester, NY.  
Melco Botache, 33, Miami-Dade County, FL.  
Henry Carter, 48, Detroit, MI.  
Savatore Damico, 33, Baltimore, MD.  
Lovell Daniely, 27, Philadelphia, PA.  
David Davidson, 38, St. Louis, MO.  
Frank Evans, 18, Chicago, IL.  
Rico Montgomery, 24, Detroit, MI.  
Antonio Munoz, 17, Providence, RI.  
Phyllis Robinson, 38, Chicago, IL.  
Brandy Smith, 18, Houston, TX.

MAY 31, 1999

Elizabeth K. Burlan, 55, New Orleans, LA.  
Anthony Clay, 40, Atlanta, GA.  
Gregory Clay, 40, Atlanta, GA.  
Edward Meno, 26, Oakland, CA.  
Daron D. Mitchell, 18, Akron, OH.  
Miriam Moses, 78, Miami-Dade County, FL.  
Shane Newton, 26, Detroit, MI.  
Curtis Smith, 26, Cincinnati, OH.  
Anthony Wilson, 40, Philadelphia, PA.  
Unidentified male, 18, Newark, NJ.

JUNE 1, 1999

Jouvito Bravo, 19, Houston, TX.  
Allen R. Darrington, 17, Kansas City, MO.  
Martha Enriches, 21, Dallas, TX.  
Antoine Fowler, 21, Charlotte, NC.  
Bruce Green, 36, Baltimore, MD.  
Jewel Harvey, 49, Dallas, TX.  
Johnny Howard, 26, Atlanta, GA.  
Stephen Karawan, 53, Miami-Dade County, FL.  
Michael Kitchins, 36, Dallas, TX.  
Eric Lewis, 21, Detroit, MI.  
Jamont Simmons, 22, Rochester, NY.  
Jerona Stewart, 15, Washington, DC.  
D'Andre Tizeno, San Francisco, CA.  
Irene Zaragoza, 47, Houston, TX.  
Unidentified male, 39, Honolulu, HI.  
Unidentified male, 26, Nashville, TN.

JUNE 2, 1999

Corey Ball, 28, San Antonio, TX.  
Clarence A. Bellinger, 30, Chicago, IL.  
Barbara Clark, 35, Chicago, IL.  
Carlton Copeland, 23, Atlanta, GA.  
Felipe Cruz, 26, Dallas, TX.  
William Floyd, 18, Washington, DC.  
Raymond Gonzales, 33, San Bernardino, CA.  
Fairway Huntington, 41, Memphis, TN.  
Craig Kallevig, 41, Minneapolis, MN.  
Seven Lomax, 30, Philadelphia, PA.  
Brian Meridith, 36, Mesquite, TX.  
James Nelson, 23, Baltimore, MD.  
Cecilia Pagaduan, 44, Daly City, CA.  
Edwin Pagaduan, 44, Daly City, CA.  
Mario Anthony Phillips, 26, St. Paul, MN.  
Ricky Salizar, 12, Roswell, NM.  
Kahlil J. Smith, 19, Memphis, TN.

JUNE 3, 1999

Alberto Acosta, 36, Miami-Dade County, FL.

Scott Hughes, 24, Dallas, TX.  
Samuel C. Johnson, 51, Seattle, WA.  
Chang Dae Kim, Detroit, MI.  
Rodney Nelson, 17, Detroit, MI.  
Sammy Tate, 35, Chicago, IL.  
Mario Wright, 19, Philadelphia, PA.

JUNE 4, 1999

Recardo Aguilar, 23, Pittsburgh, PA.  
Donald Carver, 43, Toledo, OH.  
Carlos Casaway, 23, Detroit, MI.  
Christopher Earl, 26, Knoxville, TN.  
Fitzroy Farguharson, 35, Miami-Dade County, FL.  
Al Jenkins, 28, Oakland, CA.  
Derek D. Miller, 24, Memphis, TN.  
Cesar Quevedo, 24, Pittsburgh, PA.  
Juan D. Rodriguez, 48, Houston, TX.  
Earl Roos, 25, Oakland, CA.  
Jose J. Santoyo, 20, Chicago, IL.  
Abimbola Whitlock, 20, Oakland, CA.

JUNE 5, 1999

Nancy Linda Akers, 45, Washington, DC.  
Jeffrey Blash, 24, Miami-Dade County, FL.  
Mary Kathleen Brady, 35, Cincinnati, OH.  
Franco D. Davis, 22, Chicago, IL.  
Patrick Dewar, 35, Philadelphia, PA.  
Anthony Fletcher, 45, Macon, GA.  
Walter Hill, 38, Detroit, MI.  
Alice Hough, 54, Miami-Dade County, FL.  
Maurice Jiles, 18, Gary, IN.  
Fernando Perez, 29, Houston, TX.  
Joseph Swinnie, 18, Washington, DC.  
Victor Temores-Martinez, 30, Chicago, IL.  
Shaun Tilghman, 24, Boston, MA.

Mr. DURBIN. Mr. President, at the National Rifle Association convention, when it was brought up as an issue that so many young people are killed every single day by gunfire in America, in addition to those who are not so young, the people at the National Rifle Association dismissed it and said these are teenage gang bangers and drug criminals and you just have to expect, in the culture in which they live, they are going to kill one another.

As I read this list of people ranging in age from 80 years to 18, it is clear that the victims of gun violence are not just those who were involved in crime in the inner city. Frankly, it involved Americans across the board; Americans—black, white, and brown—of virtually every age group. To dismiss this, as the National Rifle Association did, as something we should not care about I think is evidence of their insensitivity to this issue of gun violence.

Mrs. BOXER. Will the Senator yield for a couple questions?

Mr. DURBIN. I am happy to yield to the Senator from California.

Mrs. BOXER. I thank the Senator from Illinois for reading these names into the RECORD, for putting a human face on what is a national tragedy. He experienced this at home, and I did as well in California.

People are wondering just exactly what we are doing. Since Columbine, we agreed to five sensible gun amendments, one of them to close the gun show loophole, which would make it very difficult, if not impossible, for criminals and children and people who are mentally unbalanced to buy guns at gun shows; also, for example, to make sure that all handguns are sold with safety locks, so if kids get hold of a gun, there is no discharge of a bullet.

I want to engage my friend in a little colloquy. While we were gone last week, there were two horrific stories, just two that made the national news. God knows there were more.

One of them involved a student who was acting out on the last day of school. He was throwing water balloons. And the teacher said: Listen, you are just going to have to leave school. You don't belong here. We don't have tolerance for this kind of behavior.

The child left school, went home; he told someone he was going to get a gun. The child who was told this didn't believe it. Sure enough, he went to his grandfather's stash of guns and got one. It had no safety lock on it. He returned, and he killed a very wonderful, kind family man, a teacher at the prime of his life, in his thirties.

Then we had the incident in Queens where a disgruntled employee essentially executed people who worked at a Wendy's.

What do we do here? Nothing. We do nothing. I am listening for the majority leader. We already passed these amendments in the Senate, and the amendments are languishing in the committee. I say to my friend, what are the American people to think about this inaction? I would like him to comment on that. Then I have another question about the NRA convention.

If my friend could comment, because he feels so strongly about this, what are the American people thinking about the Senate and Congress, controlled by Republicans, who do nothing about the issue of the killing of our people at a far greater rate than our soldiers died in Vietnam? We have a war in our streets. What do you think they should do about it?

Mr. DURBIN. I can say to the Senator from California, as people across the Nation refuse to vote in elections and lose respect for those who are elected to public office, it is a clear indication, as far as I am concerned, that they do not believe we are responsive. They do not believe we are listening. They do not believe the problems that families face across America are problems we share. They think we are some sort of political elite that really is out of touch with the world.

They understand in the cities and the suburbs across Illinois that gun violence is an issue that affects so many lives. They wonder how people can be elected to the Senate and not try to do something about it.

I know the Senator from California agrees with me that even passing this gun safety legislation will not eliminate gun violence, but we hope it will reduce it.

It is a commonsense approach to reducing the ownership of guns by people who should not own them. I believe—and I am sure the Senator from California does, too—those who use guns legally and safely, such as sportsmen and hunters, should be allowed to do so, but I do not agree with the National

Rifle Association of basically giving guns to everyone, no questions asked, and hope for the best, and wants to see concealed weapons in every place. Governor Bush decided he wanted concealed weapons to be carried in churches and synagogues in the State of Texas. That strikes me as a ridiculous situation.

Mrs. BOXER. Amusement parks as well.

Mr. DURBIN. Amusement parks. Think about the situation and wonder how in the world can we have a safer America if we have this proliferation of guns that is, obviously, supported by Governor Bush, as well as the National Rifle Association. Democrats and Republicans should be listening to families across this country.

To think gun violence has become so commonplace that we have accepted it is a sad testament on this great Nation. If one looks at gun violence statistics and says "that is life," no, it is not. That is life in America. That is not life in any other country in the world. Virtually every civilized country in the world has basic gun safety laws and gun control laws to keep guns out of the hands of those who would misuse them and out of the hands of children. We live in a country where a disgruntled 13- or 14-year-old goes home and finds grandpa's gun, goes back to school, and kills a teacher. That is not commonplace anyplace in the world but for the United States, which I do not think we should accept, and our failure to do anything about it feeds into the cynicism of America's voters and citizenry who think we are elected to solve problems in this country. When we do not respond, it is no wonder they lose faith in the process.

Mrs. BOXER. I say to my friend, what is extremely frustrating is the talk we hear: Gee, it does not make any difference who gets elected. I want to make a point straight from the shoulder, and I am known for that. The fact is, every single Democrat voted for these sensible gun measures, except one, and we had just a few on the other side join us.

There is a difference. I ask my friend if he happened to hear the NRA convention speeches that were made or if he read them, and, if so, what he thought. I was, frankly, stunned at the all-out personal attack on AL GORE that I heard. I have no objection to people having differences. If they want everyone to carry a concealed weapon, that is their choice to make that decision. I do not think we want to see an America that is a shootout at the OK Corral. I do not think that is going to make our country great. But if somebody thinks that we all ought to pack a weapon, that is their right, but to personally attack the Vice President because he supports sensible gun control laws—which, by the way, are supported by 80 percent of the people—to make this a personal, vicious attack on AL GORE—and I read Wayne LaPierre's speech and I read Charlton Heston's

speech. They named AL GORE in the most vicious way and attacked him in the most personal way.

I ask my friend if he would like to see this debate elevated above these personalities. It is dangerous to start attacking people in such a way, and I hope we can keep our disagreements over the issues rather than attack a Vice President who is simply reflecting the views of 80 percent of the people.

When we hear the NRA executive say: When George Bush is elected, we are going to operate out of the White House—that sends chills up and down my spine. No group should operate out of the White House, whether it is Sarah and Jim Brady's gun control group or the NRA. For them to say when George Bush is elected they are going to work out of the White House is a frightening thought to me.

I hope the American people will tune in to this and not say all the candidates are alike and not say all of us are alike. They are not going to find us perfect, that is for sure. No one is perfect. Doesn't my friend believe this is an issue where there are serious differences between the two parties?

Mr. DURBIN. I say to the Senator from California that she has answered her own question: Why is the National Rifle Association attacking the Democratic candidate for President? They made it clear. The chairman of their organization, a gentleman from Iowa whose name I do not have handy, made this announcement—in fact, it has been videotaped and replayed—where he said: Listen, the choice for the National Rifle Association in this Presidential race is clear. If George Bush is elected President of the United States, the National Rifle Association will have its man in the White House.

The Senator from California does not exaggerate. That is exactly what he said.

What does it mean to have your person in the White House next to the President? It means gun safety legislation does not have a chance. Not a single thing is going to be passed by Congress that will not be vetoed by George W. Bush.

Secondly, I hope the Senator from California will also reflect on this, and that is, it is likely in the next Presidency two or three Supreme Court Justices will be nominated. The National Rifle Association is going to have its voice in that process if George Bush is elected President. They will decide whether or not the Supreme Court Justice nominee passes their litmus test, which basically says we should sell guns in this country with no questions asked.

That is not a decision for 4 years; it is a decision for decades because if the Supreme Court has a majority of that point of view, that is going to affect the laws that are approved virtually across the board at the State and Federal level.

When the National Rifle Association at their convention starts ranting and

raving about their choice for President, it is because they are sick and tired of President Clinton, who has stood up for gun safety as long as he has been in the White House. They are frightened by the prospect of Vice President GORE becoming President and continuing that tradition of supporting sensible gun safety legislation. They want George W. Bush. They want their man in the White House. They want to help pick the Supreme Court. You can bet as an American, I am concerned that will increase the incidence of gun violence in our country.

Mrs. BOXER. I thank my friend for raising the issue of the Supreme Court. I should have raised it myself. He is so right on that point. The Supreme Court up to now has, in fact, said it is OK for Congress to work on gun laws that keep guns out of the hands of criminals and children, and that it is not, in fact, a violation of the second amendment because we say: Sure, if you are responsible and you need to have a gun and you have a reason to have it—for recreation or to defend your family—and you are a responsible gun owner, that is one situation. But if you are a criminal, you are mentally unbalanced, if you walk in and buy a gun, by the way, when you are high on drugs or alcohol, this is not going to be good for this Nation. The Supreme Court up to now has upheld our ability to regulate.

There is no question that with the NRA operating out of the George Bush White House, we are going to see in the Congress not only a lack of future progress on controlling these guns and who has these guns, but we are going to see the Supreme Court tilt and say: Congress, you have no business dealing with this issue.

I ask my friend this: If we have no other role to play, shouldn't it be that we protect the health and the safety of the people of this country? I know we are trying to get a Patients' Bill of Rights. This is another issue for which we are fighting hard because that is our sacred obligation, if nothing else.

We can have the greatest economy in the world, the best economy in the world, people can be working and thriving, but if some child goes home and gets his grandpa's gun and shoots a beautiful teacher in the head, if some disgruntled employee who has a criminal record can get a gun at a gun show, what good does it do if you have the best job and the best future in the world?

My friend has read the names of people shot down in the prime of their lives. We are supposed to live to our seventies, and a lot of these people are shot down in their teens, in their twenties, or in their thirties.

My friend is so right to raise this issue of the Supreme Court. I thank him so much for engaging in this colloquy.

I know this talk is hard talk. By the way, it certainly raises our names to the NRA; and that is not easy for us,

either. But the fact is, I believe in my heart that the NRA gives a lot of money to people in Government but there has to be some of us who stand up. I am proud to say every single Democrat, many of whom absolutely believe, as we do, in the right to gun ownership, have stood strong and said we must keep guns out of the hands of children, the mentally unbalanced, and people with criminal records.

I say this to my friend: This is a fight we are going to wage on this floor. We are not going to let George Bush hide behind the fact that he says nice things. I am amazed that the polls don't reflect that people know what he stands for, making it possible to carry a concealed weapon into a church—we had a horrible massacre in a Texas church—or into hospitals. Why do you need a gun in a hospital—explain that to me—a place of healing, a place of peaceful recuperation?

Why do you need a gun in a church? Why do you need a gun in a hospital? What about an amusement park where there are so many kids around? This makes no sense. He did it because the NRA wanted it done. We have to speak the truth here if we are worth anything.

I thank my friend for speaking the truth, for reading the names of those who died, and for bringing this issue day after day to the floor of the Senate. I will be by his side.

Mr. DURBIN. I thank the Senator from California. She has made a point, too, that I would like to follow up on. We have addressed this issue of the safety of American families, to make sure that we try to do everything that is reasonable to reduce gun violence.

There is also an issue of health not only related to gun violence but in a larger context. We have several measures that are pending on Capitol Hill that have been languishing for months: prescription drug benefits, which we support. We believe that under Medicare the elderly and the disabled should have a prescription drug benefit. To accomplish that, it is certainly going to involve bipartisan cooperation. But we have seen no leadership, none whatsoever, in this Congress.

What are they waiting for? We are now in the month of June. We are talking about resolving a lot of the major issues before our August recess for the conventions. In this short period of time, can we find the political will to address a prescription drug benefit?

Let me add another that has been languishing for months: the Patients' Bill of Rights, which basically says that each one of us, as individuals and members of a family, should be able to walk into a doctor's office and listen carefully to that medical professional, receive their diagnosis and their recommendation, and follow it and not be second-guessed by some insurance company.

I think that is so fundamental and so basic—that a woman who has an obstetrician following her pregnancy, who

wants to stay with the person in whom she has confidence, will not lose that right because her company decides to change its health insurance carrier; that someone who wants to be involved in a clinical trial of a new experimental drug for cancer, for example, that might save their life, cannot be denied that opportunity by a health insurance company; that our access to emergency rooms will not be denied because of the decisions of health insurance company clerks.

We had a vote on the floor of the Senate. Overwhelmingly, the American people support what I have said. We lost the vote but not because we did not have support for our position. Three hundred organizations supported the Democratic position on the Patients' Bill of Rights, every major medical group in America. The nurses supported our position. The doctors supported our position. Hospitals supported our position. Yet we lost because one special interest group on the other side prevailed—the insurance companies. They are the ones that are making the profit out of these decisions that take quality care away from families, which exalt the bottom line of profits, and ignore basic health care needs.

This miserable bill that passed out of the Senate is headed over to the House of Representatives. I am happy to report to you that a substantial number of House Republicans said they were not going to scrape and bow to the insurance industry; that they would stand with American families and medical professionals so we have rights, a Patients' Bill of Rights for America.

They passed a good bill, the Dingell-Norwood bill. JOHN DINGELL of Michigan is legendary here on Capitol Hill. Congressman CHARLIE NORWOOD is relatively new but is a Republican who has had the courage to stand up and say: I think it is only right to say no to the insurance companies and yes to American families on a Patients' Bill of Rights.

Let me read to you what Congressman NORWOOD said a few days ago about the situation that has occurred where the Senate passed the insurance industry bill and the House passed one that will help American families; and nothing has happened since. This is what he said on May 25:

I'm here today to say time's up on the conference committee. We've waited eight months for this committee to approve a compromise bill. Senate Republicans—

This is a Congressman who is a Republican who is saying this about his colleagues in the Senate:

Senate Republicans have yet to even offer a compromise liability proposal—they have only demanded that the House Conferees abandon their position.

He goes on to say:

If we don't get a bill, or at least a tentative agreement in writing by the week we come back from Memorial Day, we must move past the conference.

Congressman NORWOOD said:

Starting today, I am working as if that will be the case. I am willing to pass this measure through any means necessary.

I say congratulations to this Republican Congressman who is standing up to the Republican majority in the Senate, who is standing up to the insurance industry, who is standing with the Democrats and with American families. As on gun safety legislation, this health legislation, important to families across America, has been stalled and blockaded by the Senate Republican leadership. They do not want to even address the issues that families across America care about.

You step back and say: Why in the world do men and women run to be Members of this Senate if they are not willing to at least debate the major issues, if not pass legislation to help families? But time and time and time again, the Senate majority has blockaded, stopped, and stalled every effort to deal with issues of health and safety.

And those are not the only ones. As to an increase in the minimum wage, this is one of the most disgraceful things that has happened to Congress in the last 10 or 12 years. It used to be when it came time for an increase in the minimum wage—under President Reagan, for example, it was done with little fanfare and little debate. It was done on a bipartisan basis. We all believed that the men and women who got up and went to work every day in America for a basic minimum wage deserved an increase periodically to reflect the cost of living.

But the Republican-dominated Congress refuses to allow us to increase this minimum wage. And 350,000 people in my State of Illinois got up this morning and went to work for a minimum wage—\$5.15 an hour—with virtually no benefit protection.

I agree with Senator KENNEDY, Senator DASCHLE, and so many others, that we should increase this minimum wage as a matter of basic decency a dollar an hour—50 cents a year for 2 years—so people who are trying to keep their families together, trying to maintain their own standard of living, have a chance to do it with an increased minimum wage. Again, the Republican leadership in Congress refuses to let us bring up this issue of the minimum wage.

Time and time again—gun safety legislation, a prescription drug benefit under Medicare, a Patients' Bill of Rights to protect families when they have the most basic and fundamental concerns about their health, and a minimum wage—these issues have been stalled because the Republican leadership refuses to bring them up for a vote. They know the American people support it but there are special interest groups that oppose each and every one of them.

The National Rifle Association has told them: Put the bar on the door. We don't want any gun safety legislation. The insurance companies have told

them: We don't want a Patients' Bill of Rights. We are making a lot of money under the current system. We don't want the doctors and the nurses to make medical decisions. We want businesspeople to make them based on profits. The pharmaceutical industry has told them they don't want a prescription drug benefit to help the elderly and the disabled pay for drugs they need to survive. When it comes to the minimum wage, some people in the business community have said: We don't want to pay anything more than \$5.15 an hour. And we don't care what impact it has on the employees.

That is the state of play that reflects the values and reflects the choice the American people will have in this coming election as to whether they want to see the Republican majority continue in Congress and stop this basic legislation so important to every American family.

Mrs. BOXER. Will my friend yield on that point?

Mr. DURBIN. I am happy to yield.

Mrs. BOXER. Again, I thank my friend for connecting the dots. To those Americans who say there is no difference between the parties, there are no issues in this election, that it is a matter of who has the best smile, I say that is not what it is about.

It is about issues that impact millions and millions of Americans; 30,000 Americans die every year of gunshots. My friend pointed out that about 13 a day of those are children—children. The Democrats are saying we need sensible gun laws, and our Republican friends are saying we don't need anything, just hang it up in the conference committee and say a few words here and let's move on. We will not let that issue die, if you will, nor the Patients' Bill of Rights and prescription drugs. Again, it is about millions of people.

What always fascinates me is my friends on the Republican side—oh, they are tough on law and order. And I agree with them. I am as tough as they come. I will support the death penalty for heinous crimes. But when an HMO kills a patient because they won't approve the appropriate test—and I have seen it time and time again in my State, where tests for cancer were denied because they were expensive diagnostic tests, and HMOs wind up essentially killing a patient because they got treatment too late—they let them off the hook: We don't want the right to sue. Let these people just walk away with maybe a slap on their wrists.

Where is the outrage? Where is the outrage when people die because of medical malpractice or an HMO not willing to invest in our people?

Take the issue of minimum wage, where people are actually living in poverty. For goodness' sake, some in our military are on food stamps. Yet our friends on the other side will vote for luxury jets to ferry around the generals. I don't know where the shame is. I don't know where the outrage is. I can only say that this is where it is

today. It is reflected in the Presidential race, and it is reflected in the Senate races and in the congressional races.

I only ask the American people to wake up, regardless of what party they are in, because that doesn't matter to me. These are not partisan issues. These are issues of right and wrong. These are issues of fairness.

I really think my friend has connected the dots on several of these issues—the gun issue, the Patients' Bill of Rights, prescription drugs, minimum wage. What do these have in common? They are all issues that matter to America's families, the way we live, and the kind of life we have. They are crucial issues. No matter what happens in the Senate when the majority leader brings legislation forward—or doesn't—whether we do nothing or we do something, we are going to come home with these issues and talk about them, and we are going to organize around these issues. Otherwise, I don't think we deserve to be here if we are silent in the face of inaction.

I thank my friend again for taking this time and for engaging in this colloquy.

(Mr. ENZI assumed the chair.)

Mr. DURBIN. We have not only addressed the major legislative issues bottled up and stalled in this Republican Congress—gun safety legislation, Patients' Bill of Rights, prescription drug benefits, increasing the minimum wage. We should listen as well to the rhetoric coming from the Republican candidate for President, George W. Bush, who is suggesting a massive tax cut of over \$2 trillion over 9 years. He is also now suggesting a change in Social Security that will cost over \$800 billion over 9 years—\$2.8 trillion that he has suggested we spend over the next 9 years, when we are told by experts in Washington that the surplus we have to deal with is about \$800 billion. What the Presidential candidate on the Republican side is suggesting is that he wants to return to the era of deficit spending, where we will, over 9 years, go \$2 trillion more in debt.

We can all recall that when President Reagan was elected in 1980, we started on this course of action which led to increasing our national debt to over \$6 trillion. We had more debt accumulated during the Reagan-George Herbert Walker Bush years than we had in the entire previous history of the United States. Now to carry on this fine tradition, Gov. George W. Bush is suggesting we go back to deficit spending, \$2 trillion more in debt, to give tax breaks to wealthy people, to change Social Security in a risky way.

I think that is another fundamental issue. If we are going to deal with America's economy to keep it moving forward, if we are going to bring about the changes we need to make America a better place to live, we certainly don't need to return to deficit spending. I think that is a critical issue that affects everything we do on Capitol Hill.

Mrs. BOXER. Again, my friend raises a very crucial issue. I have the paperwork here, and my friend is right on target. George W. Bush's tax cut proposal is \$1.7 trillion from 2002 to 2010, and going to his privatized plan for Social Security will cost \$1 trillion. My friend said \$800 billion; it is \$1 trillion. The projected on-budget surplus, if the economy continues to do well—and you never can count on that, but we certainly hope so—is \$877 billion, which leaves a \$2.7 trillion deficit. We are going to go back into the bad days.

So not only are George W. Bush and the Republican Party not wanting to act and make life better by moving forward on the issues about which we talked—the gun issue, prescription drugs, the Patients' Bill of Rights, and the minimum wage. So not only won't they change for the good, they want to go back, and we are going to be facing these horrific deficits, a national debt that will start to soar again, the markets will react with high interest rates, and we will be back into the deepest trouble. We will be bailing ourselves out.

I have to say again that by looking at this entire choice we have in this election, it is very interesting. As I listen to my friend, I realize what we face. We face a situation where either we are going to go forward on certain issues but keep fiscal responsibility, or not move on crucial issues that are really life-and-death issues and go back to the days of horrible economic times.

We all remember when President Bush went to Japan and threw up his hands and said: What are we going to do? We are in deep trouble. Help us.

That was not a high point in American life. Now, with the Clinton-Gore team, we are leading the world, but we will only continue if we don't go back to those bad old days of deficits.

I thank my friend.

The PRESIDING OFFICER. The Senator's time has expired. The next hour is under the control of the Senator from Wyoming.

The Senator from Wyoming is recognized.

#### THE SENATE'S AGENDA

Mr. THOMAS. Mr. President, we will go to the Senator from Minnesota shortly and then the Senator from Texas and then the Senator from Idaho. In the meantime, while they are coming, let me say I have briefly listened to my friends on the other side of the aisle, interestingly enough, complaining about not getting anywhere. Let me talk a little bit about that.

We have been here on the floor now for some time talking about the kinds of things people want to do in this country; for instance, education—elementary and secondary education. We had to pull that after a whole week of discussion and debate because our friends on the other side of the aisle didn't want to move forward. They wanted to bring up the same things

they have brought up every time we have come into this Chamber, and they have done it over and over and over again.

If you want to talk about getting something done, we ought to talk a little bit about education, a little bit about Social Security, a little bit about the military and doing some things for security that we ought to do for this country. Frankly, I think some of us get weary of the same litany every day and going back and forth on the same thing. We have already talked about gun control; we have gun control pending. We have talked about Patients' Bill of Rights; it is pending. It is out there in conference committee. What we need to do is address ourselves to some of the issues that are here.

You can see that I get just a little bit excited about this. But we have an opportunity to do some things. We have to do some things on this floor, and we need to move forward and stop this business of holding up everything so we can talk about trying to make issues for the election instead of trying to find solutions.

I yield to my friend, the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Thank you very much, Mr. President.

I thank my colleague from Wyoming for all his good work in trying to keep us focused on the issues about which we are concerned.

#### ORDER OF PROCEDURE

Mr. GRAMS. Mr. President, I ask unanimous consent that following the official Senate photo, the Senate begin consideration of S. 2549, the Department of Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMS. I thank the Chair.

#### THE FUTURE OF SOCIAL SECURITY

Mr. GRAMS. Mr. President, I want to take time today to again talk about what I think is one of the most important issues facing Americans this year, and probably in the next few years; that is, what is the future of Social Security? How are we going to make sure we have a safe and sound retirement system not only for those on retirement today and those about to retire, but also for our children and our grandchildren?

I have held around the State of Minnesota more than 50 townhall meetings trying to outline the problems facing Social Security today, and a plan I have introduced called the Personal Security and Wealth in Retirement Act, which would move from a pay-as-you-go system to a fully-funded, market-based personal retirement accounts.

When you look back at the last 65 years of Social Security, it has basi-

cally done the job we have asked it to do; that is, to provide retirement benefits for millions of Americans. But if you look ahead to the next 30 years, the system has problems. It is facing some real problems. It is being strained to the limit. In fact, there will not be enough dollars collected in the system to pay the benefits the Government has promised. If the Congress does nothing, Social Security benefits will have to be reduced as much as one-third or more over the next 25 years.

The biggest risk to Social Security is to do nothing. And there are those who are willing to stick their heads in the sand maybe to get by another election and to ignore the problems facing Social Security.

Let me go through some of these things very quickly.

When Franklin Delano Roosevelt introduced Social Security in 1935, he had concerns that it would only be run by the Government. He wanted part of it to be private accounts. In fact, there was many Americans who were allowed to stay outside of Social Security. In fact, there have been a number of state and local governments over the years—as late as 1981—that saw this loophole, opted out of Social Security, and created their own personal retirement accounts. None of them, by the way, has failed; all have been successful. By that I mean they are paying better benefits to their retirees than Social Security is paying to our retirees today.

President Roosevelt also said that there should be a three-legged stool for Americans' retirement: personal savings, pension, and Social Security. Social Security is just one of the legs. It was never meant to be the sole source of retirement benefits. But for millions of Americans today—when they are paying an average tax bill of nearly 40 percent of their wages in taxes, then they try to raise their family; buy food, clothing, shelter; put a little money away for vacations, and for education for their kids, et cetera—they do not have money left to save for their retirement. If you work for an employer that doesn't have a pension or 401(k), your only source of retirement is Social Security. Clearly, Social Security has stretched to its limit.

Right now, 78 million baby boomers are ready to hit the system by the year 2008. The majority of Americans—nearly 90 percent—retire at the age of 62, not at 65. We are going to see baby boomers bumping into the system beginning as early as 2008. Social Security spending will exceed tax revenues by 2015.

We hear about all of these surpluses in Social Security and the trust fund.

But the truth is there is nothing in the trust fund but IOUs. Senator FRITZ HOLLINGS of South Carolina says there is no trust, and there are no funds in the Social Security trust funds. He is right.

By 2015 there will be no more surpluses. In other words, if we are collecting \$100 today and only spending

\$90, the other \$10 is put into this trust fund. Of course, the Government borrows the surplus and spends it. By the year 2015, we will be bringing in \$90 and paying out \$100 or more. Where do we get the extra money? We are going to have to get it from the taxpayers. By 2015, taxes are going to have to be raised to cash in these IOUs in order to pay the benefits at that time.

You hear a lot of Senators and others saying the system is solvent until 2037. That is only if we can raise taxes on workers to pay those benefits. That is the only way it can remain solvent. Congress is going to have to take action. The Social Security trust fund is going to be broke in 2037 unless we have the dollars to cash in those IOUs. The reason is our pay-as-you-go retirement system cannot meet the challenge of the demographic change.

In 1940, there were about 100 working for every retiree. Today, there are a little over 2.5. By the year 2025, there will be fewer than 2. In 1940, with 100 people working, you only had to pay \$10 a month to pay for a \$1,000 benefit. Today, it is over \$400. And we are going to ask our grandchildren to pay \$500 or more in order to meet this obligation of retirement benefits.

If you look over the next 75 years, it is going down like a rock. There is \$21.6 trillion in unfunded liabilities. In other words, the benefits the Government has promised to pay—\$21.6 trillion—are short of revenues we need to pay those benefits.

How are we going to make them up? There are a couple of choices. We can raise taxes and tinker a little bit with the system. But you cannot tinker with \$21.6 trillion deficit. They can cut benefits by a third of what retirees can expect to get. Or they can raise the retirement age. But that will not be enough to make up the \$21.6 trillion in deficits over the next 75 years if we don't do make hard choice to save the system.

My plan, the Personal Security and Wealth in Retirement Act, has a transitional cost as well. But it is the cost we have to pay anyway. It would cost about \$13 trillion for us to make the transition to go from the Social Security system we know today to total personal retirement accounts. In other words, we are moving to a system where you have control over your retirement—not Washington—you decide when to retire, how much you want save and where you want to invest and how you want to control over your account.

In reality, we have signed our name to a long-term contract that says we are going to guarantee retirement benefits for Americans forever. There is a cost because we have dug ourselves into a hole. Somehow we have to dig ourselves out. There is no free lunch. People around here can ignore it, but there is no free lunch. We are going to have to find a way to finance ourselves to reach our goals to have a safe, solid, and solvent Social Security system.

The biggest risk is doing nothing at all.

Social Security has a total unfunded liability of \$21 trillion-plus. The trust fund has nothing but IOUs. Vice President Gore said let's pay down the debt and let's put the interest we save into the trust fund. But all he is talking about is adding more IOUs, not building assets in the Social Security trust funds. Instead, today, we have over \$800 billion of IOUs, but in 15 years, he wants to have \$3.5 trillion worth of IOUs—no real assets, but IOUs.

Again, the only way you can get those IOUs cashed in is to go to the taxpayers and get more taxes from them.

To keep paying Social Security benefits, we are going to probably have to look at least at doubling the FICA tax—the withholding tax—within the near future; not 15.3 percent. By the year of 2025 or 2030, we could see our payroll tax rates increase to 25 percent to 30 percent of wages—nearly doubling the FICA tax in order to maintain the current benefits we promised.

I ask many of our senior citizens at our town meetings to raise their hands if they think they have good retirement benefits from Social Security. If you talk about a \$700 check a month, or a \$680 check a month, or \$1,100 a month, this is not good retirement. This is not the retirement I want. I don't think this is the retirement we want to leave to our children. But in order to maintain even that system, we are going to impose taxes on the next generation. If you have 25 percent in FICA taxes, then you add on the average Federal Government tax of 28 percent or 53 percent, and then add in Minnesota sales tax of 8.5 percent, you are at 62 percent. Then add in sales taxes, property and excise taxes—I mean every tax you can think of—our kids are going to be paying taxes that approach 70 percent of their income. Mr. President, is this the kind of future we want to leave our kids because we stick our head in the sand and do not want to face our problems?

Why is Social Security a bad investment today? If a taxpayer retired in 1960, they probably got back all the money they paid in in 18 months. It was a tremendous return for the early retirees. Today, an average person retiring will get less than 2 percent return on his or her money paid into the system. Our minority population is actually getting a negative rate of return today. They are in fact subsidizing the rest of us. The markets have paid back nearly 11 percent, but when we filter out inflation, it is better than a 7 percent annual return in the market.

What would any person rather have? If an investment counselor said: I can up a plan, but it will not pay very good, less than 2 percent, so anyone 50 or younger, by the time they retire, it will be a negative; or we can put taxpayers in a new plan paying 7, 8, 11, 12 percent, what will you do? There will not be many at the desk signing up for

a plan paying zero or giving a negative return on the money.

Mr. President, there is no Social Security account with your name on it. A lot of people don't realize that. After a lifetime of working, taxpayers think there is an account in Washington that has their name on it. There is not. You don't have one dollar set aside for your retirement today. The only thing you can hope, in our pay-as-you-go system, is that when you retire there are people working so we can deduct money from their check to pay your benefit. It is a pay-as-you-go system. The money we bring in the first of June will be paid out in benefits by the end of June. It is a pay-as-you-go system, with no accumulation of wealth, no real assets, no compounding of interest.

By the way, we talk about these IOUs in the trust fund that will make the system solvent. In the President's own budget, he included this paragraph: These balances are available to finance future benefit payments and other trust fund expenditures.

The IOUs are there to pay for the funds or payments to other expenditures, "but only in a bookkeeping sense."

In other words, they are not real. Members on the floor will say: We have the IOUs. That is great, "but only in a bookkeeping sense." There is nothing there.

You can place a million-dollar IOU in your checking account and see how many checks your banker allows to be written against the IOU. None, until you put money in the account.

"They are claims on the Treasury, that, when redeemed, will have to be financed by raising taxes, borrowing from the public, or reducing benefits or other expenditures."

Do we want to reduce Social Security benefits or cut education, transportation, or health care? If we don't make some hard choices now we will be faced with tougher decisions later.

We have these IOUs because the government spent all the surplus in the Social Security Trust Funds. The first step to save Social Security is to stop the government spending Americans' retirement dollars for nothing but their retirement, to keep the dollars outside the hands of the big spenders in Washington and to make sure we set aside the surplus funds today. We have not done it in the past. It needs to be done. I have introduced a second lockbox that says if our estimates are wrong—best faith estimates on what we spend and what we bring in—if we are honest and do not want to spend a dime of Social Security, if the estimates are wrong and we overspend, we need to go back and lower everybody's budget across the board. Perhaps take a .003-percent reduction so we don't have to go into the trust fund, and we will not spend a dime of Social Security.

Mr. President, I have six principles for saving Social Security. I began working on this 7 years ago. I intro-

duced this plan 3 years ago. I said then it would be a major issue in this Presidential debate. It is. I am glad governor George W. Bush has announced his plan to allow at least some privatization for improving and saving the system. And Vice President AL GORE has made a statement—he doesn't want to do anything. He wants status quo, he wants to tinker with the system. That means, again, raise your taxes even more.

We need to make sure we protect current and future beneficiaries. Anyone on Social Security, about to retire, or who wants to stay with it, should be able to so do. It is your option; we will guarantee those benefits. Don't be concerned about it. We will hear scare tactics that somehow this plan is not going to work, we are only going to rob the elderly, and we will not have a safe Social Security. That is hogwash. We will always guarantee those benefits.

Allow freedom of choice. If you want to have a personal retirement account, you should have that option as well. The Government should not stand in your way and say, no, we are going to keep you locked up in a system that will pay you little or nothing on your return.

Preserve the safety net. Again, I have heard the scare tactics that there are no safety nets in the PRAs. That is a lie. Under our plan we have the same safety nets as Social Security. We have survivors benefits, disability benefits, built into the program. It is the same thing, but our plan pays dividends and higher returns than Social Security. The bottom line is we have the same safety nets.

Make Americans better off, not worse off. Today, nearly 20 percent of Americans, when they retire, retire into poverty, because Social Security is all they have—or very little else—and it is not enough to keep them off the poverty. Our system says when you retire you will have a minimum of 150 percent of poverty. Right now, the poverty for single individuals is about \$8,400 a year. Our plan says you have to have at least \$12,800 a year to retire. We make sure you don't retire into poverty. The people most affected are elderly women and widows. The Social Security system today discriminates against women. Again, we will hear stories that PRAs discriminate against women. That is not true. The current system is the culprit. Changing the system will improve retirement for millions of Americans today, including our elderly ladies.

Create a fully funded system. Make sure if you have an option for private retirement accounts, you can do that. Most importantly, no tax increases, no tinkering with the system.

I introduced my plan, the Personal Security and Wealth in Retirement Act, in the last Congress and the 106th. I will keep introducing this plan until we do something on it.

How does the plan work for retirement options? Workers may divert 10



percent of their income into a personal retirement account to be managed by Government-approved but private investment companies, similar to 401(k)'s and IRAs and FDIC accounts. We make sure they are safe and sound.

Somebody making \$30,000 a year now pays \$3,720 into Social Security. Our plan says \$3,000 goes into a personal retirement account. At the end of the year, you don't just have a promise, you actually have a savings book that has \$3,000 cash, plus interest. The other 2.4 percent, \$720, goes into the SSA, Social Security Administration, to help fund part of the financing plan for those who want to stay on Social Security, to guarantee their benefits.

Right now in personal retirement accounts, someone earning \$36,000 a year pays in the maximum to Social Security, and receives \$1,280 a month as a maximum benefit. Take just 10 percent of that income, put it into an average market account, you will have a benefit of \$6,514 a month. That is a big difference, five times better under the private retirement account than what Social Security would pay. In addition, the safety nets are there for survivor and disability benefits. Don't let anybody say that somehow this isn't as good or better.

Looking at the returns, people are talking about maybe 2 percent of your Social Security. After 40 years at 2 percent, you will have \$171,000 in the account, plus reduced benefits from Social Security. So at least with partial reform plan, a citizen is better off and would have a little bit of reduced benefit from Social Security but will have \$171,000 in the bank. Under my plan, you would have \$855,000 based on a \$36,000 income; \$855,000 would have been put away for your retirement.

The family with median income of \$58,000, putting away 2 percent has \$278,000 in the bank, and a reduced Social Security benefit. Again, better than what we have now. But you could have \$1.4 million in a savings account in your name, cash, estate money, if you could put aside 10 percent of your salary.

It is being done across the country. I discussed people in Galveston, TX, with private retirement accounts who got the OK from Social Security to have their own retirement accounts in 1981. Social Security death benefits? My dad died at 61, we got \$253. That is what Social Security offers.

Galveston County that has their own private retirement accounts, receive an average \$75,000 death benefit.

Disability benefits for Social Security is \$1,280; and Galveston, TX, is \$2,749.

What about retirement benefits? Social Security, a maximum on this average income is \$1,280; Galveston County, nearly \$4,800.

By the way, Galveston has a conservative retirement plan, they invest very conservatively and they still pay those much better returns.

One lady, by the way, named Wendy Cohill, her husband died at 44 of a

heart attack. She was 42. She received \$126,000 in death benefits plus what was in the account plus the survivors benefit that she used to pay to finish a college education. She was able to care for her family in her own home. If she would have had Social Security, she would have been under the poverty level. She said: Thank God, some wise men privatized Social Security here. If I had regular Social Security, I would be broke.

The city of San Diego also has PRAs, a government employee, 35 years old, contributes 6 percent into the PRAs. After 35 years, they would receive a \$3,000-per-month retirement benefit.

Under Social Security, he would receive only \$1,077 a month in benefits.

I know the Senator from California said on the floor recently that personal retirement accounts are too risky and we cannot damage the foundation of Social Security. But last year, and I want to read this, the Senator from California—this is Senator BARBARA BOXER along with Senator DIANNE FEINSTEIN and Senator TED KENNEDY, sent a letter to the President saying:

"Millions of our constituents will receive higher retirement benefits"—They are talking about the city of San Diego—"higher benefits from their current public pensions than they would under Social Security."

In other words, they were telling the President to leave San Diego alone because the President's plan for saving Social Security included taking 1 percent, pooling the investments, but he also would take all these with private accounts off the table and put them all into Social Security. She did not like that. She says:

Mr. President, millions of our constituents who will receive higher retirement benefits from their current public pensions than they would under Social Security, are appealing to their elected Representatives in Washington and we respectfully urge you to honor the original legislative intent underpinning the Social Security system—

That was to exclude these people from Social Security, exclude this provision from your reform and leave San Diego alone, they were saying.

My question is, if the retirement accounts in San Diego are better than Social Security, why can't you and I enjoy a similar system? But if Social Security is better, as Senator BOXER, Senator FEINSTEIN, and Senator KENNEDY will support, then why don't they want the citizens who work for the city of San Diego to have that same benefit? A good question.

I know I do not have much time left. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The time until the hour of 12 noon is under the control of the Senator from Wyoming. He yielded you the time you needed.

Mr. GRAMS. I will go through this quickly. I know we have others wanting to speak.

As I said, this is not an experiment. This is being done around the world.

Eleven countries now have privatized their retirement; 30 others are considering it. We like to think we are in the forefront of this. But when it comes to retirement benefits, we are behind the curve.

Chile, 18 years ago, privatized their system because their system was much like ours. Franklin Delano Roosevelt and the brains in Washington did not create Social Security. It was modeled and copied from something that Otto Von Bismark put out in 1880. We adopted it almost exactly. So did Chile and just about every other country around the world. Chile, had the same problems or worse than what we are facing today. It went to bankrupt. They had to privatize their plan.

By the way, 95 percent of the Chilean workers have opted into the personal retirement accounts. Their return last year was 11.3 percent. Ours, again, were less than 2 percent.

British workers have chosen to go into PRAs. They have what they call their second tier Social Security, where they can opt from the Social Security System, like we have, into personal retirement accounts. In Britain, so far two-thirds of all British workers have opted into personal retirement accounts. They have enjoyed, over the past 5 years, a better than 10 percent return on their money. By the way, the pool of retirement in their retirement accounts in Britain exceeds \$1.4 trillion. That is how much now they have put away in their accounts. That is more than the total GDP of Britain, and it is more than all other private investments in all the other European countries combined. So it shows you the power of private retirement accounts, and the accumulation of wealth.

Many people say: I have worked for 30 years. I can't give up what I have paid into Social Security.

We have a recognition bond. The Government knows exactly how much you have paid in. If you have paid in \$20,000, if you paid in \$40,000, if you paid in \$90,000, we know. We would give you a recognition bond, plus interest upon retirement.

Mr. President, we must take care of today's Social Security recipients. If an individual chooses to remain in the current system, we must guarantee their benefits. There is no increase in age of retirement, no cuts in benefits, no ifs, ands, or buts, and no raising of taxes.

The plan preserves the safety net, as I said, for survivors benefits and disability benefits. Poverty, as I said, recognized that \$8,240 a year—you have to have \$12,400, so you would not retire into poverty, again, as nearly 20 percent of our Americans do. Funds that manage PRAs are required to buy the life and disability insurance to provide the safety nets I have talked about.

For those who would come up short—and those would be very few—if you could not get \$12,400 a year, we would come in and say we will fill your glass



full so when you retire, you would retire with less than that. This is the only entitlement portion of our bill. Again, this is an important safety net of this system.

Rules similar to those that apply to IRAs today would apply to PRAs. Also, a Federal personal retirement investment board would oversee it for safety and soundness to make sure your retirement funds are there, and are safe. Investment companies that manage PRAs would be required to have an insurance plan to pay at least a minimum of 2.5 percent. That would be a floor. Again, that is much better than Social Security, but at least it is a guarantee if something would go wrong you would at least have that as your investment.

In addition, you decide when you want to retire. As I said, right now the Government controls your retirement. They tell you exactly how much they are going to take out of your check, they tell you exactly the day you can retire, and then they tell you what they are going to give you in benefits.

In our plan, you have those controls. You make your retirement decisions. As soon as you can buy an annuity that will keep you 150 percent over poverty, you have met your requirement. You are not going to be a ward of the state. You ensured your future. You can stop. You can do what you want. You can arrange regular withdrawals, for the amounts that are above that requirement. To buy this minimum benefit, you would need about \$125,000 in your account. If you are an average worker with earnings of \$30,000, you would have \$855,000 in your account, so you can use that other \$750,000 any way you want.

If you have a family, you could have \$1.4 million. What are you going to do with the other \$1.2 million. You can do whatever you want with that money; that is yours. You decide how you withdraw it. If you want to go to Europe? Write a check. Buy a new car? You can do it. Give it to your kid. You can do it.

In divorce cases, PRAs are treated as common property. Upon death, PRAs go to heirs without estate taxes; no capital gains, so that at least you have created an estate, and this \$1.2 million or \$700,000 or whatever you had in your account is your money.

Going back to Social Security, when you die, you get a \$253 death benefit. Under this, you get a death benefit in our plan, a minimum, plus you would get what is left in your estate, whatever it might be. You can pass it on to your heirs, your spouse, your kids, your church—wealth that you cannot pass on today because the Government takes all those benefits.

Again, the bottom line is, no new taxes for this system. We do have a responsibility to bail ourselves out, but we are not taxing the system. Retirement income is going to be there whether you stay with Social Security, or if you choose to build a personal re-

tirement account. You can decide the options, you decide how you want to invest it, and you decide when you want to retire. Let's make sure we give you choices.

Just in concluding, despite our colleagues, our Democratic colleagues bashing Governor Bush's reform plan, its popularity is increasing among workers.

I heard one say: I don't come out here and bash it. I want to study everything and I want to look over all of these plans.

He hasn't even seen the Governor's plan. He doesn't really know what Vice President AL GORE has got. But yet he favors AL GORE over Governor Bush.

Recent polls show most Americans support the idea of personal retirement accounts. In fact, if you are under 40 years old, more young people believe in UFOs than that they are going to get Social Security; 90-some percent of young people under 30 would opt into personal retirement accounts.

I believe a national consensus can be reached on ways to save and strengthen Social Security. There will always be a retirement system in this country. What kind of system are we going to leave for our children and grandchildren? For many of us, if we are 50 years old, 55 years old, or older, we might have been condemned to the current system without time left in our working lives to change or take the option in the personal retirement accounts. We can tell our children and grandchildren we want to leave a 70-percent tax system for them, we want to leave them a plan that might guarantee they will get less benefits, pay more into it, and will have to wait longer to retire, or we can leave them an option for them to invest in their own retirement and have personal retirement accounts.

The numbers show Americans overwhelmingly say: I am smart enough to handle my future.

There are many in Washington who believe you are not smart enough; you may be smart enough to earn your money, but you are not smart enough to put it aside for your retirement and only Washington can step in and help you out. That's wrong. Our plan empower working Americans and offers better options and gives you control over your retirement.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who yields time? The Chair recognizes the Senator from Texas.

Mrs. HUTCHISON. Mr. President, is there any procedural motion I need to make to move forward?

The PRESIDING OFFICER. The time is under the control of the Senator from Wyoming until the hour of 12 noon.

Mrs. HUTCHISON. I thank the Chair.

Mr. President, 56 years ago today, 176,000 allied soldiers landed on the beaches of Normandy in what was the largest invasion in history. The operation was officially known as Oper-

ation Overlord, but I have never heard anyone refer to it by that name. It is now known as D-Day.

While there have been hundreds of other D-days in other historic locations such as Okinawa, Iwo Jima, and Inchon, the forces that landed on Normandy Beach 56 years ago today truly changed the course of history. When we hear the term "D-Day," we reflect on that awful and incredible day on Normandy Beach with reverence for what was accomplished and for all that was lost, and with respect the people who were there—those who did not survive and those who did.

Thousands of young Americans died that day establishing that small beachhead on the continent of Europe. Within a year, the Allied forces went on to crush the Nazi war regime and brought forth on the European Continent an unprecedented period of peace.

Today, we look back on that time and we remember and respect what was done.

When the cold war ended, the Wall came down and the Warsaw Pact disbanded. The United States began to draw down forces from Europe for the first time since we had gone in on D-Day and established a presence, and set up the plan to help our vanquished enemy.

Military strategists began to talk of new missions for NATO. They spoke of the need for NATO to go "out of area or out of business," implying that unless NATO could find a new reason to exist after the end of the Cold War, there may be no reason for it to exist at all.

That new mission began to come into focus in the Balkans five years ago when the United States committed peacekeeping forces to Bosnia to enforce the provisions of the Dayton Peace Accords.

What was conceived by the administration as a one-year mission to accomplish specific military objectives is now in its fifth year—with greatly expanded civilian nation-building objectives and no end in sight to the deployment.

Today we are on the eve of another anniversary in the search for new NATO missions. One year ago, on June 10, NATO halted the bombing in Serbia and Kosovo. As in Bosnia, we again have deployed thousands of American forces to yet another Balkan quagmire with unclear objectives—and there is no end in sight to the Kosovo mission, either. This time the ethnic groups we seek to reconcile have not tired of the killing, apparently, and it continues as our soldiers stand by helpless to deter murder.

The General Accounting Office estimates that the cost of our Balkan peacekeeping missions in Bosnia and Kosovo now tops \$23 billion. We have become mired in the problem, unable to stand back and assess where we are. Nor are we able to look at the situation and say we must have a strategy.

We know what this has cost our country: For the past five years, recruiting and retention problems in the U.S. military services have been exacerbated by endless peacekeeping missions. Our armed services today are not up to their congressionally mandated troop strength; they are at least 6,000 short.

As the world's only superpower, we have a responsibility to lead. America led when the parties first came together in Dayton, but the Dayton Peace Accords simply stopped the fighting. We did not create conditions that could actually solve the problem without the presence of thousands of outside forces. We ended the hostilities—and we should be respectful of that achievement—but we did not create effective economic and political structures.

That must be our goal for a lasting peace. As one American military peacekeeper said to me on a recent visit, "Everyone's job in Bosnia is to work on the problems we face, but no one seems to have the responsibility for actually solving those problems."

We need to search for ways to solve these problems. Today I am introducing legislation to authorize funds to reconvene the parties to the Dayton Peace Accords that ended the Bosnia conflict, those who were involved in the Rambouillet talks that failed to avert the conflict in Kosovo and other regional entities. We must review our progress to date. If we cannot do that, how can we call ourselves leaders?

We must look for a long-term settlement based on greater self-determination for the governed and less by outside powers. That may involve tailoring current borders to fit the facts on the ground. It will create conditions of genuine stability, reconstruction and prosperity. It will allow us, in a responsible way, to set some timetables, some measurements for success, and, hopefully, to begin turning over these peacekeeping responsibilities to our European allies within a reasonable time frame.

We must have self-determination that works. The current policy wagers America's reputation, prestige and will on a mirage of multicultural democracy in the Balkans. We are trying to create governments that ignore history, nationality and ethnicity. Elections have been held in which refugees were bused into disputed regions to vote for elected officials who cannot serve because they are unable to return to their prewar homes.

American officers spend their days deciding which vehicles can travel down which roads, and escorting Serb families in hostile Albanian territory to the dentist and back or to the library and back.

This effort is diverting the United States from its global responsibilities. We occupy a unique place in the world today, standing astride history's path as the most powerful nation that ever may have existed. Our supercharged

economic engine certainly reflects the best that mankind has to offer. However, a superpower's core responsibility is not to right every wrong, but to preserve its strength for those challenges that only a superpower can address.

The United States must know when to encourage capable allies and proxies to address contingencies that fall short of that standard. Instead, time and again, our military readiness to address potential threats—such as North Korea, mainland China, Iraq—has been diverted to contingency provisions on the periphery of our nation's security concerns.

America's peacekeeping burden in the 1990s has resulted in two of our Army divisions reporting themselves unfit for combat.

We can achieve more in the Balkans than a peace enforced at bayonet tip. We ought to tie our continued financial support to a comprehensive regional settlement, to substantial military withdrawal from the region and to a firm policy of encouraging the Europeans to do more—with our support, which will always be there.

Any NATO member can patrol the Balkans, but only the United States can defend NATO. That is the role of a superpower, and that is the role of a strong and reliable ally.

As we take up the armed services budget this week, I hope we can take on the role that is the responsibility of the Senate and try to put some long-term potential peace into play. I am not saying I know what the outcome of any kind of conference should be. But I do know it is our responsibility to call such a conference and begin to assess where we are; to look with vision to the future and set the standard that must be set for the lasting peace that we want and hope for and will work for and support in the Balkans.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

Mr. CRAIG. Mr. President, the unanimous consent agreement that we are operating under takes us through 12 noon, does it not?

The PRESIDING OFFICER. It takes us through 12:30.

Mr. CRAIG. Through 12:30?

The PRESIDING OFFICER. There is a unanimous consent agreement that Senator GREGG be given the time from 12 to 12:15, and Senator REID the time from 12:15 to 12:30.

Mr. CRAIG. I yield the floor to my colleague, the chairman of the Armed Services Committee, Senator WARNER, for a statement before I resume my time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. WARNER. I thank my distinguished colleague.

(The remarks of Mr. WARNER and Mr. CRAIG pertaining to the introduction of S. 2669 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CRAIG. Mr. President, I ask unanimous consent that I be allowed to proceed for 15 minutes.

Mr. GREGG. Reserving the right to object, what was the Senator's request?

Mr. CRAIG. I asked to proceed for 15 minutes. I had yielded some time to the chairman of the Armed Services Committee.

Mr. GREGG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceed to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I thank the Senator from Idaho for his courtesy. I ask unanimous consent that he be allowed to proceed after I have completed my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SIERRA LEONE

Mr. GREGG. Mr. President, I want to speak about the issue of what is happening in Africa, specifically in Sierra Leone. Recently, I have become involved in this issue because, as chairman of the Commerce, Justice, State, and the Judiciary Subcommittee, we have jurisdiction over the funds that flow to the U.N. for peacekeeping activity. In order to adequately do the job as chairman of that subcommittee, our job involves oversight of those funds, to make sure they are being used effectively. After all, they are American tax dollars; Congress has control of the purse strings; and we have a major role in how those dollars are spent.

I recognize fully, as all Members of Congress do, that the key individual who sets foreign policy is our President. Even though we may disagree with our President, he does have that priority position. But there are, obviously, issues on which the Congress has a role in foreign policy—very significant issues. One of them happens to be the funding of peacekeeping activities and the role the United States should play in that. So I have had very serious concerns about our policies in Sierra Leone specifically—on a number of peacekeeping activities, but specifically our policies in Sierra Leone. This is because of a number of issues that have been raised there.

Last year, the United States, regrettably, played a key role in imposing the Lome Accord on a brutalized Sierra Leone. The accord granted a total amnesty to the Revolutionary United Front, RUF, which is basically a gang of thugs that murders, rapes, and mutilates people. Just about everybody in their path has come under their severe act of violence. In fact, they actually

empower their soldiers—and they are not really soldiers; many are very young boys—to cut off the arms of women and children in order to make a point. This is a very common practice with this alleged military group called RUF, this gang of thugs. They have been terrorizing the country of Sierra Leone. There is no question about that. Their leader, Foday Sankoh, and his lieutenants, as part of the Lome agreement, as part of the understanding of the Lome agreement—and this is why it was such a horrendous agreement—were given top spots in the “transition” government and guaranteed RUF control over the Sierra Leone diamond mines, which is basically the core of the element of how they generate their revenues.

It is inexcusable that we were party to the Lome agreement and that we therefore empowered these war criminals to take office and to have control over basically the only significant economic resource of the country of Sierra Leone. So I was more than upset about this. I believed it was essentially a surrender in the face of criminal violence. As a result, I did put a hold—not technically a hold, but I actually refused to approve a transfer of peacekeeping funds for the Sierra Leone initiative. I began exploring alternatives to this, what I believed was an extraordinarily unjust accord. In response to my concerns, U.S. Ambassador to the U.N. Holbrooke and his staff took on the difficult task of crafting a better approach to this issue.

Since my “hold” became news, I have been sharply criticized by some, including some in the U.N. and the State Department, and even—not even, but not surprisingly, really—the Washington Post, which recently accused me of “playing at foreign policy,” implying that serious students of world affairs would not question U.S. support for the Lome Accord. I simply point out that I think a lot of serious students of foreign policy question the decision to support that accord.

Meanwhile, in Sierra Leone itself, the RUF, as a result of Lome in large part, continued to terrorize civilians and even challenge the U.N. peacekeepers. By last month, the RUF was marching on Freetown in complete violation of the Lome Accord. In fact, of course, they have humiliated the U.N. mission in Sierra Leone, which was supposed to disarm them. It actually ended up being disarmed by them, and much of the military equipment that is being used there by the RUF is U.N. equipment taken from U.N. advisers. Thus, the mission of the U.N., as a result of being an outgrowth of the Lome Accords, which were so disgraceful, is in disarray. Today, all that stands between the RUF and total control of Sierra Leone is the British and Nigerian troops who have come in to try to stabilize the situation.

And what of the U.S. policy? Following our most recent meeting 2 weeks ago, Ambassador Holbrooke has

sent me a letter laying out a new strategy for a more just and lasting approach to peace in Sierra Leone that gives me some reason for hope. I would like to read from what his letter says because I think it is an important adjustment in American policy in Sierra Leone. I congratulate him for it.

First, he notes in his opening paragraph that he has taken this issue and walked it through the administration and that he has support for his letter from Secretary Albright, National Security Adviser Berger, and the head of the OMB, Jack Lew. Reading paragraphs from his letter:

You asked for a letter encapsulating our discussion on Sierra Leone and Congo. After close consultation with Secretary Albright, let me review where we stand on each issue:

First, Sierra Leone. Let me posit five principles that we will use to govern our policy. First, the United States does not believe that Foday Sankoh should play any role whatsoever in the future political process in Sierra Leone, and we will continue to press this point. He must be held accountable for his actions.

This is a significant change in policy, in my opinion, and it is a positive one.

Second, we strongly support the British military presence in Sierra Leone, which has played a key role in restoring a measure of stability to Freetown. We are discussing with the British their continuing role, and on May 23 London announced an important training program for Sierra Leone army, something that they will undertake at their own expense outside the U.N. system.

This, again, is positive news that the British will be a stabilizing force there, which will be armed and know how to defend itself.

Third, the objective should be to ensure that regional and international forces in Sierra Leone, together with the armed forces of the government of Sierra Leone, have the capacity to disrupt RUF control of Sierra Leone's diamond producing areas, the main source of RUF income. Completely eliminating them as a military force is not likely to be possible as an acceptable cost, but sharply reducing their sources of financial support and restricting their capability to threaten the people or government of Sierra Leone is within reach of sufficient numbers of properly trained, equipped, and well-led troops and is vitally important.

That is to paraphrase a much more robust mission directive and portfolio and is exactly what needs to be done.

The most likely nations to carry the burden would be Nigeria and Ghana, with the backing of other ECOWAS states. Other nations who are already rushing troops to Sierra Leone include India, Jordan and Bangladesh. Most potential troop contributors from the region are likely to require better equipment and training if they are to contribute meaningfully. Pentagon and EUCOM assessment teams are studying the issue urgently. If our objectives are to be accomplished, the U.S. will need to be ready, with congressional support and funding, to provide our share of international effort to provide equipment and training to those who are willing to do the military job—including the government of Sierra Leone and other countries in the region. Any direct training of contributing country troops by U.S. military personnel would be done outside Sierra Leone and no U.S. combat troops would be deployed to Sierra Leone. We will have to

work out the relationships between such an operation and the UN, recognizing that for many countries a UN role is preferable—but we must ensure that the mandate is robust. Fourth, since there is virtually no real government structure left in Sierra Leone, if the security situation can be stabilized a longer term international effort will be needed to help build viable institutions in Sierra Leone. It will take time, but in the long run, the rest of the effort will be unsuccessful if it is not accompanied by this component. However, this cannot start until the situation is stabilized, and there is no present funding request for this function. Fifth (this is a point I failed to mention in our meeting) we must develop a corresponding political strategy for dealing appropriately with Liberia's President, Charles Taylor, and with the illicit diamond trade that fuels conflict and criminality in the region.

That is a reading of two of the major paragraphs in this letter.

Mr. President, I ask unanimous consent the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE REPRESENTATIVE OF THE  
UNITED STATES OF AMERICA TO  
THE UNITED NATIONS,

May 30, 2000.

Hon. JUDD GREGG,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN: Allow me to thank you again for your courtesy and for our exchange of views on peacekeeping issues. I know the Secretary also appreciates your discussion with her on May 20, and I would like to follow up on both conversations. I have shared our discussions with Secretary Albright, Sandy Berger, and Jack Lew, all of whom expressed their appreciation of your decision to release the funds for Kosovo and for your readiness to meet with the Australian Ambassador to resolve the East Timor peacekeeping “hold.”

You asked for a letter encapsulating our discussion on Sierra Leone and Congo. After close consultation with Secretary Albright, let me review where we stand on each issue:

First, Sierra Leone. Let me posit five principles that we will use to govern our policy. First, the United States does not believe that Foday Sankoh should play any role whatsoever in the future political process in Sierra Leone, and we will continue to press this point. He must be held accountable for his actions. Second, we strongly support the British military presence in Sierra Leone, which has played a key role in restoring a measure of stability to Freetown. We are discussing with the British their continuing role, and on May 23 London announced an important training program for the Sierra Leone army, something that they will undertake at their own expense outside the UN system. Third, the objective should be to ensure that regional and international forces in Sierra Leone, together with the armed forces of the Government of Sierra Leone, have the capacity to disrupt RUF control of Sierra Leone's diamond producing areas, the main source of RUF income. Completely eliminating them as a military force is not likely to be possible as an acceptable cost, but sharply reducing their sources of financial support and restricting their capability to threaten the people or Government of Sierra Leone is within reach of sufficient numbers of properly trained, equipped, and well-led troops and is vitally important.

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backing of other ECOWAS states. Other nations who are already rushing troops to Sierra Leone include India, Jordan and Bangladesh. Most potential troop contributors from the region are likely to require better equipment and training if they are to contribute meaningfully. Pentagon and EUCOM assessment teams are studying the issue urgently. If our objectives are to be accomplished, the U.S. will need to be ready, with congressional support and funding, to provide our share of an international effort to provide equipment and training to those who are willing to do the military job—including the governments of Sierra Leone and other countries in the region. Any direct training of contributing country troops by U.S. military personnel would be done outside Sierra Leone and no U.S. combat troops would be deployed to Sierra Leone. We will have to work out the relationship between such an operation and the UN, recognizing that for many countries a UN role is preferable—but we must ensure that the mandate is robust. Fourth, since there is virtually no real government structure left in Sierra Leone, if the security situation can be stabilized a longer term international effort will be needed to help build viable institutions in Sierra Leone. It will take time, but in the long run, the rest of the effort will be unsuccessful if it is not accompanied by this component. However, this cannot start until the situation is stabilized, and there is no present funding request for this function. Fifth (this is a point I failed to mention in our meeting) we must develop a corresponding political strategy for dealing appropriately with Liberia's President, Charles Taylor, and with the illicit diamond trade that fuels conflict and criminality in the region.

On the Congo, the problems are still daunting, but there has been some real movement since I first discussed this issue with you in late February:

(A) On May 4, in my presence, the Kabila Government signed the Status of Forces Agreement with the UN—an essential precondition for any UN deployment;

(B) Kabila has said he would accept South African troops;

(C) The Lusaka parties signed a new cease-fire agreement effective April 14, calming the situation on the ground considerably;

(D) The UN Security Council Mission negotiated on May 8 a cease-fire between the Ugandans and Rwandans who were fighting in Kisangani (Congo's third largest, and perhaps most strategic, city); Regional leaders subsequently secured agreement between Rwanda and Uganda on a detailed disengagement plan;

(E) The Presidents of Rwanda and Uganda asked for immediate UN assistance in support of demilitarizing Kisangani;

(F) All the parties to the war in the Congo have asked for the UN observer mission as soon as possible to implement the Lusaka Ceasefire Agreement;

(G) The South Africans sent a high-level military mission in New York to discuss their role in Congo, and the Pakistanis (among others) are about to send troops. The South Africans met with a joint State Pentagon-NSC team to discuss close coordination.

Of course, not all the news from Congo is positive. While progressing, the political dialogue called for by Lusaka is off to a slow start; the UN and the OAU military observer missions have not meshed sufficiently; some of the rebels still violate the cease-fire on occasion; and there are many other lesser problems. Still there is a real desire for some resolution to these issues by most parties. What is required next is a step-by-step test of their commitments to implement their own "African agreement for an African problem." This is one of our highest priorities.

As we both said to you, neither the Secretary nor I are certain that Lusaka will succeed. But we are certain that Lusaka will fail if the UN does not take the next series of steps to support it, as called for by all parties. The recent progress supports this view, I believe.

For the United States, this will require the unblocking of \$41 million of reprogrammed peacekeeping funds for the current fiscal year for Congo. We believe that this request does not put our national prestige on the line; it is a UN operation (with no U.S. troops in the UN operation). However, if we do not pay our share, we are concerned that the UN will be unable to bring in adequate and properly equipped troops, and the resulting failure of the mission will be attributed, however unfairly, to the United States.

Our arrears on the current operation in Sierra Leone limit our ability to promote effectively the critical policy objectives outlined in this letter. More broadly, failure to pay our share of these missions risks seriously undermining our all-out effort to carry the Helms-Biden reform package, on which we are making real progress. You will note several recent news articles regarding our forward movement on a wide range of issues, including the admission of Israel to a UN regional grouping (after 40 years!), the new GAO report that shows UN progress, and the first debate in 27 years on revising the UN peacekeeping scale. All this forward movement will greatly benefit from your support and I thank you for your thoughtful involvement in this process.

I hope this letter is responsive to your request. If I can be of any further assistance, please do not hesitate to contact me or my colleagues in the State Department.

Sincerely,

RICHARD C. HOLBROOKE.

Mr. GREGG. Mr. President, this letter obviously, in my opinion, is a very positive step in the redirection of American policy in Sierra Leone. I congratulate Ambassador Holbrooke for organizing the letter.

Whereas the Article V and IX of the Lome Accord granted Foday Sankoh the Vice Presidency of Sierra Leone and an "absolute and free pardon," Ambassador Holbrooke's plan makes it clear that Foday Sankoh can play no role in the politics or government of Sierra Leone and that "he must be held accountable for his actions." This when as late as a month ago State Department officials were still being quoted as saying that Sankoh's "voice was positive" and that he "has a chance to play a positive role." Now, we will recognize him for what he is, a war criminal, and treat him as such.

Whereas Annex 1 and Articles V and VII of the Lome Accord left Foday Sankoh and the RUF in control of Sierra Leone's diamonds, Ambassador Holbrooke's plan rightly strips Sankoh of his chairmanship of the diamond control board and insists that "allied" forces "have the capacity to disrupt RUF control of Sierra Leone's diamond producing areas, the main source of RUF income." Under Lome, peacekeepers did no more than oversee the looting of Sierra Leone. Now, international troops will fight alongside local forces to expel the RUF from the diamond fields.

Whereas the Lome Accord was silent on root causes of violence in Sierra

Leone and the region, Ambassador Holbrooke's plan seeks a "political strategy for dealing appropriately with Liberia's President, Charles Taylor, and with the illicit diamond trade that fuels conflict and criminality in the region." The RUF is in large part Taylor's proxy. Under Lome, Taylor's success in seizing the riches of Sierra Leone could invite a similar attack on Guinea.

Lome is dead. The U.S. will not turn a blind eye to the rape of a people and a land. We will demand that brutal thugs are held accountable for their atrocities, and regional trouble-makers.

Why the change? I do not flatter myself that my "hold" did all of this, but it did give those of us who opposed the Lome Accord a chance to right a terrible wrong. And to his credit, Ambassador Holbrooke has crafted a forceful plan, and vetted it through the inter-agency process in record time. It is a plan that I believe Americans can and should support, and can be proud of.

Therefore, I am releasing my hold on the \$50,000,000 owed the U.N. for peacekeeping in Sierra Leone. I will also press ahead to ensure that my provision blocking the illicit sale of diamonds from Sierra Leone and other war-torn countries is included in the final version of the fiscal year 2001 military construction appropriations bill. Finally, I look forward to working with Ambassador Holbrooke and his staff to ensure that the strategy laid out in his letter is supported by Congress.

I thank the Chair. I thank the Senator from Idaho for his courtesy.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

Mr. CRAIG. Mr. President, thank you very much.

#### THE SECOND AMENDMENT

Mr. CRAIG. Mr. President, I appear on the floor to speak about a provision of the Constitution of our country that has been under nearly constant attack for 8 years. In fact, we heard on the floor this morning two Senators speak about provisions in law that would alter a constitutional right.

The provision I am talking about is part of our Bill of Rights—the first 10 amendments to our Constitution—which protect our most basic rights from being stripped away by an overly zealous government, including rights that all Americans hold dear:

The freedom to worship according to one's conscience;

The freedom to speak or to write whatever we might think;

The freedom to criticize our Government;

And, the freedom to assemble peacefully.

Among the safeguards of these fundamental rights, we find the Second Amendment. Let me read it clearly:

A well regulated Militia, being necessary to the security of a free State, the right of

the people to keep and bear Arms, shall not be infringed.

I want to repeat that.

The second amendment of our Constitution says very clearly that "A well regulated Militia" is "necessary" for the "security of a free State," and that "the right of the people to keep and bear Arms, shall not be infringed."

What we heard this morning was an effort to infringe upon that right.

Some—even of my colleagues—will read what I have just quoted from our Constitution quite differently. They might read "A well regulated Militia," and stop there and declare that "the right of the people to keep and bear Arms" actually means that it is a right of our Government to keep and bear arms because they associate the militia with the government. Yet, under this standard, the Bill of Rights would protect only the right of a government to speak, or the right of a government to criticize itself, if you were taking that same argument and transposing it over the first amendment. In fact, the Bill of Rights protects the rights of people from being infringed upon by Government—not the other way around.

Of course, we know that our Founding Fathers in their effort to ratify the Constitution could not convince the citizens to accept it until the Bill of Rights was established to assure the citizenry that we were protecting the citizens from Government instead of government from the citizens.

Others say that the Second Amendment merely protects hunting and sport shooting. They see shooting competitions and hunting for food as the only legitimate uses of guns, and, therefore, conclude that the Second Amendment is no impediment to restricting gun use to those purposes.

You can hear it in the way President Clinton assures hunters that his gun control proposals that will not trample on recreation—though his proposals certainly walk all over their rights.

In fact, the Second Amendment does not merely protect sport shooting and hunting, though it certainly does that.

Nor does the second amendment exist to protect the government's right to bear arms.

The framers of our Constitution wrote the Second Amendment with a greater purpose.

They made the Second Amendment the law of the land because it has something very particular to say about the rights of every man and every woman, and about the relationship of every man and every woman to his or her Government. That is: The first right of every human being, the right of self-defense.

Let me repeat that: The first right of every human being is the right of self-defense. Without that right, all other rights are meaningless. The right of self-defense is not something the government bestows upon its citizens. It is an inalienable right, older than the Constitution itself. It existed prior to

government and prior to the social contract of our Constitution. It is the right that government did not create and therefore it is a right that under our Constitution the government simply cannot take away. The framers of our Constitution understood this clearly. Therefore, they did not merely acknowledge that the right exists. They denied Congress the power to infringe upon that right.

Under the social contract that is the Constitution of the United States, the American people have told Congress explicitly that we do not have the authority to abolish the American people's right to defend themselves. Further, the framers said not only does the Congress not have the power to abolish that right, but Congress may not even infringe upon that right. That is what our Constitution says. That is what the Second Amendment clearly lays out. Our Founding Fathers wrote the Second Amendment to tell us that a free state cannot exist if the people are denied the right or the means to defend themselves.

Let me repeat that because it is so fundamental to our freedom. A free state cannot exist, our free state of the United States collectively, cannot exist without the right of the people to defend themselves. This is the meaning of the Second Amendment. Over the years a lot of our citizens and many politicians have tried to nudge that definition around. But contrary to what the media and the President say, the right to keep and bear arms is as important today as it was 200 years ago.

Every day in this country thousands of peaceful, law-abiding Americans use guns to defend themselves, their families, and their property. Oftentimes, complete strangers are protected by that citizen who steps up and stops the thief or the stalker or the rapist or the murderer from going at that citizen.

According to the FBI, criminals used guns in 1998 380,000 times across America. Yet research indicates that peaceful, law-abiding Americans, using their constitutional right, used a gun to prevent 2.5 million crimes in America that year and nearly every year. In fact, I believe the benefits of protecting the people's right to keep and bear arms far outweighs the destruction wrought by criminals and firearms accidents. The Centers for Disease Control report 32,000 Americans died from firearm injuries in 1997; under any estimate, that is a tragedy. Unfortunately, the Centers for Disease Control do not keep data on the number of lives that were saved when guns were used in a defensive manner.

Yet if we were to survey the public every year, we would find 400,000 Americans report they used a gun in a way that almost certainly saved either their life or someone else's. Is that estimate too high? Perhaps. I hope it is, because every time a life is saved from violence, that means that someone was threatening a life with violence. But

that number would have to be over 13 times too high for our opponents to be correct when they say that guns are used to kill more often than they are used to protect. What they have been saying here and across America simply isn't true and the facts bear that out.

We are not debating the tragedy. We are debating facts at this moment. They cannot come up with 2.5 million gun crimes. But clearly, through surveys, we can come up with 2.5 million crimes thwarted every year when someone used a gun in defense of themselves or their property. In many cases, armed citizens not only thwarted crime, but they held the suspect until the authorities arrived and placed that person in custody.

Stories of people defending themselves with guns do not make the nightly news. It just simply isn't news in America. It isn't hot. It isn't exciting. It is American. Sometimes when people act in an American way, it simply isn't reportable in our country anymore. So the national news media doesn't follow it.

Yet two of the school shootings that have brought gun issues to the forefront in the last year, in Pearl, MS, and Edinboro, PA, were stopped by peaceful gun owners using their weapons to subdue the killer until the police arrived. How did that get missed in the story? It was mentioned once, in passing, and then ignored as people ran to the floor of the Senate to talk about the tragedy of the killing. Of course the killing was a tragedy, but it was also heroic that someone used their constitutional right to save lives in the process.

A third school shooting in Springfield, OR, was stopped because some parents took time to teach their child the wise use of guns. So when that young man heard a particular sound coming from the gun, he was able to rush the shooter, because he knew that gun had run out of ammunition. He was used to guns. He was around them. He subdued the shooter and saved potentially many other lives. We have recognized him nationally for that heroic act, that young high school student of Springfield, OR.

For some reason, my colleagues on the other side of the aisle never want to tell these stories. They only want to say, after a crisis such as this, "Pass a new gun control law and call 9-1-1." Yet these stories are essential to our understanding of the right of people to keep and bear arms.

I will share a few of these stories right now. Shawnra Pence, a 29-year-old mother from Sequim, WA, home alone with one of her children, heard an intruder break into the house. She took her .9 mm, took her child to the bedroom, and when the 18-year-old criminal broke into the bedroom, she said, "Get out of my house, I have a gun, get out now." He left and the police caught him. She saved her life and her child's life. It made one brief story in the Peninsula Daily news in Sequim, WA.

We have to talk about these stories because it is time America heard the other side of this debate. There are 2.5 million Americans out there defending themselves and their property by the use of their constitutional right.

In Cumberland, TN, a 28-year-old Jason McCulley broke into the home of Stanley Horn and his wife, tied up the couple at knife-point, and demanded to know where the couple kept some cash. While Mrs. Horn was directing the robber, Mr. Horn wriggled free from his restraints, retrieved his handgun, shot the intruder, and then called the police. The intruder, Jason McCulley, subsequently died. If some Senators on the other side of the aisle had their way, perhaps the Horns would have been killed and Jason McCulley would have walked away.

Earlier today, we heard the Senator from Illinois and the Senator from California read the names people killed by guns in America. Some day they may read the name Jason McCulley. I doubt they will tell you how he died, however, because it doesn't advance their goal of destroying the Second Amendment. But As Paul Harvey might say: Now you know the rest of the story.

Every 13 seconds this story is repeated across America. Every 13 seconds in America someone uses a gun to stop a crime. Why do our opponents never tell these stories? Why do the enemies of the right to keep and bear arms ignore this reality that is relived by 2.5 million Americans every year? Why is it that all we hear from them is, "Pass a new gun control law, and, by the way, call 9-1-1."

I encourage all listening today, if you have heard of someone using their Second Amendment rights to prevent a crime, to save a life, to protect another life, then send us your story. There are people here who desperately need to hear this in Washington, right here on Capitol Hill. This is a story that should be played out every day in the press but isn't. So let's play it out, right here on the floor of the Senate. Send me those stories from your local newspapers about that law-abiding citizen who used his constitutional right of self-defense. Send that story to me, Senator LARRY CRAIG, Washington, DC, 20510, or send it to your own Senator. Let him or her know the rest of the story of America's constitutional rights.

I ask unanimous consent to proceed for one more moment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Having said all of this, let there be no mistake. Guns are not for everyone. We restrict children's access to guns and we restrict criminals' access to guns, but we must not tolerate politicians who tell us that the Second Amendment only protects the right to hunt. We must not tolerate politicians who infringe upon our right to defend ourselves from thieves and stalkers and rapists and murderers.

And we must not tolerate the politician who simply says: "Pass another gun control law and call 9-1-1."

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent I be recognized for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, with great respect to my colleague from Idaho, and I did not come to the floor of the Senate to talk about this, let me say when any of my colleagues stand up and talk about gun control issues that the minority wishes to pursue—let me explain in a sentence or so what we are trying to do. It is not to restrict the opportunity of anyone in this country who has the right to own a gun. We are trying to close the gun show loophole to prevent convicted felons from getting a gun.

Go to a gun store to buy a gun in this country and you must run your name through an instant check because we do not want convicted felons to have weapons. They cannot, by law, possess weapons. Go to a gun store and you have to run your name through an instant check. If it comes up that you are a convicted felon, you do not get the gun. But go to a gun show on a Saturday morning as a convicted felon and buy a gun and you do not have to have your name checked against anything. Go get your gun at a gun show, if you are a convicted felon and want a weapon. We are trying to close that loophole.

Every American should support closing that loophole and should support it now. That does not affect any law-abiding citizen's right to own a gun. All it does is says let's keep guns out of the hands of felons. No one in this Chamber should believe convicted felons ought to be able to go into a gun show and gain access to a weapon they are not by law entitled to have.

I did not come to the floor to speak about that, but I did want to respond to the pejorative suggestion that people on this side of the aisle want to injure the rights of law-abiding citizens to possess weapons. That is just wrong. We are trying to close a loophole that every American ought to support closing—to keep felons from getting guns.

#### INTERSTATE PRISONER TRANSFERS

Mr. DORGAN. Mr. President, this is a picture of a man named Kyle Bell. This brutal criminal killed Jeanna North, an 11-year-old girl from Fargo, ND.

After being convicted and imprisoned, Kyle Bell escaped. How did he escape? When North Dakota authorities were going to transport him to a prison out of State for safekeeping, a prison in the State of Oregon, they contracted with a private company called TransCor to haul him there. As he was

being transported across the country by bus with a dozen or more other prisoners, this child killer escaped. While stopped at a gas station, two guards with this private company were sleeping; another was apparently buying a cheeseburger. Kyle Bell went out through the top of the bus and this child killer walked away.

When I discovered what had happened, I thought to myself, that cannot be. We are turning child killers over to private companies to be transported across the country? But it is true. Then I discovered the record of these companies. You can be a retired sheriff and call your brother-in-law and say: Let's buy a mini van and let's go into the business of transporting criminals. In fact, in one state, a man and his wife showed up with a little mini van to pick up five convicted murderers. The warden of the penitentiary said: You have to be kidding me. They weren't kidding. That is who the State hired to transport these murderers. And of course the murderers escaped in short order.

What I have discovered is we have private companies being hired by State and local governments to transport violent criminals around the country, and those companies have no requirement to meet any standards at all. That doesn't make any sense.

I have introduced a piece of legislation I call Jeanna's Bill that says if any local or State government is going to contract with a private company to haul a violent criminal, they must meet some basic standards. They must meet some regulations. If you haul toxic waste, you must meet regulations. Haul cattle, you must meet regulations. Haul circus animals, you must meet regulations. But some of our States and local governments are willing to turn killers over to private companies who have no such standards to meet at all.

I received a letter in the last few days from the Governor of Nevada. I want to say I pass him my compliments. The Governor of Nevada was sending a convicted murderer named James Prestridge to North Dakota for safekeeping under the Prisoners Exchange Agreement. Mr. Prestridge, along with another fellow convicted of armed robbery, was being hauled to North Dakota by a company that is called Extraditions International.

Mr. Prestridge, this convicted murderer, escaped, as did John Doran, an armed robber. Mr. Doran was found just south of the Mexican border with a bullet through his brain, and Mr. Prestridge was recently apprehended. I wrote to the Governor of Nevada and said: I hope if you still intend to send this convicted murderer to North Dakota you will do it through the U.S. Marshals Service. They will haul violent offenders anywhere across this country for a flat fee and they don't lose them.

I got a letter back from the Governor of Nevada. He said:



In response to your request that Nevada stop using private transport companies, please be advised our prison system has ceased its business relationship with Extraditions International and that all of this State's out of state inmate transfers are now being staffed by our prison system.

Good for him. He said, incidentally, Mr. Prestridge is now not going to be sent to North Dakota. Good for us.

But good for him that he changed the policy. In our State, in the most recent days, the company that let this fellow go, the company whose negligence allowed a convicted child killer to walk away and evade authorities for some months, settled with the State for \$50,000. The State sent them a bill for \$102,000 and the company said: We won't pay it. We'd pay you \$50,000. And then the State says this company is a pretty good company and we will use them again.

My State is making a mistake, in my judgment. I would like every State to make a decision when they are going to transport violent criminals around this country, do it with law enforcement officials, do it with the U.S. Marshals Service. They will do it for a flat fee and then some American family won't have to worry that, when they pull up at a gas station, next to them at the pump is a mini van with two inexperienced folks hauling three murderers. What is that about, in terms of public safety?

It seems to me we ought to have enough common sense in this country when we have convicted someone of killing children, when we have convicted someone of murder or violent crimes, at least we ought not to turn them into the arms of someone inexperienced in the private sector, a company that has to meet no standards at all with which to transport them. That doesn't make any sense to me.

So I say to the Governor of Nevada: Good for you. It is the right decision. I would say to our State: Change your mind. Decide this company should not haul violent offenders in North Dakota and that when you are going to transport a violent offender, the U.S. Marshals Service ought to be used to do it.

I say to every State official across this country: Until we get in place basic standards these companies must meet, you ought not use them for transporting violent offenders. Were I a chief executive of a State, I would not use them anyway because I do not think people who kill children, as in the case of Kyle Bell, ought to be turned over to anyone other than law enforcement authorities to transport them to another place of incarceration.

#### SANCTIONS ON EXPORT OF FOOD AND MEDICINE

Mr. DORGAN. Mr. President, I want to speak about an issue that is of great importance to my State and to all agricultural producers around the country. That is the issue of the sanctions on food and medicine that now exist in our relationships with some countries around the world.

Our country has been in the habit of saying: We don't like certain countries,

we don't like the way they behave, so we are going to slap economic sanctions on these countries and we have included sanctions on the shipment of food and medicine. So countries such as Libya, Iran, Cuba, North Korea, and others, are in a circumstance of having economic sanctions enacted against them to punish them, and we have included in those sanctions food and medicine.

A group of us are trying to change that. We do not think it is the moral thing to do. What is this country doing, saying to others that we will not allow them to have access to food and medicine? Taking aim at dictators and hurting poor people, sick people, and hungry people is hardly something about which we ought to be proud. This is not a moral policy.

I come from a farm State, so I care about having access to these markets as well. I admit that. Aside from the market side of this, which is important—after all, these countries against whom we have sanctions on food and medicine represent almost 11 percent of the world's wheat markets, and we have said to our farmers: By the way, 11 percent of the world's wheat market is off limits to you. Why? Because we decided we do not like these countries and we are going to make them pay a price. Part of the price we are going to exact is the ability for them to access food and medicine from the United States.

Of course, other countries access it from Canada, Europe, or others. We are the country that decides to withhold food and medicine from these countries.

Last year, we had a vote in the Senate on that. Senator ASHCROFT, I, and many others who pushed to repeal the sanction on food and medicine won with 70 out of 100 votes. We were hijacked by the House of Representatives in conference. I was one of the conferees. They just flat out hijacked us. When it was clear to them we were going to win the issue in conference, they adjourned the conference, never to see them again, and they stripped the provision.

I offered the same provision in the Senate Appropriations Committee, and it is now in the Agriculture appropriations bill. That is coming to the floor of the Senate. We have 70 Senators who said they think it is wrong to continue sanctions on food and medicine. The message in the Senate is: Stop using food as a weapon. It is the right message.

There are a lot of people in the House of Representatives who apparently are willing to do that except for Cuba; Cuba is a special case, and they will not withdraw sanctions on food and medicine with respect to Cuba. In fact, that is what derailed it last year.

I am one person, but I tell my colleagues that I am not going to allow, to the extent I can prevent it, the hijacking of this issue again this year by just two or three people who decide they are going to strip this provision and then have the House and Senate

deal with the broader appropriations issues that do not include this provision.

We have spent a lot of time on this issue. This country is wrong in applying sanctions with respect to food and medicine shipments to countries such as Cuba. Yes, Cuba.

I was in Cuba last year. I have no truck with the Castro government. I think the Cuban government and its economic system have collapsed. But the sanctions that exist with respect to this country's actions against Cuba have represented Fidel Castro's greatest excuse to the Cuban people. He says: Of course my economy does not work; of course my country is in trouble. The United States has had its fist around our neck for 40 years.

It is Fidel Castro's greatest excuse, in my judgment, for an economic system that has failed Cuba. It does not make sense, in my judgment, for us to exact a penalty on the Cuban people, on poor people, on hungry people, and on sick people in Cuba, in North Korea, and elsewhere to continue these absurd sanctions on food and medicine.

We can have a broader discussion at some other time about whether the embargo that exists with Cuba ought to be lifted. That is a different subject, a broader subject. Incidentally, I have strong feelings about that as well. This is a narrower issue: Do we believe it appropriate to continue sanctions with respect to the shipment of food and medicine to countries such as Cuba, North Korea, Iran, and others? The answer ought to be a resounding no.

My colleague, Senator SLADE GORTON from the State of Washington, is in the Chamber. He was a cosponsor of this in the Senate Appropriations Committee. He, I, and JOHN ASHCROFT have issued a statement that says to all within hearing distance that if you think you are going to hijack this issue again this year, think again, because we have 70 votes in the Senate that say we ought not use food and medicine as a weapon, and we intend to insist this year that we prevail on this issue.

I cannot speak for anybody else, but the statement we issued is pretty self-explanatory. I am here to give fair warning to those who want to do what they did last year that it is going to be a pretty difficult proposition if they intend to hijack this issue. We have the votes. Vote on it in the Senate, and it will pass by an overwhelming margin. Allow a vote in the House, and it will pass by an overwhelming margin. The only way those who want to defeat this proposition because it contains Cuba—which is an irrational position, for those who think through this a little bit—the only way they can possibly defeat it is to try to use some hijinks in the process to avoid an up-or-down vote.

I and others intend to see we have a full opportunity to have votes in the



House and the Senate on it. If the House leadership does what it did last year, I say to them: Fair warning, I am going to be here on the floor of the Senate objecting to a whole series of things. We need to straighten this out now. This country, at this time, on this issue, says we will no longer use sanctions with respect to the shipment of food and medicine. It does not work, it is not a moral policy, and it ought to stop now.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is concluded.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:47 p.m., the Senate recessed until 2:30 p.m.; whereupon, the Senate reassembled when called to order by the President pro tempore.

#### SENATE PHOTOGRAPH

Mr. LOTT. Mr. President, if I could ask our colleagues to take their seats, then we will begin a series of photographs. Please, stay in place until we are given the all-clear sign. If you can go ahead and be seated, we will be able to determine exactly which Senators may still be missing.

#### STEVE BENZA

Mr. LOTT. Mr. President, as we prepare to have this photograph taken, I note that the Senate photographer, who has been with the Senate some 32 years, Steve Benza, is preparing to retire. Steve started out as a page. He worked in the Architect's Office. He worked in the Senate Post Office. He worked in the photo lab. And for years he has taken photographs of us in various and sundry places, some of which we would not like to recount but we will remember warmly.

I ask my colleagues, before we begin these series of photographs, to express our appreciation to Steve Benza for his 32 years of service to the institution.

[Applause.]

(Thereupon, the official Senate photograph was taken.)

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Virginia.

Mr. WARNER. Would the Chair kindly advise the Senate with regard to the pending business.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

The PRESIDING OFFICER. The pending business is consideration of the Defense authorization bill, S. 2549, which the clerk will report.

Mr. WARNER. I am ready to proceed. I ask my distinguished friend and colleague from Michigan if he is likewise ready to go.

Mr. LEVIN. We are indeed. I thank the Senator.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 3173

(Purpose: To extend eligibility for medical care under CHAMPUS and TRICARE to persons over age 64)

Mr. WARNER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself, Mr. HUTCHINSON, Mr. THURMOND, Mr. INHOFE, Ms. SNOWE, Mr. KERRY, Mrs. HUTCHISON, and Mr. MURKOWSKI, proposes an amendment numbered 3173.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike sections 701 through 704 and insert the following:

#### SEC. 701. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS UPON THE ATTAINMENT OF 65 YEARS OF AGE.

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—Section 1086(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

“(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

“(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426-1(a)).”; and

(2) in paragraph (4), by striking “paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,” and inserting “subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph”.

(b) EXTENSION OF TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.—Paragraph (4) of section 1896(b) of the Social Security Act (42 U.S.C. 1395ggg(b)) is amended by striking “3-year period beginning on January 1, 1998” and inserting “period beginning on January 1, 1998, and ending on December 31, 2002”.

(c) EFFECTIVE DATES.—(1) The amendments made by subsection (a) shall take effect on October 1, 2001.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

Mr. WARNER. This is an amendment relating to the change in the existing

military medical program to, in the future, encompass retirees over age 65. I shall address this later, and I am sure the Senator from Michigan is aware I would like to have that as the first amendment up. That was my understanding.

Mr. LEVIN. If the Senator will withhold on any unanimous consent request relative to that, I am trying to see if we have been informed of it. Of course, the Senator has a right to offer it.

Mr. WARNER. I am not able to hear my colleague.

Mr. LEVIN. Mr. President, I wonder, is this the amendment to which the Senator made reference this morning?

Mr. WARNER. The Senator is correct.

Mr. REID. Mr. President, is there a unanimous consent request pending now?

The PRESIDING OFFICER. There is none.

Mr. LEVIN. I believe the only request either pending, or perhaps already granted, is to withhold reading of the amendment. Is that correct?

Mr. WARNER. Yes.

Mr. LEVIN. Is my understanding correct that this amendment will be set aside temporarily for opening statements to be given?

Mr. WARNER. Mr. President, that is correct.

Mr. LEVIN. I thank the Senator.

Mr. WARNER. Does the Democratic whip desire to be recognized?

Mr. REID. No.

Mr. WARNER. This amendment was shared beforehand with my colleague from Michigan.

Mr. LEVIN. Mr. President, I don't know of any understanding, but the chairman has a right, of course, to offer an amendment. We just understand that this amendment now is to be temporarily laid aside so the opening statements can be given. The Senator has a right to offer an amendment at any time he wishes.

Mr. WARNER. Mr. President, this is the amendment about which I spoke on the floor earlier this morning. I think colleagues have had an opportunity to inform themselves about it. It is my hope that a number will desire to be cosponsors. We have a number of cosponsors right now.

This amendment relates to the continuing work of the Armed Services Committee with regard to the necessity to provide a health care program for retirees over 65. As the Presiding Officer well knows, the committee has addressed this in several increments, and now with another amendment by the Senator from Virginia, which I offer on behalf of many. I want to recognize that this is a subject that has quite properly gained the attention of a number of colleagues. I know Senator MCCAIN, on our side of the aisle, and Senator HUTCHISON have worked on this subject of health care. In no way do I indicate that anyone—certainly not myself—has been the principal; we have all worked together as a team.

And at such appropriate time, I will return to this amendment.

I want to make some opening comments now regarding this very important piece of legislation. This bill contains the much-needed increases in defense funding and critical initiatives, including in the area of recruiting and retention. Retention is one of the most serious problems we have facing us today in our current military, as well as recruiting. This bill, in the collective judgment of the committee, goes a long way toward helping to alleviate the problems we have and to improve those critical areas in our defense.

It is most appropriate that we begin this discussion today, on June 6, the 56th anniversary of D-Day. Today, America recalls the heroic acts of bravery and valor demonstrated on the beaches of France and the many who paid the price in life and limb for liberty and freedom. And how proud we are, as the Senate, to have as the President pro tempore the distinguished senior Senator from South Carolina, STROM THURMOND, among us. He, of course, crossed the beaches of D-Day 56 years ago. He addressed the Senate earlier today on that subject.

As we look to the future and the defense of this Nation, we must never forget what may be required, and indeed what was required, of so many—over 1,400 American servicemen, not to speak of our allies; they had casualties also. But 1,400 American servicemen died on June 6, 1944, on the beaches of France, and thousands more were wounded. They did it to restore freedom to so many nations and people all through Europe—freedom that had been taken away by Hitler and the Axis forces.

I begin by expressing my thanks to the ranking member, Senator LEVIN. We came to the Senate together 21 years ago. We have worked as partners on this bill and have produced a bipartisan product that will strengthen the security of the United States, in the collective judgment of all members of the Armed Services Committee, and improve the quality of life of our men and women in uniform and, most especially, for their families.

I also applaud our subcommittee chairmen, ranking members, and all members of the Committee for their fine work throughout this year. I will put in the RECORD elsewhere the volume of hearings, special meetings, the prolonged markup sessions that led to the work product for which we labored in the Senate today.

A special thanks to our committee staff. What a superb professional staff—not only this year and last year, but throughout the 22 years I have been privileged to be on this committee. Under many distinguished chairmen and ranking members, we have had the most nonpartisan and the hardest-working staff in the Senate. I salute Colonel Les Brownlee, David Lyles, and the personal staff of the committee members for their invaluable work which led to the creation of this bill.

I appeal to all Members to join us in our bipartisan effort to improve our security. The safety and well-being of our men and women in uniform, thousands of whom are deployed at this very moment in harm's way across this world, should not fall victim to any partisan debate and certainly no election year politics. We have done that in the past. I hope we will not do it on this bill and in the future.

We should keep in mind that Members of the Senate have always recognized the importance of the annual Defense authorization bill, and in the past we have put our partisan concerns aside for the good of the Nation. I remind colleagues that the Senate has passed a Defense authorization bill every year since the authorization process began in 1961, some nearly 40 years. The House this year had a strong, resounding vote of 353 yeas to 100-some-odd nays. So that is a clear indication of the strength of the House and the Senate bills and the need for these bills to be brought into law.

At this time of increased tension around the world, at this time of unprecedented deployments of U.S. military personnel around the globe, we must show our support for our troops. Accordingly, I urge all Members to abstain from offering nondefense-related amendments and to join in a bipartisan effort to pass this Defense authorization bill, to send a strong signal of support to our brave troops, wherever they are in the world, for risking their lives at the very moment we address this legislation, risking to safeguard freedom of our allies, our friends, and indeed those of us here at home. The problems and the threats facing the home front have increased to where they are greater today than I ever envisioned in my life.

The national security challenges that the United States will face in the new millennium are many and diverse—new adversaries, unknown adversaries, new weapons, and unknown weapons. A very complex threat faces us at home and our forces forward deployed. It is important that we remain vigilant, forward thinking, and prepared to address these challenges.

Just days ago the National Commission on Terrorism, established by Congress in 1998, issued its report, "Countering the Changing Threat of International Terrorism". I would like to quote from the Report's executive summary: "Today's terrorists seek to inflict mass casualties, and they are attempting to do so both overseas and on American soil. They are less dependent on state sponsorship and are, instead, forming loose, transnational affiliations based on religious or ideological—regrettably I have to use that word, "a common hatred"—affinity and a common hatred of the United States. This makes terrorist attacks more difficult to detect and prevent." We must be prepared to respond to this threat and I look forward to reviewing the numerous recommendations con-

tained within the report which we may address in the course of the deliberations on this bill.

While the Department of Defense (DOD) must plan and allocate resources to meet future threats, ongoing military operations and deployments from the Balkans to Southwest Asia to East Timor continue to demand significant resources in the short term and the foreseeable future.

The National Defense Authorization Act for Fiscal Year 2001 authorizes a total of \$309.8 billion for defense spending—\$4.5 billion above the President's request—and provides authority and guidance to the Defense Department to address the critical readiness, modernization, and recruiting and retention problems facing our military.

For over a decade, our defense budgets have been based on constrained funding, not on the threats facing the nation or the military strategy necessary to meet those threats. The result of this is evident today in continuing critical problems with recruiting and retention, declining readiness ratings, and aging equipment.

Last year, the Congress reversed the downward trend in defense spending by approving a defense authorization bill which, for the first time in 14 years, included a real increase in the authorized level of defense spending. This year, we continue that momentum with the bill before the Senate the second year of increased authorization levels. As I stated earlier, the authorized level of \$309.8 billion in this bill is \$4.5 billion above the President's request and consistent with this year's concurrent budget resolution. The fiscal year 2001 funding level also represents a *real increase* in defense spending of 4.4 percent from the fiscal year 2000 appropriated level.

The funding we have provided is primarily going for modernization and readiness and for other benefits for the men and women of the military. The committee authorized \$63.28 billion in procurement funding, a \$3.0 billion increase over the President's budget. Operations and maintenance was funded at \$109.2 billion, with \$1.5 billion added to the primary readiness accounts. Research, development, test and evaluation was budgeted at \$39.31 billion, a \$1.45 billion increase over the President's budget request.

The committee's support for additional funding for defense is based on an in-depth analysis of the threats facing U.S. interests, and testimony from senior military leaders on the many shortfalls in the defense budget.

While the cold war has been over for nearly a decade, it is evident that the world remains a complex and violent place. The greatest threat to our national security today is instability; instability fueled by ethnic, religious, and racial animosities that have existed for centuries, but are now resulting in conflicts fought with the weapons of modern warfare. Many have turned to the United States, as the sole remaining superpower, to resolve the

many conflicts around the world and to ensure stability in the future. However, this military power does not ensure our security. As Director of Central Intelligence George Tenet told the committee in January, "The fact that we are arguably the world's most powerful nation does not bestow invulnerability; in fact, it may make us a larger target for those who don't share our interest, values, or beliefs."

U.S. military forces are involved in overseas deployments at an unprecedented rate. Currently, our troops are involved in over 10 contingency operations around the globe. Unfortunately, there appears to be no relief in sight for most of these operations. At an October 1999 hearing of the committee, the Chairman of the Joint Chiefs of Staff, General Hugh Shelton, stated that, "Two factors that erode military readiness are the pace of operations and funding shortfalls. There is no doubt that the force is much smaller than it was a decade ago, and also much busier."

Over the past decade, our active duty manpower has been reduced by nearly a third, active Army divisions have been reduced by almost 50 percent, and the number of Navy ships has been reduced from 567 to 316. During this same period, our troops have been involved in 50 military operations worldwide. By comparison, from the end of the Vietnam war in 1975 until 1989, U.S. military forces were engaged in only 20 such military deployments.

This unprecedented rate of overseas deployments is one of the primary factors contributing to the severe problems we are having with recruiting and retaining quality personnel, and with maintaining adequate readiness of the existing force. We have tried to address these issues in the bill before the Senate.

It has also affected our readiness, as the Presiding Officer well knows as chairman of the subcommittee with the primary jurisdiction of readiness.

I want to pause for a moment and acknowledge the Chairman of the Joint Chiefs of Staff and the Service Chiefs—the Chief of Naval Operations, the Air Force Chief of Staff, the Army Chief of Staff, and the Commandant of the Marine Corps—for their role in helping to reverse the decline in defense spending. I cannot think of one single factor that added greater emphasis not only this year but last year to the increase in defense spending—not one fact greater than their honest, forthright professional and personal assessments which were given this committee time and time in formalized hearings, and indeed in private consultations. I commend them. They have ably represented their troops.

There is no group of leaders more responsible for stopping this downward trend than the Chiefs.

On three separate occasions, October 6, 1998, January 5, 1999, and October 26, 1999, the Chairman of the Joint Chiefs of Staff and the Service Chiefs came

before the Armed Services Committee to tell us about the ever increasing challenges the armed forces were facing in carrying out their military missions. Simply put, they did not have enough money. Their individual observations were forthright and candid. Collectively, their reports to the Congress became the unimpeachable voice that made Americans sit up and take notice. The chiefs were heard across the land. Our nation echoed back: we believe you, you have the people's support.

The military service chiefs have testified that they have a remaining shortfall in funding of \$9.0 billion for fiscal year 2000, a requirement for an additional \$15.5 billion above the budget request to meet shortfalls in readiness and modernization for fiscal year 2001, and a requirement for an additional \$85.0 billion in the future years Defense Program.

This bill adds \$3.8 billion to the President's budget request to specifically pay for items identified by the Chairman of the Joint Chiefs of Staff and the Service chiefs as necessary requirements: necessary requirements that were not funded by the President's request.

As I said earlier, the high operations tempo of our armed forces is having a negative impact on recruiting and retention. Last year, the committee took action to provide a pay raise and a package of retirement reforms and retention incentives in an effort to recruit and retain highly qualified personnel. The committee has received testimony that these changes are having a positive impact on recruiting and retention efforts.

This year, the committee has focused its "quality of life" efforts on improving military health care for our active duty and retired personnel and their families.

Earlier this year, I announced my intention to join with the majority leader and others to tackle the long-standing problems with the military health care system.

I wish to acknowledge the full cooperation of my distinguished colleague, Mr. LEVIN, and the Members on his side of the aisle. It has truly been a bipartisan effort. We have heard increasing complaints, especially from over 56 retirement communities.

While the Congress was taking some steps in the past to try to improve the health care system, it was time for a major assault on this problem. And we have done more than establish a beachhead. I used that term months ago when I laid down the first piece of legislation with our distinguished majority leader, Mr. LOTT.

The bill before the Senate today is but the first step, I hope, in what will be a continuing process to fulfill our commitment of quality health care for all military personnel—active duty, retired, as well as their families.

The Secretary of Defense, the Chairman of the Joint Chiefs, and the serv-

ice chiefs have all highlighted the many problems associated with implementing a user-friendly health care program for active duty service members, military retirees, and their families.

In this bill, the committee included initiatives that ensure our active duty personnel and their families receive quality health care and initiatives that fulfill our commitment to military retirees, including extending TriCare Prime to families of service members assigned to remote locations, eliminating copayments for service received under the TriCare Prime, and authorizing a comprehensive retail and national mail order pharmacy benefit for all eligible beneficiaries, including Medicare-eligible beneficiaries with no enrollment fee or deductible.

I will elaborate on the pharmacy benefit. Prescription medication is the major unmet need of the military retiree. I believe this bill meets that need. This bill for the first time provides an entitlement for a comprehensive drug benefit for all military beneficiaries, including those who are Medicare eligible.

Hopefully, I will add my amendment which will further enhance this whole package of retiree benefits, particularly for those over 65. At the appropriate time, I will ask to turn to that amendment.

Other quality-of-life initiatives of note in this bill are a 3.7-percent pay raise for military personnel effective January 1, 2001, and a provision that directs the Department to implement the Thrift Savings Plan for military personnel not later than 180 days after enactment of this act. We put similar provisions in last year's bill but gave the discretion to the Department. This year, we have been forthright and we direct action on that program.

Last year, NATO conducted its first large-scale offensive military operation with the 78-day air war campaign—and it was associated with other military operations and was not exclusive to air—on behalf of the beleaguered and persecuted peoples of Kosovo. The lessons learned from that operation addressed during a series of committee hearings highlighted not only shortfalls in weapon systems and intelligence programs but also the complexities of engaging in coalition operations.

As noted in the combined testimony of Operation Allied Force Commanders, Gen. Wesley Clark, Adm. James Ellis, and Lt. Gen. Mike Short, the Kosovo campaign:

... required [that] we adopt military doctrine and strategy to strike a balance between maintaining allied cohesion, striking key elements of the Yugoslav Armed Forces, minimizing losses of allied aircraft and crew, and containing collateral damage.

Of paramount concern to the committee this year was applying the lessons learned from the air campaign over Kosovo to our defense budget to ensure the future preparedness of the

U.S. Armed Forces for future military operations. Accordingly, the committee included over \$700 million for a program to include aircraft precision strike capability, aircraft survivability, and intelligence surveillance and reconnaissance assets based on lessons learned from the Kosovo conflict.

Over 38,000 combat sorties were conducted during the Kosovo air campaign—and I proudly say, for all nations that participated, some seven nations flew—with no combat casualties and some heroic rescue operations. While the committee understands that no military operation is without risk, limiting the risk to military personnel is an important goal. Every day, advances in technology such as computing and telecommunications are being integrated into warfighting equipment.

The committee believes the Defense Department must further pursue these technological advances in an effort to provide advanced warfighting capabilities, while at the same time limiting the risk to military personnel. To this end, this legislation directs the DOD to aggressively develop and field unmanned combat systems in the air and on the ground so that within 10 years one-third of our operation of these type aircraft would be unmanned, and within 15 years one-third of our ground combat vehicles would be unmanned. The committee also added \$246.3 million to accelerate technologies leading to the development and fielding of remotely controlled air combat vehicles and remotely controlled ground combat vehicles.

As demonstrated in Kosovo, our Armed Forces are the best prepared in the world. They can beat the enemy on any battlefield. I don't say that with arrogance. It is factual. Our enemies, certainly those that can be identified, know that. It is the ones that we can't identify—the growing number we cannot identify, that we cannot anticipate—that pose the greatest threat. Current and future potential adversaries must fully understand, however, our military capability. Many are now intent on carrying the battle right here at home in the continental limits of the United States of America either by ballistic missile attack or attacks with chemical or biological agents or through cyberterrorism. That is where we are soft, soft in the underbelly of this great Nation. Recently, retired Deputy Secretary of Defense John Hamre characterized domestic preparedness as “the mission of the decade.” I agree with that distinguished former public servant.

The military services play a critical and important role in domestic preparedness for such attacks. Should some madman or terrorist release a chemical biological agent on the civilian population at home—or, indeed, at a military base that could be a target—the Defense Department must be prepared to assist the first responders, whether they are volunteer firemen,

the police officers, or even citizens who instinctively try to come to the aid of those suffering, along with the health care professionals in our local communities. To deter and defeat the efforts of those intent on using weapons of mass destruction or mass disruption in the United States, this bill does the following:

It adds \$76.8 million for initiatives to address the threat of cyberattack, including establishment of an Information Security Scholarship Program to encourage recruitment and retention of Department of Defense personnel with computer network security skills. This is a program in which I have had a great deal of interest. I do hope the Members will work with me on this. We have this massive people program, maybe \$20 or \$30 million just to begin to give incentives for young people to go into cyberspace terrorism. What better evidence do we need than this love note that floated around, causing billions of dollars of loss to the economy in this country for the shutdown of computers.

Second, there is the creation of an institute for defense computer security and information protection to conduct research and critical technology development and to facilitate the exchange of information between the government and the private sector, and sharing of information to try and meet this common threat.

Further, we added \$418 million for ballistic missile defense programs, including \$129 million for National Missile Defense Risk Reduction, \$92.4 million for the Air Forces Airborne Laser Program, \$60 million for the Navy Theater-Wide Missile Defense Program, \$15 million for the Atmospheric Interceptor Technology Program, \$8 million for the Arrow System Improvement Program, \$15 million for the Tactical High Energy Laser Program, and \$30 million for the Space-Based Laser Program.

This is a serious threat to our homeland, the intercontinental ballistic missiles. We are forging ahead. I wish we could be stronger in our efforts.

I will, with others, try everlastingly to increase our strength to try to approach these things and solve these problems—because we are defenseless. Americans think we spent \$300.9 billion this year and \$300 billion previous years and that we have some defense. We do not. We are absolutely defenseless against these intercontinental ballistic missiles, particularly the ones that might be fired by a rogue state or terrorist state or, indeed, an accidental firing. It could decimate any of our great cities or, indeed, rural areas.

(Mr. HAGEL assumed the chair.)

Mr. WARNER. Last, we added \$25 million for five additional Weapons of Mass Destruction-Civil Support teams formerly known as RAID teams. This will result in a total of 32 of these teams by the end of fiscal year 2001. It is the committee's intent to support the establishment of these teams for

each State and territory. I commend this committee, particularly the subcommittee that handles this under Senator ROBERTS, for their relentless initiative to drive and get these teams in place. The Department of Defense has not been as aggressive as has the Senate on this issue.

I would like to briefly highlight some of the other major funding initiatives and provisions of the bill.

First, we strengthen the Joint Strike Fighter Program by significantly increasing funding for the demonstration and validation phase of this program while removing funding for the engineering, manufacture, and development phase in the fiscal year 2001.

It increases the shipbuilding budget by \$603.2 million to over \$12 billion. I commend the chairman and ranking member of that committee, the Senator from Maine. This is a very essential investment, an increase in spending, if we are ever to hope to maintain just a 300-ship Navy.

It authorizes \$98.2 million for military space programs and technologies, \$22 million for strategic nuclear delivery vehicle modernization, and \$190 million for national and military intelligence programs.

We support the Army transformation initiative and we add additional resources that support research and development efforts designed to lead to the future development of that force.

Congress has to help the Army. They have some very bold initiatives, but the funding profile for these initiatives in the outyears has a degree of uncertainty which troubles this Senator. But we will try to do our best to work with the distinguished Chief of Staff, the Secretary, and others, in trying to move the Army along in its projected transformation program.

We included provisions supporting, under certain conditions, the agreement reached between the Department of Defense and the government of Puerto Rico that is intended to restore relations between the people of Vieques and the Navy and provide for the continuation of live fire training on this island. I commend the former Presiding Officer, the Senator from Oklahoma, for his unrelenting efforts, many visits down to that region to work on this problem.

We increased funding for military construction and family housing programs by \$430 million to \$8.46 billion.

We authorized \$1.27 billion for the environmental restoration accounts to enhance environmental cleanup of military facilities.

We required the Secretary of Defense, in consultation with the Secretary of Energy, to:

No. 1, develop long-range plans for the sustainment and modernization for U.S. strategic nuclear forces and;

No. 2, to conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years.

That is an essential program. We must get that evaluation. We have not

done one since 1994. This was of great concern to me. While I commend the President—he did the best he could at the recent summit—it would have been advisable if this Nation had conducted one of these essential programs to make an analysis of the threat—what we have in our inventory, the inventories of the other nations of the world—and, therefore, have a better idea of exactly where this country stands today and what it faces in the future.

These are but a few of the highlights of the many initiatives included in this bill. The subcommittee chairmen are truly the architects of this bill. They will discuss in greater detail the provisions in their respective subcommittees. Each should be congratulated for their study and hard work, together with their ranking members.

I urge my colleagues to support rapid passage of this bill. We need to send a strong signal of support to our Armed Forces in the field, at sea, and those who have gone before them in the line of duty. We are trustees of this great Nation and we are given that trust by generation after generation after generation of Americans who have gone from the shores of our Nation to defend the cause of freedom in farflung places of the world. These are outstanding men and women now serving in uniform. We have an obligation to them as previous Congresses have had obligations to other generations, engaged in the preserving of our freedom.

I, once again, thank my distinguished colleague, the senior Senator from Michigan, for his work on this committee—indeed, nonpartisan hard work—and the wonderful staff. We put this bill together.

I thank the Senator and yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I am pleased to join with the chairman of the Armed Services Committee in bringing the National Defense Authorization Act for fiscal year 2001 to the floor. The bill is the product of several months of bipartisan work on the part of our committee. I am, indeed, pleased to join with him in bringing this bill to the floor.

This year the President added \$12 billion in defense spending to last year's appropriated levels. The congressional budget resolution added an additional \$4.5 billion. For the most part, the committee chose to spend the money wisely. More than three-quarters of the money added by the budget resolution would be used to meet needs that are identified as priorities by the Joint Chiefs, or to accelerate items that are included in the future years' defense plan.

I may not agree with every provision in the bill—I do not—but S. 2549 overall is a sound bill that basically continues the bipartisan partnership between the Congress and the administration. This bill would build on the budget that was

presented by the Department of Defense to improve the quality of life for the men and women of our Armed Forces and their families, and to transform our military to ensure they are capable of meeting the threats to American security in the 21st century.

I am particularly pleased the bill would implement the administration's proposal to address shortcomings in the health care we provide for our military personnel and retirees. Indeed, the bill would go a step further than the administration proposed and provide a prescription drug benefit for military retirees.

I am appalled, and I hope most of us are appalled, by the rising cost of pharmaceuticals in this country and by the growing gap between the prices paid for drugs by our citizens and people who live in other countries. We have taken an important first step in this bill in agreeing to address the problem for military retirees. But it is my hope, perhaps during the course of this bill, and surely before the end of this Congress, we will be able to provide a similar benefit for Medicare beneficiaries whether they are military retirees or otherwise. All of our seniors—all of our seniors—should have an opportunity to purchase prescription drugs and not be precluded by an inability to pay the outrageous costs which prescription drugs now present to too many of our seniors.

The committee also made the right decision in supporting the Army transformation plan that was put forward by Secretary of the Army Caldera, and Army Chief of Staff General Shinseki. The committee concluded the Army needs to transform itself into a lighter, more lethal, survivable and tactically mobile force, and we approved all the funds that were requested by the Army for that purpose. In fact, we even added some research money that the Army said would help the long-term transformation process.

At the same time, we have instructed the Army to prepare a detailed roadmap for the transformation initiative, and to conduct appropriate testing and experimentation to ensure the transformation effort is successful.

The Department has made a strong commitment to the Joint Strike Fighter Program and the committee supports that effort. While our bill recognizes that slippage in the test schedule is virtually certain to result in a delay of the next milestone decision, we remain open to reprogramming of funds to enable the Department to make that decision in the year 2001, if it proves possible to meet a tighter schedule.

I am also pleased the bill reported by the Armed Services Committee provides full funding for the Department of Defense Cooperative Threat Reduction Program and the three ongoing Department of Energy cooperative programs with Russia and other countries of the former Soviet Union. These programs serve as one of the cornerstones of our relationship with Russia and

play an important role in our national security by reducing the threat of proliferation of weapons of mass destruction from Russia or from rogue nations with which Russia may otherwise be tempted to form closer ties in the absence of these programs.

While some restrictive language has been included in the bill, I am hopeful this language will not undermine the effectiveness of the programs. I am disappointed the committee chose not to provide \$100 million for a new, long-term Russian nonproliferation program at the Department of Energy.

This program would allow the Department of Energy to accelerate the closure of portions of Russian nuclear weapons complexes and secure additional nuclear materials. I am hopeful, with the help of other Senators, we can address this issue in the course of our debate on the Senate floor or perhaps in conference.

The committee bill would authorize \$85 million of military construction sought in fiscal year 2001 by the administration to begin construction of a national missile defense site. The President's budget explains this request as follows:

The budget includes sufficient funding so that if the administration decides in 2000 to proceed with deployment of a limited system, the resources will be available to quickly proceed toward a 2005 initial capability.

I emphasize the word "if." It is my understanding that this funding is provided consistent with the President's request in the event the President decides to proceed with the deployment of a limited national missile defense. As indicated in the President's budget, this decision will be based on an assessment of four factors: one, the assessment of the threat; two, the status of technology based on an initial series of flight tests and the proposed system's operational effectiveness; three, the cost of the system; and four, the implications of going forward with a national missile defense deployment in terms of the overall strategic environment and our arms control objectives, including efforts to achieve further reductions in strategic nuclear arms under START II and III.

As our chairman said, the committee spent a great deal of time addressing the status of training exercises by Navy and Marine Corps personnel on the island of Vieques. As we all know, training on Vieques was suspended last year after the tragic death of a security guard at the training range. The Secretary of the Navy, the Chief of Naval Operations, and others have testified before the committee that there is no adequate substitute for the live-fire training on the island of Vieques.

Earlier this year, the President entered into an agreement with the Governor of Puerto Rico which establishes an orderly process for what we all hope will be the resumption of such training. As of today, the Commonwealth of Puerto Rico has lived up to its obligations under the agreement. The Navy

training on Vieques has been cleared of protesters with the assistance of the government of Puerto Rico, and the Navy training exercises have now resumed on the island with the use of inert ordnance as provided in the agreement.

During the course of our markup, the committee considered proposed legislation which would have been inconsistent with this agreement. In my view, unilateral changes to or actions in violation of the terms of the agreement at a time when the government of Puerto Rico is living up to its obligations under the agreement would have sent exactly the wrong signal. Such changes would have offended many citizens of Vieques and others throughout Puerto Rico, undermining the efforts of the Navy and this committee to eventually resume live-fire training on Vieques.

In the end, the committee included legislation that would implement the provisions of the agreement that call for limited economic assistance and holding a referendum on the island of Vieques. With regard to the other element of the agreement—the transfer of specific land to Puerto Rico under certain circumstances—the legislation is silent, deferring congressional action until a later date.

While I would have preferred to fully implement the agreement between the President and the Governor of Puerto Rico at this time, avoiding unilateral changes to the terms of the agreement was the next best outcome. In light of the position taken on the floor of the House, I expect we will have an opportunity to further consider this issue in conference.

One area where I am very disappointed with the outcome of the markup is the organization of the Department of Energy. Last year, the National Defense Authorization Act contained provisions reorganizing the Department of Energy's nuclear weapons complex by creating a new "semi-autonomous" National Nuclear Security Administration, NNSA, within the Department of Energy. These provisions, which were added in conference, were inconsistent with legislation passed in the Senate by a vote of 96-1 and went far beyond anything that was even considered by the House.

The Secretary of Energy dual-hatted a number of key NNSA employees, authorizing them to serve concurrently in both NNSA positions and DOE positions outside the NNSA. Although the provisions establishing the NNSA did not contain any provision prohibiting dual-hatting, many members of our committee believed this approach was inconsistent with the legislation.

This bill responds to that perceived violation of the statute with provisions that would, one, prohibit the Department of Energy from paying any NNSA officials who are dual-hatted and, two, prohibit the Secretary of Energy from changing the organization of the NNSA in any way. These are unprecedented

restrictions on the ability of a Cabinet Secretary to manage his own Department and undermine our ability to hold Secretary Richardson and his successors accountable for the activities of the Department of Energy.

Dual-hatting is commonplace throughout the Government and has been legally permissible since we repealed the Dual Office Holding Act of 1894 more than 35 years ago. Moreover, the Secretary provided our committee with a legal opinion which concluded that such dual-hatting is permissible.

In any case, the prohibition on reorganization is completely unnecessary in light of the express prohibition on dual-hatting. The reorganization prohibition would go far beyond its stated purpose of addressing dual-hatting, and it would prohibit the Secretary of Energy from even establishing, altering, or consolidating any organizational unit, component, or function of the NNSA regardless of demands of efficiency or accountability.

Last year, the President's Foreign Intelligence Advisory Board reported that the Department of Energy's nuclear weapons complex had become organizationally "dysfunctional." Much of this organization remains unchanged despite its transfer to the new NNSA. Yet the provision added in our committee would prohibit the Secretary from addressing that problem.

In short, the Department of Energy organization provisions not only fail to address the problems identified by its sponsors, which is the dual-hatting problem, but go way beyond that and thereby undermine the ability of the Secretary of Energy to address many of the concerns that led to the enactment of last year's legislation in the first place.

I am also disappointed that the bill does not contain a base closure provision. Last year, as this year, the top military and civilian leadership of the Department of Defense came to us and told us that more base closures are critical to saving billions of dollars needed to meet our future national security needs. Year after year, some Members express concerns about shortfalls in the defense budget and then reject the one measure that would do the most to help the Department address those shortfalls in the long term.

Secretary Cohen said recently his biggest disappointment as Secretary has been that the Department of Defense still has too much overhead and that he has not been able to persuade his former colleagues—meaning us—that they are going to have to have more base closures. Authorizing a new round of base closures is an issue of political will to meet our long-term security needs. In the course of our debate on this bill, Senator McCain and I plan to again offer an amendment to allow more base closures.

Finally, I will mention two other issues. First, the bill contains a provision that would replace the School of the Americas with a new Western

Hemisphere Institute for Professional Education and Training which would provide a broad curriculum of studies, including human rights training, to both military and civilian leaders of democratic countries. I hope this step will allow us to put the controversial history of this institution behind us while we look instead to the future.

Second, the bill contains an amendment I offered to prohibit the Department of Defense from selling to the general public any armor-piercing ammunition or armor-piercing components that may have been declared excess to the Department's needs.

This prohibition was enacted on a 1-year basis in last year's Defense Appropriations Act, and Senator DURBIN has introduced a bill in the Senate to make the ban permanent. There is no possible justification for selling armor-piercing ammunition to the general public. I am pleased that we have taken this step toward enacting the ban into permanent law.

Again, I thank Senator WARNER for his work as chairman of the committee. There are a lot of provisions in the bill, and there will be, I am sure, a lot of amendments which will be offered in the course of our deliberations on the Senate floor. I think we all look forward to a full debate on all of the issues that will be presented to us.

I am wondering if Senator WARNER is on the floor.

Mr. WARNER. Yes.

Mr. LEVIN. I make a parliamentary inquiry as to whether or not amendment No. 3173, which is the pending amendment, is subject to a point of order and, if so, what point of order.

The PRESIDING OFFICER. The pending amendment that the Senator inquires on violates section 302(f) of the Budget Act.

Mr. LEVIN. This amendment was presented to us this morning. I think we should make an effort to see if we can't bring this amendment somehow or other into compliance with the Budget Act so we can accomplish the important provisions that are in this amendment. This is a goal which has been sought on a bipartisan basis to try to improve the provision of health care services to our retirees.

I think it is in all of our interests to see if we can't find a way that we can make this come into compliance with the Budget Act. I am particularly sensitive to the Budget Act's provisions. I am not sure Senator DOMENICI is with us today. I believe he was absent during the picture, for reasons with which we are familiar. In that case, I am wondering whether or not, because of the Budget Act implications of this amendment, the Senator might be willing to set this aside so we can determine if there are ways of achieving these important goals consistent with the Budget Act.

Mr. WARNER. Mr. President, I say to my good friend, I will try to accommodate you on that because it is a very important amendment. I would like to



discuss with you just perhaps the following procedure: That we have the opportunity to have a colloquy and make some presentations about the amendment, and then at that time I will consider laying it aside. I would like to have that opportunity this afternoon. I would very much appreciate the comments of my colleague.

It had been my intention to give it to you a little earlier today, but I think it began to get to your people around 11 or 12 o'clock. It had been my intention to bring it up. That is not a fact in any way I wish to conceal. But anyway, that did not come to the attention of the Senator from Michigan.

So, yes, we will work on this because in fairness to our colleagues—and I anticipate an overwhelming majority of the Senate would like to support the objectives of this amendment—we should address what could be done to the amendment.

I acknowledge that a point of order does lie, and at the appropriate time I would ask for the waiver. Yes. The answer is, we will see what we can do. So I suggest as follows, that we allow other colleagues—the President pro tempore, a member of our committee, the former chairman wishes to address the bill, and the Senator from Colorado wishes to address the bill. There may be others.

So let us have some brief opening statements by our two colleagues, and I will adjust the procedure at the request of the Senator from Michigan.

Mr. LEVIN. That procedure would be fine. I welcome hearing from our good friends, including our former chairman, and then perhaps we will lay this aside so we can try to make it in compliance, if possible, with the Budget Act. I welcome the comments of the chairman.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, as the Senate begins consideration of the national defense authorization bill for fiscal year 2001, I join my colleagues on the Armed Services Committee in congratulating Chairman WARNER and the ranking member, Senator LEVIN, on their leadership in preparing a strong bipartisan defense bill, which passed the Committee by an overwhelming 19-1 vote.

The national defense authorization bill for fiscal year 2001 ensures that our Armed Forces can continue to carry out their global responsibilities by focusing on readiness, future national security threats, and quality of life. I am especially pleased with the focus on the quality of life issues. Our military personnel and their families are expected to make great sacrifices and they deserve adequate compensation. Therefore, I strongly support the 3.7 percent pay raise, the significant improvements in military health care, especially those impacting our military retirees and their families. These are critical provisions, which when coupled with the additional family housing and barracks construction, will result in a

well-earned improvement in the standard of living for all our military personnel.

The defense bill before us continues the improvements in the readiness issues identified by our Service Chiefs. The committee added over \$700 million for programs identified as shortfalls during the Kosovo conflict. It increased key readiness programs such as ammunition, spare parts, base operations and training by more than \$1.5 billion. Although these are significant improvements, we cannot be satisfied with these increases and must ensure continued robust funding increases for these programs in future bills.

Since the fall of the Berlin Wall our Nation has faced ever changing threats. Among these are the spread of nuclear weapons and other weapons of mass destruction, international terrorism, and the ever increasing sophistication of weapons in the hands of countries throughout the world. To counter these threats the committee added \$78.8 million in the Emerging Threats Subcommittee accounts. These resources will fund critical research into new technology, while at the same time provide for the reduction and security of the nuclear and chemical arsenals of the former Soviet Union. It is money wisely spent and deserves our full support.

I have previously congratulated the chairman and ranking member for their work on this bill. Before closing, I want to congratulate each of the subcommittee chairmen—Senator INHOFE, Senator SNOWE, Senator SANTORUM, Senator ROBERTS, Senator ALLARD and Senator HUTCHINSON—and their ranking members for their contribution to this bill. Their leadership and work provided the foundation for this legislation. Finally, I believe it is important that we recognize Les Brownlee and David Lyles for their leadership of a very professional and bipartisan staff.

This national defense authorization bill is a strong and sound bill. I intend to support it and urge my colleagues to join me in showing our strong support for the bill and our men and women in uniform.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I thank Chairman WARNER for allowing me the opportunity to speak in strong support of this essential bill for our men and women in the armed services. I believe it to be very fitting that we bring up S. 2549, the fiscal year 2001 Department of Defense Authorization Act, only 9 days after Memorial Day.

This bill should always be more than just a funding mechanism for today's military but a fitting tribute and to show our appreciation for those who served, are serving, and will serve in the future.

The Defense bill is entirely too important to be mired in politics. We must respect our military and provide them the best Defense authorization bill we can.

The fiscal year 2001 Defense Authorization Act is a bipartisan effort, and I believe we all did some essential heavy lifting in committee for our warfighters.

For the second year in a row, we have reversed the downward trend in defense spending by increasing this year's funding by \$4.5 billion over the President's request, for a funding level of \$309.8 billion. This results in a 4.4 percent increase in real growth from last year's appropriated level.

Last year as the Personnel Subcommittee chairman, I had the opportunity to oversee the first major pay raise for our military in almost 20 years. Now, I have the great privilege to serve as the chairman of the Strategic Subcommittee. While it is a tall order to fill the shoes of Senator BOB SMITH as subcommittee chair, I believe the subcommittee has had a very successful and productive session. Just like last year with Senator CLELAND, it is always rewarding to have a dedicated ranking member like Senator LANDRIEU. I want to thank her, as well as all the members of the subcommittee, for all the hard work they put into this bill.

The Strategic Subcommittee has oversight and program authority over the following areas: (1) ballistic and cruise missile defense; (2) national security space; (3) strategic nuclear delivery systems; (4) military intelligence; and (5) Department of energy (DOE) activities regarding the nuclear weapons stockpile, nuclear waste cleanup, and other defense activities.

During the last year, the subcommittee held four hearings.

The first was on our national and theater missile defense programs which showed that the DOD continues to have a funding-constrained ballistic missile defense (BMD) program. In this year's budget, the administration finally increased the funding for the National Missile Defense (NMD) program, but we found that all of the Ballistic Missile Defense Organization's or BMDO's major acquisition programs remain underfunded. Plus, we were very concerned about the lack of funding for the research and development technology programs. That is why in this bill we recommend substantial increases in funding for ballistic missile defense programs and technologies.

We also had a hearing regarding our national security space issues where we identified a number of areas in which budget constraints have caused DOD to insufficiently fund key space programs and technologies and technology development. We also learned from our extensive post-Kosovo conflict hearings that intelligence processing and dissemination was insufficient to meet some of our warfighting requirements. That is why we recommended funding increases for the National Imagery and Mapping Agency to improve the imagery tasking, processing, exploitation and dissemination process.



The Strategic Subcommittee also has oversight over two-thirds of the Department of Energy's budget, including the newly created and much needed National Nuclear Security Administration or the NNSA. The subcommittee also authorized funds for the Defense Nuclear Facility Safety Board, an independent agency responsible for external oversight of safety at DOE defense nuclear facilities.

We held the first congressional hearing to assess the programs of the newly established National Nuclear Security Administration or the NNSA. We remain concerned about the science-based stockpile stewardship program and the fact that it could be 15 years before the DOE stockpile stewardship program can be evaluated as an acceptable substitute for underground nuclear testing. We are also concerned about the slow pace in re-establishing pit manufacturing and tritium production capabilities and any long-term requirements or plans for modernization of its aging weapon production plans.

The fourth hearing was in the area of environmental management. I am encouraged that DOE continues to make progress in focusing its resources on closure of a limited number of sites and facilities. However, just like in the area of space and missile defense, I am very concerned that funding requests for science and technology development continues to drop. DOE needs a vigorous research and development program in order to meet its accelerated cleanup and closure goals.

In response to these needs, the Strategic Subcommittee has a net budget authority increase of \$266.7 million above the President's budget. This includes an increase of \$530.3 million to the DOD account and a decrease of \$263.6 million to DOE accounts.

In the DOD accounts, there is a net increase of \$418.6 billion for the Ballistic Missile Defense programs, an increase of \$98.2 million for advanced space technology, an increase of \$190.0 million for tactical and national intelligence programs, and an increase of approximately \$22 million for strategic forces.

There are two provisions which I would like to highlight which pertain to the future of our nuclear forces. First, we have a provision which requires the Secretary of Defense, in consultation with the Secretary of Energy, to conduct an updated nuclear posture review. It has been since 1994 since the last nuclear posture review. This is important piece of the puzzle when determining the future shape of our nuclear forces.

The second provision requires the Secretary of Defense, in consultation with the Secretary of Energy, to develop a long range plan for the sustainment and modernization of the U.S. strategic nuclear forces. We are concerned that neither Department has a long term vision beyond their current modernization efforts.

A few budget items I would like to highlight include: an increase of \$92.4

million for the Airborne Laser program that requires the Air Force to stay on the budgetary path for a 2003 lethal demonstration and a 2007 initial operational capability; an increase of \$30 million for the Space Based Laser program; a \$129 million increase for NMD risk reduction; an increase of \$60 million for Navy Theater Wide; and extra \$8 million for the Arrow System Improvement Program; and for the Tactical High Energy Program an increase of \$15 million.

For the Department of Energy programs, the budget structure we have proposed for DOE is slightly different from the Administration's request. We recommend that all activities of the NNSA appear in a single budgetary provision, as required by section 3251 of the National Defense Authorization Act of FY 2000. The bill has an increase of \$87 million to the programs within the NNSA, which is an increase of \$331.0 million over last year.

In DOE's Environmental Management account, we decrease the authorization by \$132.0 million. However, I want to stress that this bill still increases the environmental management account by more than \$350 million over last year's appropriated amount. In addition, we decrease the other defense account by \$88.8 million and move the Formerly Utilized Sites Remedial Action Program account to a non-defense account, reflecting a decrease of \$140 million. Finally, the bill also provides \$34 million to continue progress on restoring tritium production.

I would like to mention an important highlight of the Authorization bill outside of the Strategic Subcommittee.

I want to commend the new Personnel Subcommittee chairman, Senator HUTCHINSON, for his work on the comprehensive health care provisions in the bill. There are many significant improvements to the TRICARE program for active duty family members. The bill includes a comprehensive retail and national mail order pharmacy program for eligible beneficiaries, with no enrollment fees or deductible. This results in the first medical entitlement for the military Medicare eligible population. I am also very happy with the extensions and expansions of the Medicare subvention program to major medical centers and in the number of sites for the Federal Employees Health Benefit demonstration program.

Lastly, I would like to point out a few items specific to Colorado. The Defense Authorization Act fully funds Rocky Flats at \$673 million. Plus, we require that all safeguard and security activities to be managed by Rocky Flats, and not at DOE headquarter organization, in order to ensure that future savings will be used for additional Rocky Flats cleanup. There is also a provision asking for a report on, as well as encouraging the Secretary of Energy to use, the authority provided in last years DOD authorization bill which allowed him to use prior year

unobligated balances to accelerate cleanup at Rocky Flats. Lastly, we also provide employee incentives for retention and separation of federal employees at closure project facilities. These incentives are needed in order to mitigate the anticipated high attrition rate of certain federal employees with critical skills.

Also, the bill fully funds the Chemical Demilitarization Program at over \$1 billion, while fully funding the military construction for the Pueblo Chemical Depot at \$10.6 million. For Pueblo's destruction of their chemical agents, there is a provision which provides for the destruction of the chemical agents at Pueblo either by incineration or any technology through the Assembled Chemical Weapons Assessment on or before May 1, 2000. The provision is to expedite the destruction activities by using one of the technologies listed in the National Environmental Policy Act documents for the Pueblo Chemical Depot.

Plus, there are \$34 million for the procurement of precision targeting pods for the Air National Guard and I expect these funds to be used for such procurement.

Mr. President, I want to thank Chairman WARNER for the opportunity to point out some of the highlights in the bill which the Strategic Subcommittee has oversight and to congratulate him and Senator LEVIN in the bipartisan way this bill was developed and ask that all Senators strongly support S. 2549. I also want to thank Eric Thoemmes, Paul Longworth, Tom McKenzie, and Tom Moore of the Strategic Subcommittee, all the Armed Services Committee staff, and Doug Flanders of my staff for all their long hours and hard work they put into this important bill.

Finally, one of Congresses main responsibilities is to provide for the common defense of the United States and I am proud of what this bill provides for our men and women in uniform. We must not be blinded by political motives when it comes to our men and women in the Armed Services. I look forward to moving this bill through the Senate, out of conference and to the President in order to quickly provide the much needed and much deserved resources for our military. To our Armed Services, I say this bill is a tribute to your dedication and hard work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my distinguished colleague. It is a great pleasure to work with him. He has one of the toughest assignments as subcommittee chairman, and he does it very ably. I thank him.

Mr. ALLARD. I thank the chairman.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I rise to strongly support the speedy adoption of the National Defense Authorization Act for fiscal year 2001.

I join my colleagues on the committee in expressing my appreciation to Chairman WARNER for the outstanding job he has done in his work on this bill.

I commend Senator ALLARD for the great work he has done as chairman of the Subcommittee on Strategic Forces, for the work he did on the Personnel Subcommittee prior to my ascension to that post, and for the assistance he has given me; I express my appreciation for that.

As chairman of the Personnel Subcommittee, I worked closely with Senator MAX CLELAND, our ranking member, to develop a package that is responsive to the manpower readiness needs of the military services, that supports the numerous quality of life improvements for our service men and women, their families, and their retirement communities, and that reflects the budget realities we have today and will face in the future.

The subcommittee focused on the challenges of recruiting and retention during each of our hearings this year. Even the health care hearing really focused on that area of recruitment and retention and the impact of what we do in the area of health care on our future retention and recruiting ability.

This bill will have a positive impact on both recruiting and retention as those who might serve and those who are serving see our commitment to provide the health care benefits promised to those who serve with a full military career.

I am very pleased with this bill. I am proud of this bill. I believe these initiatives will result in improved recruiting and retention within the military services.

The bill supports the administration's request for an active duty end strength of 1,381,600, and reserve strength of 847,436, more than this administration requested.

On military personnel policy, there are a number of recommendations intended to support the recruiting and retention and personnel management of the services. Among the most noteworthy is a provision, that would be effective July 1, 2002, requiring high schools to provide military recruiters the same access to the campus, to student directors, to student lists and information as they provide the colleges, universities, and private sector employers unless its governing body, the school board, decides by a majority vote to deny military recruiters access to the high school.

Currently, there are literally hundreds of high schools that have made decisions—usually on the basis of the superintendent or the principal—to deny access to military recruiters. For those school boards that do not vote to limit access to military recruiters, the proposed modification in the bill retains the original requirement that the services must send a general or flag officer to visit high schools within 120 days of the denial of access to military

recruiters. If the high school continues to deny equal access to military recruiters, the Secretary of Defense will then send a letter to the Governor notifying him of the denial and requesting assistance in obtaining access for military recruiters.

If, after the efforts of the Secretary of Defense and the Governor, the high school continues to deny access to military recruiters, the Secretary of Defense will notify the congressional delegation of the high school that has not complied with the statute we will enact with the passage of this bill. Of course, if the school board votes not to restrict access of military recruiters, the services and the Secretary of Defense will not be required to go through the procedures I just described.

I believe requiring school boards to take that affirmative vote and to do so publicly in the light of their constituencies will really eliminate this problem that has posed such an obstacle to our military recruiters. In our hearings, we heard from frontline military recruiters that the biggest obstacle they have is actually having access to be able to make their case to young people in our schools today.

Another initiative to support recruiting is a pilot program in which the Army could use motor sports to promote recruiting, implement a program of recruiting in conjunction with vocational schools and community colleges, and a pilot program using contract personnel to supplement active recruiters.

Another important recommendation in this mark is the expansion of JROTC programs. We have added \$12 million to expand the JROTC programs. We combine it with the funds in the budget request. This will maximize the services' ability to expand JROTC during fiscal year 2001.

I am proud to be able to support these important programs that teach responsibility, leadership, and ethics and assist the military in recruiting. In fact, it has been one of the most effective tools the military has in recruiting high school students.

Our major recommendations include a 3.7-percent pay raise for military personnel and a revision of the basic allowance for housing to permit the Secretary of Defense to pay 100 percent of the average local housing costs and ensure that housing allowance rates are not reduced while permitting increases that local housing costs dictate.

The bill directs the Secretary of Defense to implement the Thrift Savings Plan for active and reserve forces not later than 180 days after enactment. Making mandatory the provision of the Thrift Savings Plan will be a very positive recruiting and retention tool in assisting the military services in attracting highly qualified personnel and encouraging them to remain until retirement.

This year, the committee focused on improving health care for active, reserve, and retired military personnel and their families. In health care, there

are a number of key recommendations. The foremost of these provisions is the pharmacy benefit for Medicare-eligible beneficiaries to which Senator ALLARD alluded in his remarks. This is the first time Medicare-eligible military retirees have an entitlement to military health care.

In addition, prescription drugs represent the largest unmet need of Medicare-eligible beneficiaries. I will be speaking on the Warner-Hutchinson amendment, when that is offered, regarding health care and what we are doing for our men and women in uniform.

I am very proud of this bill and pleased with what the committee has put together. It will provide the resources the military services need to maximize their readiness and to improve the quality of life for active and retired military personnel and their families.

I express my gratitude to Charlie Abell, committee staff, for the outstanding work he has done in the past and for the service he has again performed to our country and to the committee. I appreciate his work, along with other members of the committee staff. I especially thank my personal staff, Michael Ralsky, for the work he has done not only on behalf of our country and our national security but for the State of Arkansas. This is a good bill worthy of the support of the Senate. I am pleased to be supporting it.

I again thank Chairman WARNER for his leadership in putting this bill together.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague for his thoughtful remarks, most particularly the remarks directed at the staff and other members of the committee. He is a hard-working subcommittee chairman, and he is tackling the problem of recruiting and retention. We will hear further from the Senator as we proceed with this bill.

I ask unanimous consent we proceed briefly to discuss the pending amendment, and then we will proceed to an amendment to be offered by Senator MCCAIN on food stamps, if that is agreeable as procedure. I say to my colleague, we are moving expeditiously, with Senator ROBERT KERREY anxious to come to the floor.

I am not suggesting we will vote on the Warner amendment. We will discuss it, and when Senator MCCAIN comes to the floor, we will take up that amendment. My understanding is he desires less than half an hour. The Senator can indicate the time the other side desires, and then we will proceed to rollcall vote and possibly go to the Kerrey amendment.

Mr. LEVIN. That is fine.

AMENDMENT NO. 3173

Mr. WARNER. I thank the Senator from Michigan. He indicated to the Senator from Virginia that the pending

amendment, in our collective judgment, is subject to a budget point of order. I have shared with his senior staff that corrective measures were taken to try to bring that amendment within the strictures of the budget amendment so it would not be subject to a point of order. We will show immediately what we intend to do.

In the meantime, I will discuss the amendment until Senator McCain comes to the floor.

I have introduced this amendment today to change the existing military medical program to encompass in the future retirees over 65. This amendment provides uninterrupted access to both TRICARE and CHAMPUS for military retirees and their families without regard to age.

Let me use the term "retirees." Those following this debate might not fully understand. We are talking about men and women in the Armed Forces who put in the necessary number of years of active service or reserve service or guard service, whatever the case may be, to meet the criteria of the various frameworks of law to qualify them for a retirement for such services as they render. That is the class of individuals being referred to. It does not include persons, such as myself, who have short tours of military duties; it does not apply to me. When we use the term "retirees," it is only for those who, by virtue of their services, met the statutory requirements and are eligible to receive retirement benefits.

Beginning in World War II, promises were made to military members that they and their families would be provided health care if they served a full career. Of course, we certainly included active duty and to some limited extent the reserve and guard for military health care. We are talking about that category of persons I have just described.

Subsequent legislation was enacted which cut off medical benefits for those over age 65, leaving them to depend on the Medicare system, which, in their judgment and in the judgment of others, has proven insufficient, and in other ways it is a breach of promise.

So there are many underlying reasons for the legislation I am proposing and the most important is equity. The reputation of those in the military who gave the promise—not knowing there wasn't any statutory foundation—made promises concerning medical care to induce individuals to provide a minimum, say, 20 years of service in most instances, to enable them to have a career in the U.S. military.

Not meeting the commitment to provide medical care is a breach of promise made on behalf of our Nation. We have to correct it. These individuals devoted a significant portion of their lives, their careers, in service to our country. I recognize with profound sorrow how we broke the promise to these retirees, certainly when we passed legislation in the early 1960s. We rectify it today.

I have examined these issues. There is no statutory foundation providing for entitlement to military health care benefits. It simply does not exist, in my judgment. It is mythical in terms of a foundation law. But good-faith representations were made to these members. Who made the commitment is irrelevant.

I have some personal recollection. I was on active duty for a brief time toward the conclusion of World War II, and then I had a second tour of active duty during the Korean conflict—again, less than 2 years. Nevertheless, I was surrounded by military people. I remember well the inducements given at the conclusion of World War II when so many desired to return to civilian life, requests to stay on active duty; the same thing during the Korean conflict—stay on active duty; continue; give the military the opportunity to show you a career pattern. Part of those representations included the health care package.

Our committee has made a determination—and indeed it is a bipartisan decision—that we would fix the issue of health care for our retirees this year. We started with a series of bills, step by step by step. I have acknowledged my gratitude, and indeed other members of the committee acknowledge their gratitude, for what the military retirees did in bringing to our attention certain inadequacies of steps we had taken. Step by step, we have improved the benefits, in this particular phase of legislation, in this fiscal year. We are going to achieve a very significant improvement to the health care benefit, particularly if that amendment is adopted by the Senate.

The amendment I bring to the floor repeals the restriction barring 65 or older military retirees and their families from continued access to the military health care system. If included, this provision will provide an equal benefit for all military health care system beneficiaries, retirees, reservists, guardsmen, and their families. This puts all beneficiaries in the same class.

It is expensive, but I think it is essential we do this to keep the faith with military retirees. I have had many meetings with both active and retired military on the health care issue. I conducted town hall meetings, discussions with groups who have come to my office, and I have listened to those who have attended the Armed Services Committee hearings regarding their views. They filled the room on a number of occasions. They have come from all areas of the country to talk about this. They are not seeking it solely for themselves. They are seeking to preserve the image of the U.S. military so the young people today who are considering joining at the recruiting stations—going through our ROTC, NROTC, the AROTC, all of these programs—will consider a military career.

When they go back home they hear the oldtimers say: Watch out, they broke a promise to me on health care.

You are thinking about devoting 20 years of your life to this, or more—watch out.

We are going to get rid of the, "Watch out." That is what we are trying to do, get rid of it, because the military retirees are the most cost-effective recruiters that we have in America today. They do not cost us anything. Yet it is those ladies and gentlemen who served this Nation who go out and talk to the youngsters. The youngsters look up to them. The youngsters trust them. They look up to the veterans. They have been there. They have done it. They help tremendously helpful in recruiting. So there are many reasons for making these health care improvements.

The amendment is a quantum leap ahead of the provisions already in committee markup at the desk. While the markup includes the comprehensive drug benefit regardless of age, the amendment goes further and provides uninterrupted access to complete health care services. As a result of these initiatives, all military retirees, irrespective of age, will now enjoy the same health care benefits.

In town hall meetings, as I said, I listened carefully to the health care concerns of the military, particularly those over 65. We have all done that. The constant theme that runs through their requests is that once they have reached the point at which they are eligible for Medicare, they are no longer guaranteed care from the military health care system. This discriminatory characteristic of our current health care system has been in effect since 1964. It reduces retiree medical benefits and requires a significant change in the manner in which health care is obtained at a point in the lives of our older military retirees when stability and confidence and respect and indeed the love of the community is most needed. This is an amendment which in effect repeals the 1964 law.

In order to permit the Department of Defense to plan for restoring the health care benefit to all retirees, my provision would be effective on October 1, 2001. While some may advocate an earlier effective date, it is simply not feasible to expand the medical coverage to the 1.8 million Medicare-eligible retirees overnight.

The amendment eliminates the confusing and ineffective transfer of funds from Medicare to the Department of Defense. Military retirees will not be required to pay the high cost of additional basic or supplemental insurance premiums to ensure their health care needs. Military readiness will not be adversely impacted, and our commitment to those who serve their full career will be fulfilled.

What is apparent to me is that the will of the Congress, reflecting the will of the Nation, is that now is the time to act on this issue. Access to military health care has reached a crisis point. With the reduction in the number of military hospitals and with the growth

in the retiree population, addressing the health care needs of our older retirees has become increasingly difficult. These beneficiaries should be assured that their health care needs will be met.

I am well aware of the legislative alternatives that have been proposed to address military retiree health care needs. I have struggled to examine the most acute needs of these beneficiaries and have struggled to develop a plan that equally benefits all our retirees, not just those fortunate enough to live near a military medical facility, or those fortunate enough to be selected through some sort of lottery to be allowed to participate in the various pilot programs now underway. My goal is to provide health care through a means that is available to all beneficiaries, in an equitable and complete manner.

As I have made it clear throughout the year, improving the military health care has been the Committee's top quality of life initiative this year. We have listened. We have, with bipartisan support, enhanced our earlier legislation to include full pharmacy benefits. The amendment now before the Congress complements those earlier efforts and provides an equitable medical benefit, one that is not based on age. It is time to act.

At the suggestion of my distinguished colleague, to avoid a point of order, I am looking at not changing the fundamental provisions in the amendment but limiting it to two or possibly three fiscal years. That will bring us within the constraints of the budget resolution. That is an important step. I appreciate my colleague bringing this to our attention.

It will have another effect. It will enable the Congress, and initially our committee, to go in, in depth, and study this amendment because it is going to have a very significant impact on the existing infrastructure that is caring for the existing active duty and military retirees under 65. We cannot fully calculate, no matter how hard we look into this, what that impact would be. In my own judgment, it will require the Congress to step forward and provide funds, maybe some legislation, to help the existing infrastructure absorb the over-65 retirees as they return to what was justly promised them when they signed up.

So this amendment has the advantages of laying it out, giving a reasonable period of time for the Department and for the Congress to examine it and determine what we have to give by way of additional support.

Also—I say this with no political motive whatsoever—it should become and will become, in my judgment, an issue in the Presidential campaign. I am quite certain the retirees will say to both candidates: Look here, the Senate of the United States included this provision. It went over to the conference with the House. It survived. It was signed into law by the President. But it

ends. It ends in, say, 2003. I want to hear what the Presidential candidate has to say about this program and whether he will support it, support it in the sense of extending it beyond 2003, support it in the budget requests to provide the additional funds and whatever is necessary to make the infrastructure of our military able to support this program.

That is what we are working on. Momentarily I will ask my amendment be modified. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, it is my intention to speak for about 10 minutes in reference to the National Defense Authorization Act. I thank the distinguished chairman of the Armed Services Committee, Senator WARNER, for his outstanding leadership in the past year. I also thank the distinguished ranking member, Senator LEVIN, for his leadership as well.

This is a good, solid, and positive effort in behalf of our national defense. As a subcommittee chairman, I am particularly proud of the work we were able to accomplish in the subcommittee that we call the Emerging Threats and Capabilities Subcommittee. I would like to review the key provisions contained in this act that fell under the jurisdiction of the Emerging Threats Subcommittee.

As the chairman has pointed out, as well as the distinguished Senator from Michigan, in the last year, what we call information warfare, and what some call cyberthreats—and the American public is certainly becoming much more aware of that situation—to the United States, including the Department of Defense, have increased very dramatically. The Department of Defense reported that these attacks on Defense Department systems increased from under 6,000 in 1998, only 2 years ago, to over 22,000 in 1999. That figure is doing nothing but dramatically increasing and there is every indication that this trend is going to continue.

From a national economic standpoint in regard to private industry, we are very susceptible and we are very vulnerable. In regard to our national security, we are very vulnerable. I remain concerned that many important, what we call information assurance programs, designed to protect against such cyberattacks, basically remain underfunded by the Department of Defense. For example, at the hearing before the Subcommittee on Emerging Threats and Capabilities, as of this spring witnesses from the Department once again confirmed that such funding shortfalls remain significant and presented a list of almost \$500 million in unfunded requirements in this area. Obviously that is a considerable amount of money. When you compare it to the ever-increasing threats and vulnerabilities, you can see just how important this is.

For these reasons, we have included \$76.8 million in this bill not only for to-

day's underfunded requirements but also to really try to initiate programs such as training and education. Let me really underscore the word, in regard to education, in something called "cybersecurity," that will continue to provide meaningful solutions far into the future. Senator WARNER's initiative—what I refer to as the Roberts-Warner initiative, and the distinguished chairman refers to it as the Warner-Roberts initiative—he has embarked through his leadership and through his research on a whole series of scholarships in information security to attract our young people, the best and brightest; not to rely on those who come to us from foreign countries with ever-increasing higher immigration quotas. We must bring the next generation on to have this expertise. So these Warner scholarships in regard to information security for the Department of Defense will have far-reaching and, most important, positive effects in this situation.

Second, I want to talk about the terrorist threats to our citizens and our service members. It shows no sign of diminishing. Especially in regard to the weeks that led up to the millennium celebration, numerous individuals who were suspected of planning terrorist attacks directed at U.S. citizens were arrested in the United States and abroad.

This is a threat from state actors and nonstate actors all over the world; and with the proliferation of weapons of mass destruction, the threat of a terrorist attack with a chemical, biological, or nuclear weapon is increasing at an alarming rate.

We asked the experts who came before the Emerging Threats Subcommittee, the experts whose job it is to determine what represents a vital national security risk: What keeps you up at night? What makes you really worry in regard to a vital national security threat?

Their response was largely along two lines of concern: one, in regard to the cyberattacks which we are already experiencing in private industry and the Pentagon experiences every day, and the other one was biological attacks. It is so easy to use, whether it be a state actor or a nonstate actor or anybody connected with organized crime or any individual who wants to cause a great deal of trouble.

We, as a nation, must continue to detect and try to deter such attacks, but if such an attack happens, we must be prepared to deal with the consequences. We call this consequence management. We in Kansas, just to the north of Oklahoma City, full well know what kind of a tragedy can occur in regard to consequence management. Stop and think a minute about a terrorist threat and what could happen in our urban areas or, for that matter, anywhere in the country, and my colleagues can understand the seriousness of this problem.

Our subcommittee will continue to play a leading role in ensuring the Department of Defense is adequately funded and structured to perform its critical role in the overall U.S. Government effort to, again, deter, detect, and combat terrorism. The bill contains an additional \$35 million for these efforts.

This year we continue a comprehensive review, initiated last year, of the activities of the Department of Defense to combat terrorism. Obviously, our goal is to make the Department efforts in this critical area more visible and certainly better organized. In fact, at a subcommittee hearing, leading Department of Defense witnesses testified to, No. 1, what their jurisdiction is; No. 2, what they have been doing; No. 3, what they plan to do and what their budget requirements are; and if, in fact, they could ask us for their priority concerns, what would they be.

Before this hearing, I asked them to sit in the order of their chain of command to figure out who was in charge and is this effort being properly coordinated and shared, and what about communication. They looked at one another. There were four witnesses and nobody knew who was at the top of the chain of command. Hello, we have a big problem in that respect.

We included in the markup a provision to address this. When I say "we," I include the distinguished ranking member of the subcommittee, Senator BINGAMAN, and the distinguished Senator whose efforts, in part, led to the creation of the subcommittee, Senator LIEBERMAN.

We have also worked to increase the capabilities of the Department of Defense to assist in the event of a terrorist attack on U.S. soil involving the use of a weapon of mass destruction.

This bill also authorizes over \$1 billion, again to support the Russian threat reduction and nonproliferation efforts. During the post-cold-war decade, the U.S. Government has spent—I do not think too many of my colleagues recognize this; I know not too many of our American citizens understand this, but during the post-cold-war decade, the U.S. Government has spent over \$4.7 billion in the former Soviet Union to reduce the threat posed by the possible proliferation of weapons of mass destruction and weapons-usable nuclear materials and scientific expertise. After nearly a decade of working in Russia and the other states of the former Soviet Union, committing ourselves to future efforts, we thought it was important for us to review what these programs have achieved.

Senator LEVIN has spoken eloquently of the need for the continuation of this effort and the intent of the effort. I share his commitment, but I am concerned that for all the good intentions and all the significant investment that has been made, the return of reducing the threat has been too small relative to the \$4.7 billion. We can do better.

For example, the General Accounting Office found that \$481.2 million has

been spent since fiscal year 1993 on a program designed to secure the weapons-usable nuclear material in Russia and the states of the former Soviet Union, but only 7 percent of the total nuclear material identified as being at risk has been secured. I am troubled by this progress achieved in light of this significant investment. We are not going to scrap the program, but we must do better.

In March, the GAO testified that the costs associated with achieving the threat reduction will continue to increase due primarily to the following facts: Russia's inability to pay its share of the costs of these programs, and we are certainly working in that regard with our Russian counterparts; Russia's basic reluctance to provide the United States with needed access to its sensitive facilities. I was in Russia last August attempting to gain greater access. We will continue those efforts.

To help solve those problems, this mark contains several initiatives to obtain greater Russian commitment and necessary access to ensure these programs will have a greater chance of attaining their stated objectives, and if we do that, these programs will attain even further widespread support and they can be a success.

I call the attention of my colleagues to a modest, but extremely important, initiative in this bill with widespread bipartisan interest that will lead to a major joint field experiment in 2002. I do not know of any commitment that will be undertaken in the future by any of our military services that will not be joint.

This experiment will evaluate visions of our military services for future combat forces and ensure they can be brought together effectively for joint military operations to deter and counter the emerging threats to our national security. I am talking about the fact that we lack interoperability. I know the services and the service chiefs say we have this interoperability. With all due respect to the service chiefs and others, we do not have that ability to the degree we need it. That is why we feel we must press ahead with a major joint field experiment if we possibly can. It is absolutely essential.

Finally, my colleagues will find in this recommendation an affirmation of the subcommittee's strong support of the Defense Science and Technology Program. This bill includes an increase—I emphasize, an increase—of \$446 million to science and technology. That is a 9-percent increase over the President's budget request. It is this investment that will provide for future capabilities to deal with emerging threats to our national security.

This is a solid effort; it is a positive effort. It will meet the objective within the constraints of the defense budget for the work assigned to the Emerging Threats and Capabilities Subcommittee. I urge approval of this legislation.

I join our able chairman in thanking the majority and minority committee staff, my subcommittee staff, and my personal staff for a job well done. I specifically mention Pam Farrell. If one puts charming and tenacious together, it might be considered an oxymoron. It is not the case with Ms. Farrell. Without her leadership and expertise and being just as tenacious as she can be, we would never have increased the science and technology budget by more than 9 percent over the President's budget. She does an amazing job.

I would also like to thank Ed Edens and Joe Sixeas, who is affectionately called Andy, for their work in regard to the counterterrorism efforts we are conducting, more especially with the RAID teams that we now say are CST teams; Chuck Alsup in regard to the joint experimentation initiative; Cord Sterling, who has been in Central America, South America, virtually every country where we have a threat in regard to drugs, working overtime. In regard to cyberattacks, Eric Thoemmes, does an outstanding job. He really has to keep up with that and has done a super job. Then on the cooperative threat reduction programs, Mary Alice Hayward.

All of these folks have done an outstanding job. Their minority counterparts have done likewise. We are only as good as our staff. In this regard, I want to pay personal thanks to the staff.

I urge the adoption of this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I have an amendment.

Mr. WARNER. Before the Senator proceeds, I express my gratitude to our distinguished chairman of the Emerging Threats Subcommittee for a marvelous job. I commend the Senator for giving his staff due recognition for their wonderful work. It is a vital subcommittee. It is on the absolute cutting edge of everything we have to be doing in the Senate.

I thank the Senator and yield the floor.

Mr. ROBERTS. I thank the Senator.

AMENDMENT NO. 3179

(Purpose: To establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance)

Mr. MCCAIN. I have amendment No. 3179 at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment?

Without objection, it is so ordered.

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 3179.

Mr. MCCAIN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 206, between lines 15 and 16, insert the following:

**SEC. 610. SPECIAL SUBSISTENCE ALLOWANCE FOR MEMBERS ELIGIBLE TO RECEIVE FOOD STAMP ASSISTANCE.**

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

**“§ 402a. Special subsistence allowance**

“(a) ENTITLEMENT.—(1) Upon the application of an eligible member of a uniformed service described in subsection (b), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance.

“(2) In determining the eligibility of a member to receive food stamp assistance for purposes of this section, the amount of any special subsistence allowance paid the member under this section shall not be taken into account.

“(b) COVERED MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member in pay grade E-5 or below.

“(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

“(1) Termination of eligibility for food stamp assistance.

“(2) Payment of the special subsistence allowance for 12 consecutive months.

“(3) Promotion of the member to a higher grade.

“(4) Transfer of the member in a permanent change of station.

“(d) REESTABLISHED ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

“(2) Payments resumed under this subsection shall terminate under subsection (c) upon the occurrence of an event described in that subsection after the resumption of the payments.

“(3) The number of times that payments are resumed under this subsection is unlimited.

“(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for the special subsistence allowance under this section shall furnish the Secretary concerned with such evidence of the member's eligibility for food stamp assistance as the Secretary may require in connection with the application.

“(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is \$180.

“(g) RELATIONSHIP TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.

“(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term ‘food stamp assistance’ means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

“(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section for any month beginning after September 30, 2005.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

“402a. Special subsistence allowance.”.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins on or after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 2000, the Comptroller General of the United States shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Comptroller General shall consult with the Secretary of Defense, the Secretary of Transportation (with respect to the Coast Guard), the Secretary of Health and Human Services (with respect to the commissioned corps of the Public Health Service), and the Secretary of Commerce (with respect to the commissioned officers of the National Oceanic and Atmospheric Administration), who shall provide the Comptroller General with any information that the Comptroller General determines necessary to prepare the report.

(3) No report is required under this subsection after March 1, 2005.

Mr. MCCAIN. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, this amendment would provide the funding necessary to end the food stamp military. I come to the floor with this proposal which I introduced in March. Two months ago, I offered an amendment to the congressional budget resolution for fiscal years 2001 through 2005. The Senate adopted an amendment then to secure funding to end the “food stamp military” by a vote of 99-0.

I would expect a similar vote, but I think it is important that we get Members on record to try to rectify what is really a very deplorable and unacceptable situation, and that is, our junior enlisted service personnel, mostly in the pay grades E1 through E5 are on food stamps.

Mr. President, I ask unanimous consent that several articles in the Washington Post, and several other newspapers—the Memphis Commercial Appeal, the London Sunday Telegraph—be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 20, 1999]

**FEELING THE PINCH OF A MILITARY SALARY; FOR SOME FAMILIES, PAY DOESN'T COVER THE BASICS**

(By Steve Vogel)

On a muggy Saturday at Quantico Marine Corps Base, about two dozen Marines and family members quietly poked through piles of discarded furniture, clothing and household goods in what has become a weekly ritual at the big Northern Virginia installation.

Those who defend the nation were trying to make ends meet.

At 8 a.m., the patch of lawn was covered with beds, tables, dressers and desks. Within 45 minutes, almost all the furniture was gone. The price was right—everything was free.

The items had been gathered by volunteers who go “trashing” every Tuesday, scouring garbage left at curbs on the base. Every Sat-

urday, they give away what they collect to needy, eager Marine families.

Their efforts reflect a cold reality for thousands of low-ranking men and women in uniform assigned to high-priced Washington and elsewhere: Military salaries, never substantial, often fall far short of what they need.

“We’re talking about the basics of life here, and they don’t have it,” said Lisa Joles, a Marine wife who created the volunteer network two years ago. “Sometimes, they don’t have a thing. I didn’t know how large the problem was until I got to Quantico.”

Of the 40,000 enlisted soldiers, Marines, sailors and airmen based in the area, many feel compelled to work part-time or even full-time civilian jobs to supplement what their country pays them, according to military families and officials. Hundreds more, especially low-ranking troops with families, rely on food stamps or other forms of federal assistance. Many depend on the charity of their fellow troops.

“How can we send members of the military to Kosovo and expect them to do their job if they’re concerned about the family being able to afford new school shoes?” said Sydney Hickey, a spokesman for the National Military Family Association in Alexandria.

Since 1982, military salaries have fallen nearly 14 percent behind civilian pay, according to federal figures. Congress has tentatively approved a 4.8 percent pay raise to take effect Jan. 1; many service members will receive a second raise six months later.

But the raises still will leave a military-civilian gap of more than 11 percent, according to studies. The situation is particularly hard for families—and 53 percent of the enlisted force nationally is married.

“A single Marine, with due diligence, can get by,” said Thomas Loughlin, who heads the Marine Corps Community Services at Quantico. “The real problem is people with families. It’s a sad indictment of society that somebody who’s willing to give his life for his country gets paid close to minimum wage.”

Pentagon officials acknowledge that some service members face severe hardships, not only in the Washington area but also in other parts of the country. But they insist that such cases do not reflect conditions for the vast majority of troops, and they point to statistics showing that junior enlisted service members earn more than the general population of high school-educated 18- to 23-year-olds.

At the same time, the officials said that improving pay is critical to Pentagon efforts to solve problems in retaining people in the armed forces. “A lot of our troops are waiting to see what happens with the pay package,” said Rudy de Leon, undersecretary of defense for personnel and readiness.

Military pay varies considerably by rank, length of service and other factors. A single Marine private first class, for example, would earn base pay of \$1,075 a month, plus a subsistence allowance of \$225 a month for food. Those living off base also receive a housing allowance that varies by jurisdiction and would be \$612 for someone living near Quantico.

In addition, members of the armed forces receive some benefits, such as medical care, at a fraction of the cost for most civilians. Commissaries offer items that are 30 percent cheaper than at civilian stores, according to Pentagon figures. Service members also do not pay federal taxes on their food and housing allowances.

A recent Pentagon study found that, overall, only 450 of the 1.4 million members of the armed forces were living at or below the national poverty level, which is \$413,332 for a family of three.



But advocates for military families said that the statistics and benefits do not reflect how difficult it is for many men and women to both serve their country and live comfortably in peacetime.

"We believe there are an awful lot of families who are living at the wire, and frequently fall over it," Hickey said.

Several evenings each week, as soon as he finishes duty at Quantico, Lance Cpl. Harry Schein darts off base, picks up his 14-month-old son from day care and drops him off with the boy's mother.

Then he drives up I-95 to Arlington and joins a group of Marines who moonlight by moving office furniture until about 11 p.m. On Saturdays and Sundays, he works from 4 p.m. until midnight as a security guard in Alexandria.

"Most of the Marines I know are living check to check and barely making it by and have to get some kind of supplement," said Schein, whose pretax paycheck is \$2,168 a month, including housing and food allowances. That, he said, does not cover his \$595-a-month apartment in Dale City; gas; car insurance; and day care, clothes and food for his son, Devantre.

On top of his part-time work, Schein has had to turn to the government's Women, Infants and Children nutrition program, which provides federal vouchers so he can buy formula, juice and baby cereal. The Navy-Marine Corps Relief Society also gave him several hundred dollars in commissary vouchers to buy food.

"All the pride in the world, all the awe people have when they see a Marine, all that isn't going to pay the bills," said Schein, 22.

The Queens, N.Y., native said that he joined the Marines to make his parents proud but that he is likely to leave when his enlistment runs out next year. "As much as I love being a Marine, monetarily, I can't," he said.

Military installations do not generally track how many troops receive public assistance. But many officials who work with low-income service members in the Washington area said that the problem is significant and has grown worse in recent years.

Many soldiers "can only afford food, clothing and shelter and getting to work," said Brenda Robbins, an Army Community Services worker at Walter Reed Army Medical Center. "Saving is almost obsolete."

A recent survey of 165 soldiers at Walter Reed found that 41 percent were using some form of public or private charity, according to Bill Swisher, a spokesman.

Commissaries at Fort Belvoir, Fort Meade, Fort Myer, Andrews Air Force Base, Quantico and Patuxent River Naval Air Station collected more than \$800,000 worth of food stamps and WIC vouchers last year, according to the Defense Commissary Agency.

More than \$21 million worth of WIC vouchers were redeemed at military commissaries last year, according to Pentagon figures. Nearly 12,000 service members—less than 1 percent of the force—received food stamps in 1995, the last year a study was conducted.

"I think it stinks, really, that a member of the armed forces has to go to food stamps," said Lance Cpl. Damon Durre, 25. But that's what the Quantico Marine did after finding he could not support his wife and two children on his take-home pay.

Service members in this area do not receive cost-of-living adjustments in their pay, unlike those in New York, San Francisco and Boston. Washington does not qualify as a high-cost area under a formula used by the military.

Housing allowances are adjusted according to jurisdiction, but many service members say it is not enough to cope with area rents, and many end up living 40 or 50 miles from their duty stations.

"The cost of living will eat you alive," said Sgt. Edna Jackson-Jones, a Marine at Quantico who tried to find affordable housing near the base but instead lives with her three children in an apartment in Frederickburg. "I had to go further south because it's cheaper down there."

Quantico offers classes in budgeting and buying cars and directs needy Marines to emergency aid, but officials say it is difficult to assist all those facing difficulties.

"We have a lot of problems reaching out to them, because many times, they don't want you to know they have a problem," said Maj. Kim Hunter, deputy director of Marine Community Services. "It's not their nature."

One result is that members of the military routinely work second jobs, often without permission from superiors, military officials acknowledged. Enlisted men and women sell goods at Potomac Mills, flip hamburgers at fast-food restaurants, do construction work, deliver packages for UPS.

"Seems like everybody who's been here a while has a part-time job," said Marine Lance Cpl. Robert Hayes, who has a second job as a mover. "You really don't have enough money to make it to the next paycheck otherwise."

[From the Commercial Appeal, Memphis, TN, Mar. 5, 2000]

#### ON HOME FRONT, MILITARY FAMILIES STRUGGLE WITH LOW PAY

(By Kim Cobb, Houston Chronicle)

Quotesha Austin is tired of being poor. It is not what she expected as an Army wife.

Her husband, Pfc. Gary Austin, spends his days training at sprawling Fort Hood, where he drives a lumbering, tank-like vehicle called a Bradley. He is paid \$1,171 a month before taxes, a couple hundred dollars in subsistence pay and a housing subsidy that does not cover the rent for his family.

"That spells broke," Quotesha Austin says dryly. They can't afford a car, and she can't find a job that pays enough to cover day care for her two children.

In November, she began collecting food stamps, and the Austins joined the list of an estimated 12,000 military families who do the same.

More than \$13 million in food stamps was redeemed last year in military commissaries. There is no way to measure how many were redeemed by military families in civilian supermarkets.

Although food stamp recipients are less than 1 percent of the nation's 1.4 million service members, the issue has embarrassed some officials who claim to be supporters of the military and has erupted as an emotional campaign topic for GOP presidential hopefuls George W. Bush and John McCain.

They argue it is an outrage that men and women who put their lives on the line for their country must seek help to feed their families.

For its part, the Defense Department has studied the food stamp issue and dismissed it as too costly to fix in light of the relatively small number of military families eligible for food stamps.

But the military has another problem—how to recruit and retain good people when jobs are plentiful and the economy is strong. The Senate Armed Services Committee met recently to discuss the subject.

Many advocates for better military pay point to a 13 percent gap between overall military pay and that for comparable civilian jobs. The defense-oriented Center for Strategic and Budgetary Assessments believes the gap is exaggerated but concludes that increasing pay and benefits to some degree is a reasonable response to recruitment problems.

The Defense Department has ordered another study on its food stamp families, the third since 1991. Defense spokesman Susan Hansen said incremental pay raises scheduled through 2005 and a proposed major boost in the housing allowance should help alleviate cost-of-living problems for everyone.

"But I think we've seen in the past that the food stamp issue is more a function of larger families for junior personnel than other demographic groups," Hansen said.

Food stamp recipient Shauntrel Linton says her husband joined the Army specifically because she was pregnant with their first child. Her father was in the military, and they assumed joining the Army would cover their young family's costs. "I think I thought he'd be making the same amount as my dad," she said.

The military doesn't want to encourage people who are young and at low levels in the military to have many children, said Steven Kosiak of the defense-oriented Center for Strategic and Budgetary Assessments. Although raising all military salaries costs more than just taking care of the food-stamp population, targeting special financial consideration to potential food-stamp recipients creates the problem of different pay for the same work. "But having said that, nobody wants to think there are military people who are so underpaid they are resorting to food stamps," Kosiak said. "This is not an unsolvable problem, but it is complicated."

The last Defense Department study, conducted in 1995, found that 59 percent of military food stamp recipients were living on the base. Most of that group would not be eligible for food stamps, the study speculated, if the agencies that administer them were able to fully measure "hidden compensation," like on-post housing.

Those conducting the study found that an additional 41 percent of recipients were collecting food stamps even though they lived off base and their housing allowances were calculated as part of their gross pay. The study determined that of 4,900 food stamp families living off base, only 1,100 should qualify for food stamps, based on income and family size.

At the lowest end of the scale, an enlisted man or woman at the pay grade of E-1 earns \$1,005.49 per month in base pay. The largest percentage of servicemen and women drawing food stamps are at the slightly higher E-4 pay grade, which starts at \$1,242.90 per month for those with less than two years of service.

The military got a 4.8 percent raise in January for every person in uniform. Seventy-five percent of all service members will receive another pay increase in July, although it's targeted to midgrade and noncommissioned officers.

[From the London Sunday Telegraph, Oct. 31, 1999]

#### U.S. SOLDIERS RELY ON CHARITY TO SUPPORT FAMILIES

(By David Wastell)

Thousands of American soldiers serving in the world's most powerful armed forces are so poorly paid that they are having to depend on charity to provide their families with basic household necessities.

The spectacle of America's defenders standing in line at social service offices, or raking through discarded furniture to find beds for themselves and toys for their children, has horrified the nation and is emerging as a potent issue in the forthcoming presidential election.

Although military authorities insist that the problem is small, and only affecting young men with unusually large families, soldiers' wives and welfare organisations say



that many more service personnel are struggling to make ends meet—but are too proud to seek the help which they need.

Tony Bradshaw, a 19-year-old lance-corporal at Quantico, a US Marine base 30 miles south of Washington, who has been receiving food stamps—vouchers that can be exchanged for goods at shops—for the past two months, said: "It's very hard to realise and admit it. I have to do whatever I can to provide for my family. But I did not expect it to be like this when I joined up."

A family of three—with one child and the wife not working—would qualify for food stamps if their pre-tax income is less than \$873 (£528) per month. A two-child family would qualify on income less than \$1,176 (£705) per month, rising to \$2086 (pounds 1252) for a family with five children.

Food stamps worth \$142 a month have helped eke out the \$1,000 monthly pay cheque on which L/Cpl Bradshaw, his wife Tenille and their two young children must live in a small, tin house in the middle of the base. Mrs. Bradshaw said: "Without food stamps my children would not be having much of a Christmas."

But the system can be humiliating. Despite having no other means of paying, L/Cpl Bradshaw was not allowed to buy a loaf of bread at the base's military supermarket recently because although he had his food stamps, he did not have with him an official card stating he was entitled to them. A long line of other shoppers, many of them fellow marines, saw him being refused.

Denis McFeely, food stamps programme manager at the nearest social services office to the base, said: "The coupons identify an individual in a check-out queue as being on a low income. Other people look to see what is being bought with their tax dollars. The programme has a stigma attached to it."

That is one reason why the true number of US servicemen and their families entitled to receive food stamps is almost certainly far higher than the 12,000 who actually do so.

The problem for young recruits to the American forces is that many in the junior enlisted ranks earn only just over \$1,000 a month before tax. Even after allowing for free—if rudimentary—housing and other benefits, a package that may be adequate for single soldiers puts those with even small families well below the official American poverty line.

Military pay has fallen behind the rest of the American economy as a result of budget squeezes over the last decade, and a recent vote by Congress to grant a 4.8 per cent increase from January still leaves a wide gap. Senator John McCain, who is trying to beat George W. Bush for the republican presidential nomination, is repeatedly raising the subject in his election campaign.

He said: "These enlisted service members proudly wear their uniforms on our behalf, ready to make the ultimate sacrifice. They are the very same Americans sent into harm's way in recent years in Somalia, Bosnia, Haiti, Kosovo and now East Timor. They have a right to a decent salary."

It is a sentiment shared by many at Quantico, where 7,200 marines, many of them officers in training, live and work inside the sprawling, 10 square-mile base with a small civilian town at its centre. Although the base boasts a marina and a leafy golf course, frequented by the marines' upper echelons, living conditions for lower ranks are more down-to-earth.

In one case a young soldier, his wife and their baby lived without furniture in their newly-allotted house for three weeks before contacting a voluntary group in desperation.

Tobias Miller, 18, who arrived at the base in March from Missouri with her husband Mike, a lance-corporal, shortly after he com-

pleted his basic training, said: "We slept on the floor for three weeks before I got up the guts to call someone." Almost all the furniture in their two-bedroom home was subsequently given to them by an organization called Help—Help Enlisted Lives Prosper.

Mrs. Miller and her husband also reluctantly decided to apply for food stamps. But after three separate visits to a social services office outside the base, during the last of which they were forced to wait for three hours, they gave up because they could not endure the humiliation.

Mrs. Miller said: "My mother was on food stamps and I never wanted to be on them myself. This isn't what my husband's recruiter led us to expect." Lisa Joles, 35, the energetic founder of Help and the wife of a local marine, has become an unofficial welfare officer for many of the young families who arrive on the base, often to set up home for the first time.

She encourages them to apply for food stamps and other welfare benefits. She has also worked hard to publicise the problem, something which has not endeared her to the marines' authorities. They have their own support system which Mrs. Joles insists she is trying to complement. They point out that any problems are not unique to Quantico.

Most weekends Mrs. Joles and her husband, Baron, an infantryman, distribute large quantities of furniture, clothing and other household goods which have been donated either by better-off marines or by sympathisers.

Families like the Bradshaws and the Millers have equipped most of their homes that way. Last week L/Cpl Eric Clay and his family—wife Alisha and children Kelsey, aged three and one-year-old Emily—were praising Mrs. Joles as they sifted through the mound of material she had gathered in a shed behind her house.

Mrs. Joles also organises small squads of wives to do temporary work for local employers, helping boost their families' income. But she is no soft touch: if the women do not learn how to manage the extra money they earn she will not ask them back. She said: "I don't want them coming back two weeks later saying they don't have enough money to buy diapers."

"I am teaching them to take care of their young man—that he belongs to the country—and if the country needs him, he will go. If his family is in chaos the marines are not getting 100 per cent from him."

Mr. McCain. Mr. President, these are stories concerning the lifestyles of the service men and women in the military. One in the Washington Post article of July 20 concerns Quantico Marine Corps Base in Virginia. One of the enlisted marines says:

I think it stinks, really, that a member of the armed forces has to go to food stamps," said Lance Cpl. Damon Durre, 25. But that is what the Quantico Marine did after finding he could not support his wife and two children on his take-home pay.

In the London Sunday Telegraph there is a story:

Food stamps worth \$142 a month have helped eke out the \$1,000 monthly pay check on which L/Cpl Bradshaw, his wife Tenille and their two young children must live in a small, tin house in the middle of the base. Mrs. Bradshaw said: "Without food stamps my children would not be having much of a Christmas."

But the system can be humiliating. Despite having no other means of paying, L/Cpl Bradshaw was not allowed to buy a loaf of bread at the base's military supermarket re-

cently because although he had his food stamps, he did not have with him an official card stating he was entitled to them.

These are just demonstrations of a situation that exists in our Armed Forces today; that is, that approximately 6,300 service members receive food stamps. That is an unofficial DOD report, while the General Accounting Office and Congressional Research Service place the number at nearly 13,500. There is some disparity with the numbers, but the fact is that there are still thousands on food stamps. Obviously, I believe this is a national disgrace and it needs to be repaired.

The amendment will cost approximately \$28 million over 5 years. That is an average of less than \$6 million per year, to pay for an additional allowance of \$180 a month to military families who are eligible for food stamps. Additionally, the Congressional Budget Office estimates that this amendment would save millions of dollars in the Food Stamp Program by removing service members from the food stamp rolls for good.

As we know, in recent years military pay increases have barely kept pace with inflation. But last year there was a significant increase, including a pay raise for admirals and generals, who received a 17-percent pay raise last year. And enlisted families continue to line up for free food and furniture.

I was pleased to hear the prospective Chief of Naval Operations, Admiral Vern Clark, support a food stamp stipend when he testified before the Senate Armed Services Committee on May 16. Admiral Clark was asked by Chairman WARNER if he was concerned that a food stamp stipend would create an inequity between service members who qualify for food stamps and those who do not. Admiral Clark stated:

My view is that it is far, far more important to not have our people on food stamps than it is to have a small inequity. . . . This is the kind of thing that speaks volumes, much more than a few dollars that are involved in it, about . . . how important we think they are. I support any measure that would put us in a position where we do not ever have to have a single Sailor on food stamps.

I commend Admiral Clark for his clear thinking and his support of a measure that will reflect whether or not we care fundamentally for our service members. Admiral Clark is right. We need to rectify this problem. There is no provision in the bill at this time concerning the food stamp issue.

I might point out, this amendment is supported by The American Legion, the Veterans of Foreign Wars, the National Association for Uniformed Services, the Disabled American Veterans, The Retired Officer's Association, and every enlisted association or organization that specifically supports enlisted service member issues in the Military Coalition and in the National Military/Veterans Alliance. These associations include the Non Commissioned Officers

Association, The Retired Enlisted Association, the Fleet Reserve Association, the Air Force Sergeants Association, the U.S. Coast Guard Chief Petty Officers Association, the Enlisted Association of the National Guard of the United States, and the Naval Enlisted Reserve Association.

During the budget resolution, I talked for a long time about this problem in the military. We are talking about, I believe, a \$290-some billion authorization. We are talking about now an additional \$6 million a year to handle a problem which has received enormous publicity, enormous visibility. In the view of officers and enlisted alike, it is a problem that has caused a great impact on the morale of the men and women in the military, whether they happen to be on food stamps or not.

I urge adoption of the amendment.

I thank my colleague, Senator WARNER, the chairman of the committee, for allowing me to offer this amendment at this time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I thank my colleague. This is an initiative on which he has worked for some time.

I wish to ask him a question or two. I intend to support it. I think we need a little clarification on one or two points.

I commend him for bringing this up. I commend him for his determination to address this issue, and not only this year but in past years.

It was passed by our committee, this basic language, in last year's bill; am I not correct?

Mr. MCCAIN. That is basically correct.

Mr. WARNER. Fine.

Mr. MCCAIN. I ask unanimous consent to engage in a brief colloquy with the chairman.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. This question of pay inversion, let me just sort of describe it. You have a sergeant who has served 5 or 6 years. He has a wife and two children. And then a private comes into his platoon, and he has a number of children, which enables him to qualify for food stamps.

Now we add a certain sum of money, which the Senator proposes, and the salary of the private is coming right up very close to the salary of the sergeant. Now, the Senator knows from his long experience in the military—and my experience is far more modest than our distinguished colleague from Arizona, but having served in the Department of Defense, I have watched for many years this question of pay because pay has a tremendous significance not only to the military person who wears the uniform, but to the wife and family. It is a matter of pride. It is recognition for his length of service, for his professionalism, which by virtue of that length of service is greater than the younger people coming on. How do

we address that? What guidance do we give, say, the officer corps and senior noncoms who have to deal with this issue, on the assumption that Congress passes it?

Mr. MCCAIN. I thank my colleague. I am sure the Senator from Virginia is aware, as he points out, that this is a problem, although the reason why we chose \$180 a month was so that while it would not completely close the gap, which is higher than that between the two ranks he just stated, far more important than that—I can only quote the prospective Chief of Naval Operations, Admiral Vern Clark, when asked by Chairman WARNER this past May 16, a few weeks ago, about this exact issue he raises. The response of the prospective Chief of Naval Operations was:

My view is that it is far, far more important to not have our people on food stamps than it is to have a small inequity. . . . This is the kind of thing that speaks volumes, much more than a few dollars that are involved in it, about . . . how important we think they are. I support any measure that would put us in a position where we do not ever have to have a single Sailor on food stamps.

Also, as I mentioned in my remarks earlier, every enlisted association: the Noncommissioned Officers Association, the Retired Enlisted Association, the Fleet Reserve Association, the Air Force Sergeants Association, et cetera, who are also aware of this situation, still because of the gravity of the problems, support this \$180-a-month increase for those who are on food stamps.

Mr. WARNER. Mr. President, I thank my colleague. Indeed, we will have to call upon those organizations to help explain this because it is going to pose some problems. But like others, we have to deal with it.

Mr. MCCAIN. If I may respond briefly to my friend, Senator WARNER was involved in this many years ago when we had enormous retention problems in the military, especially in what we call critical rates—those who had specialized skills and talents. The chairman was involved in this because we decided we would give higher pay to people who were of the same time or even less time in the military because they had special skills. And they are today, and were then, receiving higher pay because of the special skills and the need to retain those people with special skills.

I have always felt that the backbone of the Navy was the bosun's mate. Yet we find in the Navy that the bosun's mate is the lowest paid, while the electronic technician, the computer specialist, and others, who are of equal rank—or rate, to be accurate—receive a much higher salary. We did that for practical reasons, which was that it was an absolute criticality of maintaining people in the Navy and other branches of the military who had these critical skills. We are sort of doing the same thing here. We are trying to correct the morale problem that exists

when the word spreads throughout the military and in our recruiting efforts in high schools all over America that if you are going to join an organization, i.e., the U.S. military, and you have children, you may still be on food stamps. I think there is some comparability between those two situations, although not an absolute one. I hope the chairman takes my point here.

Mr. WARNER. Mr. President, I do. Of course, that is strictly a question of professionalism in the aviation community to which the Senator has given a lifetime of service. It is critical that they get higher pay, not only for flight but for retention purposes, than other officer segments. I have to chuckle. In what little military experience I have, I was an electrician's mate third class. I am not sure I could have qualified for a bosun's mate.

Mr. MCCAIN. Today, you could have a lieutenant who is an aviator making more money than a nonaviator officer, an E1 or E2 ranked senior to that person because of the criticality of keeping those people in the Navy.

Mr. WARNER. The Senator is right, the electronic technician people, and so forth.

The second question is—and it is interesting—you were quoting from the future Chief of Naval Operations—indeed, an outstanding professional. He says he would rather not have people on food stamps. Isn't that what he said?

Mr. MCCAIN. He said:

My view is that it is far, far more important to not have our people on food stamps than it is to have a small inequity. . . .

The Commandant of the Marine Corps and the current Chief of Naval Operations also share those views.

Mr. WARNER. It is important as part of this colloquy that we lay the foundation that the Senator was very careful in arriving at his pay levels—not to bump sergeant, or jump over it, which I think was wise. In doing so, would I not be correct in saying you will not eliminate all food stamp cases? In all probability, the efforts, if adopted and signed into law, will still leave some on food stamps. Would I be correct?

Mr. MCCAIN. It is not clear because we have gotten two or three different estimates, I say to the Senator from Virginia. Several experts say this will largely eliminate the problem. There are others who say there will still be a few remaining, but all agree this would eliminate the overwhelming majority of service members on food stamps.

Mr. WARNER. It is going to have my support. Mr. President, those are the questions I had in mind. I thank the Senator for the colloquy.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I commend my good friend from Arizona for his tremendous sensitivity to the issue that he raises. We still have service members who are receiving food stamps and that should not be the case.

If there is good news here—and there is—it is that, since 1991, the number of service members on food stamps has been dramatically reduced, as well as the percentage in the total force has gone down dramatically since 1991. In 1991, there were 19,400 service members receiving food stamps. That number went to 11,900 in 1995, and then in 1999 it went to 6,300. That number—which is the latest we have—does not include the fiscal year 1999 or a later pay raise. So we have at least some good news in this area, which is that the number of service personnel on food stamps has been reduced by about two-thirds since 1991.

As a percentage of our total force, the percentage has been cut roughly in half, from .9 percent in 1991 to .45 percent in 1999. So there has been significant improvement. Senator MCCAIN is absolutely right. We still have 6,300 service members on food stamps. We should not be in that situation. He is pointing out to this body again that we should try to do something about it. The informal estimate we get is that his amendment will help. It will not eliminate the number of people who we have on food stamps, but it will reduce by somewhat that number of 6,300. I am going to support it on that basis.

Again, I commend the Senator from Arizona for his constant raising of this issue until we can try to finally resolve this problem.

There is one little wrinkle in here which is sort of an irony, I guess. Maybe that is the best it is. For instance, if you take a typical E4 with three dependents who lives on base in Government housing, he will get the food stamps because he doesn't have a housing allowance. The person under this proposal who might be a similar E4 with the same number of dependents gets a housing allowance if he lives off base, and it is that housing allowance which pushes him above the eligibility level for food stamps. Yet, because that housing allowance may be inadequate to pay for housing, he may actually be in greater need for the food stamps than the person who is on base. However, that is something we will just have to try to work with. We have to try to make this work the best we possibly can to reduce the number of further service members who are receiving food stamps.

Again, I thank Senator MCCAIN for his constancy, his commitment, his dedication, and his passion to this issue. He is right, as he so often is in terms of what this goal must be, which is to remove members in the services from receiving food stamps. They should not need food stamps. We ought to be able to pay them enough and give them enough of a housing allowance so there is no need for them to receive food stamps.

I commend him. I will be supporting this amendment.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the chairman and the ranking member

for their support of this amendment. I think the remarks of both pointing out that this is not a perfect fix but is a significant step in the right direction is entirely appropriate. Obviously, we will have to review the situation after we see what the result of this amendment is once it is enacted into law.

I thank both Senator WARNER and Senator LEVIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, momentarily I believe the Senator from Arizona will ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have already been ordered.

Mr. WARNER. I thank the Senator.

I want to work with Senator LEVIN to see if we can order the sequencing of amendments this afternoon to accommodate the Senate. We will have the McCain vote. We will decide on that time in a few minutes. I have talked to our distinguished colleague from Nebraska, Mr. KERREY. He has a very important amendment. He just indicated to this manager that he is willing to bring it up and have a vote on it tonight. Is that correct?

Mr. KERREY. That is correct, unless the chairman is going to accept the amendment.

Mr. WARNER. I am not prepared to accept the amendment.

Mr. KERREY. Perhaps we can avoid the vote after he hears my argument. I am prepared to send an amendment to the desk and schedule a vote on it this evening. That is fine. I am ready to go as soon as we vote on the McCain amendment.

Mr. WARNER. I ask my colleague if he has any comment to make.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, the managers will address the question of how we proceed from here at the conclusion of the vote on the McCain amendment. Let us proceed. I would suggest the yeas and nays have been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. WARNER. Let's proceed with the vote.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the McCain amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) and the Senator from Idaho (Mr. CRAPO) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the

Senator from Louisiana (Mr. BREAUX), the Senator from Connecticut (Mr. DODD), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

The PRESIDING OFFICER (Mr. L. CHAFEE). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 116 Leg.]

#### YEAS—93

Abraham	Fitzgerald	McCain
Akaka	Frist	McConnell
Allard	Gorton	Mikulski
Ashcroft	Graham	Moynihan
Baucus	Gramm	Murkowski
Bayh	Grams	Murray
Bennett	Grassley	Nickles
Bingaman	Gregg	Reed
Bond	Hagel	Reid
Boxer	Harkin	Robb
Brownback	Hatch	Roberts
Bryan	Helms	Rockefeller
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Byrd	Hutchison	Sarbanes
Campbell	Inhofe	Schumer
Chafee, L.	Inouye	Sessions
Cleland	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kennedy	Smith (OR)
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Craig	Kohl	Stevens
Daschle	Kyl	Thomas
DeWine	Leahy	Thompson
Dorgan	Levin	Thurmond
Durbin	Lieberman	Torricelli
Edwards	Lincoln	Voinovich
Enzi	Lott	Warner
Feingold	Lugar	Wellstone
Feinstein	Mack	Wyden

#### NOT VOTING—7

Biden	Dodd	Lautenberg
Breaux	Domenici	
Crapo	Landrieu	

The amendment (No. 3179) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3173, AS MODIFIED

Mr. WARNER. Mr. President, first, I modify the pending amendment, the Warner amendment No. 3173. I send to the desk the amendment, as modified.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

Strike sections 701 through 704 and insert the following:

#### SEC. 701. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS UPON THE ATTAINMENT OF 65 YEARS OF AGE.

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—Section 1086(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

“(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

“(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42

U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426-1(a))."; and

(2) in paragraph (4), by striking "paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph," and inserting "subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph";

(b) EXTENSION OF TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.—Paragraph (4) of section 1896(b) of the Social Security Act (42 U.S.C. 1395ggg(b)) is amended by striking "3-year period beginning on January 1, 1998" and inserting "period beginning on January 1, 1998, and ending on December 31, 2001".

(c) EFFECTIVE DATES.—(1) The amendments made by subsection (a) shall take effect on October 1, 2001 and terminates September 30, 2004.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

Mr. WARNER. Mr. President, I believe my distinguished colleague from Michigan has a request, and then I will present a UC request to the Senate.

Mr. LEVIN. I ask unanimous consent that the Senator from Washington be recognized for 8 minutes as in morning business.

Mr. WARNER. Could I put in a UC request before that?

Would the Senator forbear and allow me to put in a UC request?

Mr. President, in consultation with the majority leader, the Democratic leader, and my colleague, Senator LEVIN—while I had hoped we could continue with votes tonight—we have now reached the following recommendation in the form of a UC request.

I ask unanimous consent that the Senator from Virginia be recognized to modify his amendment, and following the modification of the amendment, the amendment be laid aside and Senator ROBERT KERREY be recognized to offer an amendment relative to strategic forces, and immediately following the reporting by the clerk, the Senator from Virginia be recognized to offer a second-degree amendment.

I further ask consent that following the debate tonight, there be 90 minutes additional beginning at 9:30 a.m. on the strategic forces issue, to be equally divided in the usual form, and following that debate, the amendments be laid aside.

I also ask consent that following that debate, the Senate resume the amendment of the Senator from Virginia, amendment No. 3173, and it be laid aside in order for Senator JOHNSON to offer a similar amendment, and there be 2 hours, equally divided, total, for debate on both amendments, and following that debate, the Senate proceed to vote in relation to the amendments.

I also ask consent that there be no amendments in order to either of the four amendments described above, or the language proposed to be stricken, and there be 2 minutes for explanation prior to each vote. The voting order for tomorrow would be as follows: Warner amendment No. 3173; Johnson amendment; Warner second degree to Kerrey;

Kerrey first degree, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, and I will not, I just want to be clear that the Senator from Washington would be recognized prior to Senator KERREY, and that that time would not come out of any time indicated.

Mr. WARNER. I have no objection to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I thank the Chair and thank my colleagues for working out this UC.

If I could just make an announcement, in light of this agreement, there will be no further votes tonight. However, Members should be aware that at least two, and up to four, back-to-back votes will occur sometime tomorrow commencing at around 12:30 p.m.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I thank the Chair and thank my colleagues for yielding me this time.

#### ANNIVERSARY OF THE BELLINGHAM PIPELINE ACCIDENT

Mrs. MURRAY. Mr. President, I rise today to mark a solemn occasion in the lives of the people of my home State of Washington.

Many of my colleagues have heard me talk on the Senate floor about pipeline safety.

Today I want to remind everyone of the reason I have become such a strong advocate for improving pipeline safety.

June 10—one year ago, coming up this Saturday—will be the first anniversary of a horrible pipeline accident in Bellingham, WA.

In that accident, a gasoline pipeline ruptured and released more than 275,000 gallons of gasoline into Whatcom Creek. That gasoline caught fire and sent a fireball racing 1½ miles down the creek side. It created a plume of black smoke that rose more than 20,000 feet into the air.

Two 10-year-old boys and a young man were enjoying the outdoors on that quiet summer afternoon. Tragically, they died as a result of that pipeline rupture.

Three families in Bellingham, WA, will never be the same because of the events that took place on June 10, 1999.

As we mark this anniversary, we can never forget the lives that were lost.

For just a moment I want to ask my colleagues and the American people to pay tribute to those young lives; Wade King, Stephen Tsiorvas, and Liam Wood. I also want to honor their parents—who have endured a loss that no family should have to experience.

They have shown such strength and courage. They have led the charge for safer pipelines, and their advocacy has made a difference.

Their courage was clear to everyone who attended the Senate Commerce

Committee field hearing in Bellingham on March 13 and to everyone who heard them testify just last month here in Washington, DC, before the Commerce Committee.

They came to Washington, DC, to ask for one thing. They want this Congress to improve pipeline standards this year. This Congress—this year.

I believe we have a moral obligation to do everything we can to meet the parents' wishes and to protect everyone else from pipeline hazards. That is why I have been working to raise the safety standards for oil and gas pipelines.

There are 2.2 million miles of pipelines running across the country. They run near our schools, our homes, and our communities.

They perform a vital service. They bring us the energy we need to fuel our cars and heat our homes.

But at the same time, they are not as safe as they could be. We have a responsibility to pass a bill this year that will protect families from the dangers of unsafe pipelines.

To be honest, I—like many Americans—was not aware of those dangers until the accident in my State.

But as I spent months learning about pipelines, I found that the accident in my State was not a rare event.

Since 1986, there have been more than 5,700 pipeline accidents in this country, 325 deaths, 1,500 injuries, and almost \$1 billion in environmental damage.

On average there is one pipeline accident every day in this country, and 6 million hazardous gallons are spilled into our environment every year.

That is why back in January I introduced my own pipeline safety bill—the Pipeline Safety Act of 2000. I want to thank the Members who have signed on as cosponsors—Senators INOUE, GORTON, WYDEN, LAUTENBERG, and BAYH.

I want my colleagues to know, in the 4 months since I introduced my pipeline safety bill, at least 20 States have experienced pipeline accidents. In addition to my bill, pipeline safety measures have been offered by Senate Commerce Committee Chairman JOHN MCCAIN and by the administration.

I am pleased that all of the current proposals touch on five key areas of pipeline safety. First, all of these bills recognize the need to improve pipeline inspection and accident prevention practices, second, they recognize the need to develop and invest in new safety and inspection technology, third—and importantly—they expand the Public's right to know about problems with pipelines in their neighborhoods, fourth, they recognize that States can be better partners in improving pipeline safety. Finally, these bills increase funding for new State and Federal pipeline safety programs.

I thank Senator MCCAIN for the strong personal interest he has taken in this issue. I thank him for the very effective way he has worked to move this legislation forward. The Senate

Commerce Committee has tentatively scheduled a markup session for June 15.

Senator GORTON and I are working with both the majority and minority members of the Senate Commerce Committee to come up with a manager's package that will meet the standards we have outlined and will be acceptable to as many members as possible.

As we work here in the Senate on this important legislation, I want to encourage my colleagues in the House of Representatives to move forward quickly on their legislation so this Congress can pass a bill this year.

One of the things that has been so important over the past year is that so many people have come together to improve pipeline safety. And while I don't have time to thank them all, I do want to mention a few.

First among them is Bellingham's Mayor Mark Asmundson, who has done more to educate the public and legislators about pipeline safety than anyone I know.

I also want to recognize Transportation Secretary Rodney Slater who stationed a pipeline inspector in my State after the accident, and DOT Inspector General Kenneth Mead, who issued a report at my request on the Office of Pipeline Safety.

I also thank the President and the Vice President for their leadership.

In particular, the Vice President took the time to learn about this issue when he was in my State. He recognizes its importance, and he sent the administration's pipeline safety bill to the Senate.

I also thank the rest of the Washington State delegation—which has come together across party lines to address this issue—particularly my colleague Senator GORTON, along with Representatives from our delegation.

And of course, I want to recognize Washington State Governor, Gary Locke, for the work he has done to raise pipeline standards in our State.

Mr. President, one year has passed since the accident in Bellingham, WA, that you can see on the chart behind me.

We have made some progress, but we need to finish the job.

We need to pass a strong pipeline safety bill this year. We owe it to the people of Bellingham, the victim's families, and to the American people. As we mark the 1-year anniversary of the Bellingham explosion, we must answer the call of the families with a strong bill. Nothing can ease the pain of this anniversary for so many people in my State, but we can and we must use this occasion to enact stronger pipeline safety standards.

I yield the floor.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001—Continued

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

#### AMENDMENT NO. 3183

(Purpose: To repeal a limitation on retirement and dismantlement of strategic nuclear delivery systems)

Mr. KERREY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. KERREY], for himself, Mr. LEVIN, Mr. DASCHLE, Mr. HARKIN, Mr. KERRY, and Mr. DURBIN, proposes an amendment numbered 3183.

Mr. KERREY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike section 1017 and insert the following:

#### SEC. 1017. REPEAL OF LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS IN EXCESS OF MILITARY REQUIREMENTS.

Section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948) is repealed.

The PRESIDING OFFICER. The Senator from Virginia.

#### AMENDMENT NO. 3184 TO AMENDMENT NO. 3183

Mr. WARNER. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 3184 to amendment No. 3183.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

#### “SEC. 1017. CORRECTION OF SCOPE OF WAIVER AUTHORITY FOR LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS; AUTHORITY TO WAIVE LIMITATION

“(a) Section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 806), is further amended by striking “the application of the limitation in effect under paragraph (1)(B) or (3) of subsection (a), as the case may be,” and inserting “the application of the limitation in effect under subsection (a) to a strategic nuclear delivery system”.

“(b) AUTHORITY TO WAIVE LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.—After the submission of the report on the results of the nuclear posture review to Congress under section 1015(c)—

“(1) the Secretary of Defense shall, taking into consideration the results of the review, submit to the President a recommendation regarding whether the President should waive the limitation on the retirement or dismantlement of strategic nuclear delivery systems in section 1302 of the National De-

fense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948); and

“(2) the President, taking into consideration the results of the review and the recommendation made by the Secretary of Defense under paragraph (1), may waive the limitation referred to in that paragraph if the President determines that it is in the national security interests of the United States to do so.”.

Mr. KERREY. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. KERREY. Mr. President, in 1998, the Congress, for the first time in the history of strategic nuclear weapons policy, imposed upon a President a limitation on what that President could do in terms of reducing nuclear weapons. It imposed a floor at the START I levels, which is roughly 6,000 strategic nuclear weapons. It said the President could not go below 6,000, unless and until the Duma ratified START II.

Last year, when I attempted to eliminate this restriction—which I believe is putting a position upon an Executive that would be very difficult to sustain if we were discussing this in the clear light of day, if it was understood by the American people that this was what we were doing—many people on that side of the aisle said: We believe this language will put pressure upon the Duma to ratify START II. The argument carried the day in a close vote of 54-46; the current policy was sustained. The language in the current law is section 1302 of the National Defense Authorization Act. It references that section 1017 of this particular legislation we are considering right now was held in law.

Well, since that time, the Duma has ratified START II. I expected to bring this language to the floor this year with open arms. It worked. We put in a floor and said the United States could not go any lower, declared victory, and the Duma ratified START II. Instead, we have an alternative proposal the Senator from Virginia has offered that has a certain amount of appeal because it requires a strategic review of our nuclear force structure. After that review, it gives the President authority, subject to what the review says, to waive the provisions of 1302 if the President says it is in the national security interest to do so.

It still puts us in a position—whether it is President Clinton or, if Vice President GORE wins the election, President GORE or, if Governor Bush wins, President Bush—the President will be prevented by Congress from reducing nuclear weapons below the START I levels, below 6,000, unless the President of the United States can accelerate a strategic review. I guess that is possible. I would like to find out from the authors of this second degree if that is their understanding. In other words,

could President Clinton satisfy the requirements of this amendment by saying: My Secretary of Defense and Secretary of Energy are going to do an accelerated review?

This language has to be concurrent with the quadrennial review and submitted no later than December 2001. Could the President accelerate that review on this particular question? If not, whoever the next President is, they are going to be held up at least until December of 2001 from doing so. That makes complete sense for America to do, in my judgment.

One of the most compelling things that happened on this subject prior to our leaving for our Memorial Day recess was a remarkable speech given by the likely Republican nominee for President, Governor Bush, followed by a speech at the Naval Academy given by Vice President GORE, the likely Democratic nominee for President. The comments, which I found to be very striking and very encouraging, indicate a significant shift in our policy if the Republican nominee has any influence over the Republican Party platform.

Governor George Bush, surrounded by the preeminent thinkers on the Republican side on nuclear strategy—former National Security Chief Brent Scowcroft, former Chairman of the Joint Chiefs Colin Powell, former Secretary of State George Shultz, and former Secretary of State Henry Kissinger—they were all there standing with Governor Bush as he said the following:

America should rethink the requirements for nuclear deterrence in a new security environment. The premise of the Cold War nuclear targeting should no longer dictate the size of our arsenal. As President, I will ask the Secretary of Defense to conduct an assessment of our nuclear force posture and determine how best to meet our security needs. While the exact number of weapons can only come from such assessment, I will pursue the lowest possible numbers consistent with our national security.

If Governor Bush were President today, he would not think very kindly of Congress coming along and saying: We don't think you have been in office long enough; 9 years is not long enough, so we are going to ask you to do an additional review before you do what you say you are going to do here. It is an interference on the part of Congress at a time, in my view, that the President ought to be doing exactly what Governor Bush is suggesting; that is, to break out of the Cold War thinking, and has us saying we have to maintain our parity with the Russians; otherwise, it is not going to be possible to get the kind of arms control agreements we want to get.

I must say, I find much to be commended in many things I have heard on the other side of the aisle having to do with missile defense, believing that in an era when we begin to reduce nuclear weapons, accidental and unauthorized launches from rogue nations, or the threat of them, are likely to increase as we draw down our nuclear forces.

Missile defense becomes, in my judgment at least, an even more compelling part of our arsenal.

Mr. President, I yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator.

#### A MEMORIAL DAY OBLIGATION

Mr. STEVENS. Mr. President, I would like to carry out an obligation I made on Memorial Day at the Arlington National Cemetery services.

This statement was presented at the Arlington National Cemetery memorial service by the Flying Tigers of the 14th Air Force Association. It was in the form of a prayer that was entitled, "Empty Cockpit; To our Departed Comrade."

His is a place no one can take,  
The void he leaves cannot be filled,  
For the mark he made, stays, fresh on us,  
Although his heart has stilled.  
Though the years pursue their relentless course,

And images are replaced,  
And memories grow dim and fade,  
And time obscures that familiar face,  
And even a name be forgot,  
And the things he said, and did,  
And lives more noble may come and go,  
But what he was cannot be hid.

The lessons he unknowingly taught,  
By being what he was,  
Have certainly changed the lives he met,  
As his life touched ours.

So that the course which they now take,  
Points somehow higher than before,  
A true and gently comrade,  
Has opened an unknown door.

So although his life on Earth is done,  
His heritage will not rust,  
For parts of him, that was, remain,  
And live on as part of us.

I thank the Chair. I made a commitment to repeat that here on the floor of the Senate. I appreciate the time.

Mr. KERREY. Mr. President, it is somewhat difficult to get back to the somewhat arcane subject of how many nuclear weapons are needed after listening to the recitation of the Senator from Alaska of a short, very moving statement that in many ways gets to the heart of the mood we ought to be in when we are discussing our defense authorization bill, which is not just trying to answer the question how we authorize and defend the United States of America but how we give honor to those who have given the highest and most in service to this country.

I appreciate very much the presentation by the Senator from Alaska of that memorial because I think it puts us indeed in the correct mood, which is, we ought to be writing this law so as to enable all of us to take action to defend the United States of America against all enemies, foreign and domestic, without regard to some previous ideology that we have held onto for a long time.

We ought to do the right thing and not worry about whether or not we are going to find ourselves subject to criticism as a consequence of some group saying we didn't do enough, or we have done too much, and so on and so forth.

It is that kind of thinking that is required if we are going to get the right number of nuclear weapons. We spend \$15 billion to \$20 billion a year on our nuclear weapons force structure. It is an oppressive effort.

I happen to have the privilege of not just serving the people of the State of Nebraska but in the State of Nebraska is an effort and an organization known as STRATCOM. STRATCOM's entire mission is to operate the strategic nuclear force. The current STRATCOM CINC and I have a very good relationship, as I have with all other CINCs, because this mission is very important to the people of the State of Nebraska and to the people of the United States of America. I have had the opportunity on many occasions to be briefed, and I can state to my colleagues that we get our money's worth. These men and women work very hard. They are tireless in the execution of their duties. They want to make certain they follow the command and the orders that are given by the people's leaders—in this case, the Commander in Chief—who instruct STRATCOM on what to do through a Presidential directive. They are following orders.

They put together target requirements. They put together a list of requirements that are called SIOP. SIOP determines what targeting is being done. Then it comes back to us, and it says this is what we need in order to follow the civilian orders. They come to us and say these are the resources we need in order to be able to accomplish that objective.

It is very important for us to follow that because often times it will turn to the military. We turn to the STRATCOM and say such things as: Tell us the minimum level of deterrence. They come back and say: The minimum level is 2,500. We have to have 2,500 warheads.

Remember, that 2,500 number comes as a consequence of an order they have been given by a Presidential directive. They have been given an order. That is where it comes from. Change those requirements and the number of warheads is going to be changed. It may be that a Presidential directive comes and says we need more. I do not know. But right now, without the lengthy review—I appreciate the lengthy force structure review that is in this authorization. That is basically the substitute—that we have a lengthy review that is going to be done.

I urge my colleagues to think of several things.

One, the Russians, first of all, are no longer the military threat they were in the cold war. It is a democratic nation. They have had three elections. They just elected their second President. We have partnerships with them in many different areas. We want their experiment in democracy and free markets to succeed.

The chairman of the Armed Services Committee said earlier he believes the No. 1 threat to the United States of



America is political instability. It is uniquely the case. In Russia, that is the case. Our mood toward the Russians ought to be that we want to partner with them and help them be successful in making this transition from an economy run by a central government—a Politburo—to a political system that is not limited to a single party but one that has selected its leadership. They are trying to make a successful transition. They need the partnership and they need the assistance of the world's leading democracy to make that likely to occur.

No. 1, we are dealing with a dramatically different political situation. This is not the Soviet Union. It is Russia we are talking about.

No. 2, everybody who assesses Russia right now understands that as a consequence of the catastrophic failure of the Communist economic system, and as a consequence of a number of other things associated with the decisions made by their political leaders, they have barely enough money to be able to make payroll for a dramatically reduced military, let alone be able to allocate the resources—though they are modernizing in certain areas—and their ability to provide the early warning that is necessary is woefully deficient and is weakening every single day, leading up to the possibility of increasing the likelihood of a false warning to their leadership.

One of the things the President and President Putin agreed on is that we are going to have this site in Russia for the first time. But the Russians are going to be provided data that comes from U.S. computer analysis. They are not going to get it through their own system, or through their own overhead system, or through their own electronic surveillance; they are going to get it from us.

It is likely to give them slightly more confidence. But it is not going to give them the kind of confidence that is necessary when decisions have to be made very rapidly not to put a launch against the United States even though the warning they get may be a false warning.

The second thing colleagues need to understand as we think about imposing—that was a fundamental change in 1998—for the first time on the President that “thou” cannot go below the START I agreements, even though President Bush did it very successfully in 1991, is that we were not going to allow this President to do it in last year's debate. It was because we were putting pressure on the Duma to ratify. This year, it is a different argument that is being used; we are imposing upon the President an unusual and unprecedented restriction at a time when Russia is not able to come up with the resources they need to maintain the level at 6,000. They are begging us to go to 1,500.

It may not be in our interest to go to 1,500, but it is unquestionably in our interest to assist them to go to lower lev-

els since they can't maintain the levels they have now. It increases, in a paradoxical fashion, the likelihood of an unauthorized accidental launch and decreases the likely effectiveness, if we are going to have one, of an effective missile defense system because the Russians aren't going to launch 10 or 20. The Russians aren't going to launch a relatively small number of not very accurate missiles, as rogue nations might. They have very highly accurate missile systems and large numbers of them. They would launch in the hundreds, or perhaps in the thousands, based upon a warning that may be inaccurate.

We are increasing the risk when we force the President to maintain at a START I level at a time when the Russians are saying we can't afford to maintain at that level and begging us to come to some kind of an agreement that enables them to go to lower levels.

The last argument: Again, if you take a commonsense approach to this and just say what the targeting requirements are.

A long time ago, or 6 months ago, much of this was classified. But increasing amounts of it are making their way into the public record.

It is a very interesting problem because, again, the number of nuclear warheads begins as a consequence of a Presidential directive. It goes to STRATCOM. That Presidential directive is then fairly precise language. But it still doesn't tell the exact number. It gives them a set of instructions that they then follow. They produce what is called a SIOP. That SIOP has been read by a very small number of elected representatives. Very few elected people look at the targeting requirement.

Recently, we have seen in published accounts some information which gives us some idea of the size of our capacity and the deadliness of our capacity.

I believe as well it is an unwise conclusion that we ought to maintain at our current level.

The Russian nuclear target of a 2,500 force structure would be slightly under the START II. START II would take us to 3,000. The Pentagon says we need 2,500 warheads. Again, that is based upon the Pentagon taking the Presidential directive they have been given at 2,500.

We have 1,100 nuclear weapons we would put on nuclear sites, 3,500 on conventional weapon sites, 160 on leadership, and 500 nuclear weapons on war-supporting industry.

These numbers tend to dull our thinking, making it difficult to assess just what it is we are talking about.

Let's reverse it. Say the Russians have targeted American territory with 160 nuclear weapons. They don't have a nuclear weapon in the strategic arsenal that is less than the 15-kiloton weapon dropped on Hiroshima. We dropped two weapons in 1945 that ended the war in the Pacific. We had a vested interest in that. My uncle was killed in the Phil-

ippines. My father was part of an occupation, instead of invasion force. I believe Truman did the right thing. Nonetheless, it is impressive that two 15-kiloton weapons ended the war in the Pacific. We are talking about hundreds in this case.

Imagine the Russians are only going to hit the United States with 160 nuclear weapons averaging 150 to 300 kilotons each. I don't need a complicated, detailed year-long strategic review to determine that 160 nuclear weapons hitting the United States of America would not just do slight damage; they would cause massive damage to our economy, to our political structures, to our social structures. They would produce monstrous losses to us.

Ask Alan Greenspan what it would do to the economy. He seems to be the most trusted person right now in trying to get American people to be concerned about things going on in the world. It would produce tremendous and devastating losses.

The same is true with Russia. Mr. President, 160 nuclear weapons inside of Russia would reduce Russia to a state of chaos. It wouldn't just damage their leadership and eliminate their leadership. It would do exactly the opposite, in my view, of what we would desire. It would produce the very political instability and chaos we seek to avoid. As a consequence, it likely would not be selected as an option, thereby producing, again, one of the great paradoxes of maintaining a defense system where we authorize \$15 to \$20 billion of scarce resources.

The chairman of the committee talked earlier about the possible need to allocate additional money for retirees' medical care. There is no question we look across the current conventional forces and we don't have to look far to find a situation where we are flying the wings off the planes. We are having a difficult time sustaining levels of readiness. We are short on the conventional side. At a time when we are short, I don't believe we ought to be expending precious resources into areas that are likely to be unnecessary or that are unlikely to be used.

I am arguing the President ought to go to lower levels. The President may disagree with me. In fact, up until now, the President has disagreed with me and hasn't gone to lower levels. That is why I was pleasantly surprised at that part of Governor Bush's speech prior to the Memorial Day recess where he said we ought to scrap the old cold war thinking. I agree. We need to assess what kind of weapons system we need to keep the people of the United States of America safe in light of the new political realities—not in light of the old mutual assured destruction reality, in light of the new political realities.

I believe without extensive and expensive nuclear review, we would reach a conclusion of significantly lowering. I don't believe this Congress under any circumstance, whether the President agrees with me or not, should be imposing this kind of restriction. It ties



the President's hands. It limits the President. It forces the President to do something that up until 1998 we had not required the President of the United States of America to do. Again there was an argument last year made that this would get the Duma to ratify START II on that basis.

I said earlier to the distinguished Senator from Virginia, I was hoping perhaps my amendment would be accepted, declare victory, and we shake hands and say we had a good argument and there is no need to go further. Indeed, I ask the Senator from Virginia, it may be that what I ought to do is vote for the Senator's substitute, depending on what it is the Senator proposed to do. In this amendment, it appears to be that the President would have the authority to waive the restrictions of 1302 after a comprehensive review was done. However, in the language of the Senator's amendment, it merely says this is supposed to be done concurrently with the quadrennial review and due to operate in 2001.

Does the Senator mean, therefore, that President Clinton couldn't ask Secretary Cohen and Secretary Richardson to do an accelerated comprehensive review of the nuclear force structure, and, as a consequence of that review, say perhaps the President says: I want to go to 5500, I want to go below because I think on that basis I could get the Russians to agree to accept changes in ABM that might even be acceptable to the Senator from Virginia—would that sort of accelerated review be possible? It appears it would be in the language of the Senator's amendment.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague.

I remember so well when the Senator brought this up last year. This is a serious effort by one of the most serious, conscientious Senators with whom I have ever been privileged to serve and one for whom I have the highest personal and professional regard. As I said some months ago, this Senator, too, will miss him.

We are not trying to abridge, so to speak, the right of President Clinton. He is the President of the United States. Until the last day, the last hour, the last minute of his term of office, he is entitled to exercise the powers given to him under the Constitution. As the Senator knows so well, being a student of foreign and international affairs, the Constitution designates the President of the United States as that individual who is our chief foreign policy advisor, negotiator, the home realm authority that goes with the Presidency.

I don't wish to be critical, but I will be factual. The President simply did not, in the course of his administration, avail himself of the opportunity to do the in-depth type of study that I and other colleagues think is necessary before any decision of the type the Senator describes be made.

As the Republican candidate, George W. Bush said he would move in some of the directions President Clinton has indicated in terms of trying to seek that level of reduction to the lowest level that still protects the security interests of this country. But George W. Bush would only do that after he had received the advice and counsel of the Department of Defense, and presumably his own Secretary. But Members of the Joint Chiefs would still be carrying forward, a number of them, from one administration to the other, and he would carefully counsel with them as he moved forward.

My point is, that study cannot be done in 30, 60, or 90 days, in my judgment, nor should it be done. Let's face it; we have elections coming this November. We have the heat that accompanies any election from the debates that take place between the candidates and, most specifically, the Presidential candidates. To try to overlay a decision of that magnitude and try to have a report generated in 30, 40, 60, 90 days is not, in my judgment, the wise thing to do.

Mr. KERREY. I appreciate that, but there is nothing in the Senator's amendment that would prevent—

Mr. WARNER. I beg your pardon?

Mr. KERREY. Let's say Governor Bush is elected and he comes into office and says I have Brent Scowcroft, Henry Kissinger, George Schultz, and Colin Powell. They have done a review from November to January and they have made a recommendation to go to lower levels. Does the amendment of the Senator allow a President-elect Bush to do that in short order?

Mr. WARNER. Mr. President, there is no constraint on the next President, be it President Bush or President Gore, within which time—I mean it is not next December. He can do it before next December.

Mr. KERREY. If that is the case, if it does not restrict the next President, it does not restrict this President. He could also do it. I have had a briefing on the review that was done in 1997, prior to the Helsinki meeting between President Clinton and President Yeltsin. That was a detailed review on the minimal deterrent level necessary, done by General Shalikashvili. I believe the chairman has had a briefing of that as well. That was a pretty in-depth review, was it not? Do you regard that as a good review?

Mr. WARNER. I am not here to pre-judge that review. I think it was done very carefully. But let me bring to the attention of my distinguished colleague, who spent great heroism in his career in the military himself, you should not try to make a decision with reference to the strategic capabilities of this country without reference, as needed in the quadrennial review, to the convention. In other words, you cannot just look at that in isolation. It has to be examined in the context of the totality of our military assets, and the quadrennial review has to be done and upgraded.

Mr. KERREY. I presume General Shalikashvili, in 1997, made that review.

Mr. WARNER. I am not in a position to say what he did or did not do.

Mr. KERREY. I would be very surprised, if the Chairman of the Joint Chiefs of Staff, in 1997, reviewing the minimal deterrent level, did not reference that minimal deterrent level to the rest of the conventional forces. This is a conventional Army officer who is the Chairman of the Joint Chiefs of Staff. My guess is that was a pretty detailed review. In fact, he came to the conclusion at that time that 2,500 is the minimal level that is necessary.

Mr. WARNER. The Senator repeatedly says he presumes. I am not here to act on presumptions. What I do know is the realities, and particularly the political realities that face this Nation of an election and a new President. In my opinion, it is the wiser course of action to defer such decisions as this until the next President is in office; he has his quadrennial review; he has his detailed study of our strategic arsenal. Then those decisions.

Mr. KERREY. Let me get this correctly. So the intent of this amendment is to prevent President Clinton from making any decision and to—

Mr. WARNER. We cannot block this President. Nor would we try.

Mr. KERREY. That is precisely what section 1302 does. Section 1302 says the President cannot go below the START I levels. For the first time, it restricted and tied the hands of a President in his own decisionmaking about strategic forces. That is what it did. I sought to strike it last year and was told the concern was the Duma might not ratify START II. They have done that.

It seems to me the language gives the President, this President—I am asking the question because it affects whether or not I simply just declare victory myself and support your second-degree amendment. If your second-degree amendment gives the President the flexibility to waive, if he says, "I have already done that review and I will submit to Congress the review that was done by General Shalikashvili in 1997," it may be we have agreement here. But if you are saying the intent of the amendment is to say President Clinton, after having been Commander in Chief for 7 years, is not sufficiently prepared to make this decision, we need a further review before he can make it, then I couldn't support the second degree.

Mr. WARNER. I certainly cannot rely on a 1997 review as being up to date. Much has occurred in those 2 years, indeed over 2 years, to where we are today.

Let me give one example. The Russians are strapped financially. One of the principal motivations to go to a lower level, on behalf of the Russians, is they simply do not have the financial resources to maintain their existing arsenals—the readiness, the safety,

all aspects of those existing arsenals. That is the 1997 assessment. I would not accept that. I would not think President Clinton would want to accept it.

What I am telling the Senator is that I would like to reply in totality to the Senator's question by giving my statement and then we can perhaps continue this colloquy. Is that an option?

Mr. KERREY. That would be an option for me.

Mr. President, let me finish my statement, and I will yield to the Senator from Virginia.

Mr. WARNER. Fine.

Mr. KERREY. I am anxious to hear the statement. As I said, it may be—expecting that the chairman, the Senator from Virginia, after listening to last year's debate, would merely this year declare victory and allow this provision to be struck, it may be I should declare victory and accept this amendment, if it does not restrict the Commander in Chief who has had plenty of time to review it—and he may not. As I said, up to now he hasn't agreed that going to lower levels in exchange for ABM is a good strategy—and he may not. It may all be moot as far as I know. But if it does not restrict this President, or the incoming President, to make a determination prior to December 2001, it may be that I should declare victory and go home as well.

I want to repeat something I tried earlier to discuss. I do not think it is very well understood by many Members of Congress. I certainly do not think it is very well understood by the American people. I say that with great respect. It has been a voyage that has produced some surprising discoveries on my part as well. I am not suggesting I am smarter, more informed than anybody else. I am merely saying I spent time on this.

I am deeply concerned that the threat to the United States of America of an accidental and unauthorized launch from Russia goes up every single day that we maintain the force structure as high as we currently have. We have plenty of safety. We have plenty of redundancy. We have plenty of capacity to tell whether we are actually being attacked or whether the signals are false.

The Russians do not have any of that or they have a declining amount of it. We are forcing them to maintain at levels, in my view, that are increasing the danger to the people of the United States of America. The danger is enhanced as a consequence of our sort of presuming maybe there is no real risk.

I put these numbers out. This is the minimal level. This is what the Pentagon said in 1997. It is what the Pentagon is currently saying is still valid: That the minimal level we need in the number of warheads is 2,500. The reason we need 2,500 is, according to the people who do the targeting—again, they are doing the targeting based upon a Presidential directive, presumably evaluated by the Congress after we do

the directing and tell them what needs to be done—there are 2,260 vital Russian nuclear targets.

These are on active alert. We are ready to attack. We are not talking about the kinds of missiles that might miss by a couple of miles. These things are going to hit. They are very accurate; they are very sophisticated; and they are very reliable. We have 1,100 nuclear targets. That is to say the Russians hold nuclear weapons. So 1,100 of our nuclear warheads—and we do not have one under 100 kilotons—are going to be targeted on 1,100 Russian nuclear sites.

Then there are conventional sites, conventional weapons sites—500 targets; 500 targets. I urge my colleagues to get a map out of Russia and try to come up with 500 targets on top of 1,100 targets of nuclear weapon sites. Part of this debate needs to be done in the open so we can do a commonsense check as to whether or not we have more than we actually need, again forcing the Russians to maintain more than they can control.

Mr. President, 160 leadership targets. These are the guys to whom we talk. We have a meeting with them: President Putin, would you agree to modify ABM? And oh, by the way, we have 160 nuclear weapons of 100 kilotons or more targeted on you and all the rest of the Russian leadership. Try to come up with 160 targets. Get a Russian map out and put 160 targets up, or 500 targets, on something called war-supporting industry. This is all published accounts. This is not me coming out of the Intelligence Committee or some top secret briefing; this is now published accounts of this targeting. It is vital for the American people to understand that; otherwise they are going to say to the Congress: Just keep doing what you are doing; it seems to be working.

The longer we continue doing what we are doing, the more likely it is that the horrible, unimaginable disaster occurs and that is an accidental unauthorized launch against the United States of America on the people of America and that the people suffer as a result.

I have no idea if President Clinton would do an expedited review and say: I am going to try to strike a deal with President Putin that will allow us to go to lower levels of ABM to solve the stalemate we have over missile defense. He may not take the option.

Whether he takes the option or not, I believe it is unwise for us to be tying the hands of President Clinton. I think it would be unwise to tie the hands of President Gore, President Bush, or any President in this fashion. We had never done it up to 1998. There may have been a compelling argument prior to the Duma's ratification of START II, but there is no longer a compelling argument, in my view, and it would be a mistake for us to have this continuing limitation.

I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Virginia.

Mr. WARNER. I thank the distinguished Presiding Officer.

Mr. President, I am thoroughly enjoying this opportunity. It is an important amendment. Let me start by allowing those who are following the amendment to understand what it is our distinguished colleague wishes to do. By his amendment, he wishes to repeal the limitation on retirement or dismantlement of strategic nuclear delivery systems in excess of military requirements. "Section 1302 of the National Defense Authorization Act for fiscal year 1998 is repealed."

The thrust of what he is trying to repeal limits the President of the United States to certain levels of strategic systems. Are we agreed on that? Does the Senator have a copy?

Mr. KERREY. My amendment simply says:

Strike section 1017 and insert the following:

Sec. 1017. Repeal of Limitation on Retirement or Dismantlement—

Mr. WARNER. Does the Senator have a copy of section 1017 he can print in the RECORD?

Mr. KERREY. It is 1017 of the authorization—

Mr. WARNER. I understand that. The repeal of the limitation in a previous authorization act of 1998—does the Senator have a copy of 1998?

Mr. KERREY. Section 1302 of the Defense Authorization Act.

Mr. WARNER. Section 1302 of 1998. I left mine in the office inadvertently.

Mr. KERREY. Staff is searching, trying to get an answer. I do have it.

Mr. WARNER. My distinguished ranking member is always prepared. We want to make sure the Senator from Nebraska has a copy.

Mr. KERREY. The answer is yes. The Senator from Virginia and I are looking at, I believe, the same thing.

Mr. WARNER. That is correct. We are looking at the conference report for the 1998 authorization bill on page 330, section 1302, "Limitation on Retirement or Dismantlement of Strategic Nuclear Delivery Systems."

Mr. KERREY. I am looking at the public law.

Mr. WARNER. It is the same thing.

Mr. KERREY. My guess is it is pretty close.

Public Law 105-85 says:

(a) Funding Limitation.—Funds available to the Department of Defense may not be obligated or expended during fiscal year 1998 for retiring or dismantling, or for preparing to retire or dismantle, any of the following strategic nuclear delivery systems below the specified levels:

(1) 71 B-52H bomber aircraft.

(2) 18 Trident ballistic missile submarines.

I note that under current law, I believe you have given flexibility to go from 18 to 14; at least you have allowed it to happen.

(3) 500 Minuteman III intercontinental ballistic missiles.

(4) 50 Peacekeeper intercontinental ballistic missiles.

All of which total, by my rough calculation, slightly more than 6,000, which is the START limitation.

Mr. WARNER. Wouldn't the distinguished colleague from Nebraska say that there Congress expressed its will and put limitations on the powers of the President?

Mr. KERREY. Yes, I do.

Mr. WARNER. Fine, and that is precisely what the Senator wants to take out.

Mr. KERREY. Yes.

Mr. WARNER. Let us frame the argument from that. Congress has already done it. The question is: Should we continue, if we put this into permanent law now, so it is permanent? Am I not correct on that?

Mr. KERREY. The Senator is correct.

Mr. WARNER. The Senator from Virginia comes along and says there could be merit in waiving this and a future President should have the option to waive it, provided he does certain preliminary steps as outlined in the amendment of the Senator of Virginia. Are we agreeable with that interpretation?

Mr. KERREY. No, I would be agreeable if the Senator from Virginia says—

Mr. WARNER. We may not agree, but do we understand that is what I am endeavoring to do?

Mr. KERREY. That may be what you are endeavoring to do, but I am not sure your amendment does it. You are saying with your amendment that you want to make certain President Clinton cannot do it but future Presidents could.

Mr. WARNER. What I am saying, practically speaking, is I do not think President Clinton can do it in a judicious and effective way, given the time limitations between now and the end of his term of office.

Mr. KERREY. That is an interpretation on which perhaps we should have a colloquy. If we can reach a conclusion that the President could do an effective review in short order, it may be, as I said, that I am going to declare victory and go home and maybe support your second-degree amendment.

Mr. WARNER. In the first place, the law of the land is still intact until the Senate and, indeed, the House are in conference and the President signs this bill. At the moment, the law of the land precludes him from doing that.

What I am trying to offer is a relevant course of action whereby the next President has the opportunity to address this situation in the context of a fresh QDR and a fresh up-to-date analysis of all the strategic threats, what the other nations possess, and the like. That is effectively what I am trying to do.

Mr. KERREY. By effectively doing that, you are also saying that the current QDR, the current evaluation, is not valid; that the analysis that was done in 1997 by General Shalikashvili is not valid?

Mr. WARNER. I say it is outdated. Mr. President, 1994 is when the last assessment was made.

Mr. KERRY. Will my colleague permit a question?

Mr. WARNER. Mr. President, I also owe the Senator an answer on a procedural matter which I am prepared to, regrettably, give, but I will give it to him.

Mr. KERRY. I thank the distinguished Senator.

I want to follow up on what the Senator from Nebraska said, and I strongly support what the Senator from Nebraska is trying to achieve. I ask the Senator from Virginia if he will agree that START II was signed by the United States of America and was ratified.

Mr. WARNER. Factual.

Mr. KERRY. And the Senator agrees that now START II has also been ratified by the Russian Duma.

Mr. WARNER. But with certain appendages thereto.

Mr. KERRY. I agree. I understand.

The Senator is correct. The Russian Duma ratified START II with the understanding that they had to have the successor states to the ABM Treaty ultimately recognized by the United States, and there are a series of bilateral agreements they want us to ratify, and because the Senator from North Carolina, the chairman of the Foreign Relations Committee, is fundamentally opposed to these changes, we are stuck. But the larger interests of the United States of America are to make the world and this country safer.

We decided, as a matter of policy, I say to the Senator from Virginia, that the world will be safer if we move to reduce weapons to the levels of START II. In fact, it is the policy of the United States of America now to engage in negotiations toward START III, but no one whom I know, who is rational at least—and I absolutely include the distinguished chairman of the Armed Services Committee as among the most rational and most thoughtful people on this subject—nobody is suggesting that we would not want to reduce from the level of 6,000-plus warheads and try to move in the direction of START II. I assume the Senator agrees.

Mr. WARNER. I simply say to my distinguished colleague, before this Senator expresses a view on that, I want to see a new quadrennial review, as well as a new analysis of our strategic system. I will not commit to any numbers at this time until I see that. That is essentially what our candidate George W. Bush has said.

Mr. KERRY. I interpret what the candidate, George W. Bush, said somewhat differently, and I read his speech closely the other day.

It was my understanding he said he is prepared to unilaterally reduce weapons no matter what the Russians do. He also wants to accompany that with a fairly robust national missile defense system.

I again say to my colleague, I think the Senator from Nebraska is on target. Look, the former Soviet Union, what remains of it, Russia, has an ex-

traordinarily weak command and control system.

As a current member of the Intelligence Committee, and the Senator from Virginia shares that, we know full well that one of the greatest single threats to the United States of America today is threat reduction efforts. To suggest that the United States, that our citizens, are safer with more warheads and more active missiles being left in place, with an army that is not being paid, with command and control that is disintegrating and degrading, is a very hard thing for me to understand.

Mr. WARNER. Mr. President, if I might reply, I raised that issue earlier. One of the reasons, motivations for the Russians to drive to lower figures as soon as they can possibly get there is the inability fiscally to maintain their own structure in a readiness posture, which equates to what they have had in years past.

Mr. KERRY. I agree.

Mr. WARNER. That is a risk.

Mr. KERRY. But I ask my colleague, if you understand their economic need, because they cannot maintain the warheads properly, and we are worried about accidental launch, how can you then want to prohibit the President of the United States from conceivably making us safer by wanting to mutually move to a level where we are both safer because we have a number of missiles that are able to be maintained properly and the balance of power is correct?

Mr. WARNER. I give to my colleague two responses: No. 1—and I am not trying to be critical of this President's administration—why didn't they do that several years ago? Because the deterioration of the infrastructure and the financial situation in Russia has been an ongoing situation for several years. It commenced under Yeltsin.

Mr. KERRY. Absolutely.

Mr. WARNER. Why didn't your President take those initiatives several years ago?

What I am saying to you now is, before this President or any other President begins to make an assessment of a magnitude such as this, they better have in place an up-to-date analysis. That is essentially what I am saying.

For the record, I would like to read from the George W. Bush statement:

As President, I will ask the Secretary of Defense to conduct an assessment on our nuclear posture and determine how best to meet our security needs. While the exact number of weapons can come only from such an assessment, I will pursue the lowest possible number consistent with our national security.

Mr. KERRY. Mr. President, it is ironic that a Democrat would be here interpreting the words of the putative Republican nominee. But let me say to my colleague, he very clearly talked about unilateral reductions. His father, President Bush, also was supportive of and negotiated the policy of START II and wanted to move in that direction.

Now START II takes us down to 3,000 warheads. I do not know anybody in

the world of nuclear assessments—you look at the SIOPs. I think there are public targeting figures that do not violate classification. But I will be careful with this because I do not want to violate it.

Let me just say that the Senator well knows that the SIOPs plans of the United States have a number of targets that are well taken care of by the current levels of START II, which is why the Joint Chiefs of Staff, the Pentagon, and everybody signed off on it.

In today's world, in a non-cold-war world, the greatest threat is a rusty freighter hobbling its way into New York Harbor, or nearby, and has the potential to launch a cruise missile at us, or the greater threat is some group of terrorists assembling in New York the multiple parts of a nuclear weapon and holding us hostage, or, as we saw in Japan with the sarin gas attack, terrorists who want to cripple the community through chemical or biological warfare.

Those threats chill me far more than the concept of reducing to 3,000 weapons over the course of the next years. It is going to happen. No matter what the Senator from Virginia says about the next quadrennial review, I am willing to bet my seat in the Senate that this country is going to move, together with others, to reduce the levels of weapons to at least 3,000. The debate today is not whether we ought to be at 3,000. The debate today is whether or not 1,000, 1,500, 2,200 to 2,500 are the appropriate levels.

So why on Earth we would want to hobble the ability of the President of the United States to make this country safer by reducing to the level already agreed upon by Republican and Democrat negotiators alike is absolutely beyond me.

Mr. WARNER. Mr. President, I simply say to my colleague, the Congress has done it. Why do we want to hobble? They did it. Last year our colleague brought up the amendment, vigorously argued it, and it was defeated. So Congress did it again.

Mr. KERRY. There was a reason, Mr. President. It is because the Russian Duma had not ratified. Everybody understood the rationale for that. But now they have ratified it. And the only restraint on our moving to a safer world is the fact that the Senate Foreign Relations chairman is unwilling to bring it to the floor.

Mr. WARNER. I am not going to single out the Foreign Relations chairman, but I make the following observation. That is, this is the law of the land. We are giving the opportunity to the next President to do the necessary studies.

Supposing President Clinton took such actions, which under the Constitution I presume he can—except that the law is pretty explicit here, unless it is repealed—and laid down a set of numbers which the next President, whomever it may be, finds unacceptable after he does the requisite studies,

not only of the nuclear posture but also the conventional. You have to do them together. Then what happens?

The next President is faced with the dilemma of trying to refute what President Clinton did. That would be the worst of both worlds.

Mr. KERRY. May I ask the distinguished Senator from Virginia, with all his years of experience—he has been on the inside of these negotiations; there is nobody with a stronger career with respect to this—can he really say to me, in this current climate, with the problems of the Russians in reducing and maintaining their current weapons, he can really envision the scenario which would require us to reverse a build-down to the 3,000 level?

Mr. WARNER. First, I thank my colleague for his comments with regard to me. But, No. 1, I never commented on SIOPs. I think that is a classification that should not in any way be breached.

Mr. ALLARD. Will the Senator from Virginia yield?

Mr. WARNER. Let me finish. Then, not addressing the SIOPs in any way—I think you understand why we should not do that—I believe that it is unwise, given the current posture of the studies and the fact that on the face they are not up to date—certainly there has been no revelation that these studies are up to date—that we should be making decisions with regard to numbers at this time. I simply will not put my finger on any particular number. Your assumption is reasonable, but I am not going to accede to it.

Mr. KERRY. Let me say to my friend, he talks about the law of the land. When you sign a treaty and the Senate has ratified it, it is the law of the land. Technically speaking, under international law, it is the law of the land when you sign it. When it is ratified, it is even more so the law of the land.

I realize that technically speaking the SALT II does not, in effect, go into full effect until we pass on the codicils. But that is such a technicality in the context of what we are trying to achieve in the world. We are the leader of the free world. We used to be the most important force in the world for nonproliferation efforts. We used to make the most important efforts to try to encourage other countries to toe the line on nuclear weapons.

If we are now going to suggest that having put into law and ratified a treaty, we are unwilling to reduce these levels of nuclear weapons at a time we know Russia is growing more and more unsafe in its capacity to maintain them, we are not acting in the interests of the American people and making them safer.

I say respectfully to my friend from Virginia, in the next 6 months there is ample opportunity for any President to step in, a new President, and say: I do not want to continue these levels. But we have an opportunity here to make the law of the land on this bill in effect

carry through properly. I strongly hope my colleagues will do so because it is the right thing to do.

I thank the Senator from Nebraska.

Mr. WARNER. Mr. President, I have enjoyed my colloquy with my distinguished colleague from Massachusetts.

I would like to present my amendment at an appropriate time. Has the presentation of the presenter, the distinguished Senator from Nebraska, concluded?

Is this an appropriate juncture, because I don't want to encroach on the opportunity for him to fully give his presentation?

Mr. KERREY. The Senator is not encroaching. I stand by and look forward to his argument.

Mr. WARNER. I see the distinguished chairman of the subcommittee on strategic affairs seeking some recognition. I would like to accommodate him. I have had more than adequate opportunity to debate these points.

Mr. ALLARD. Mr. President, I want to point out that the Strategic Subcommittee, which I chair, has been realizing that times are changing and we need to reevaluate and reassess our nuclear forces. In fact, if you look in the bill, we have set up a couple of studies: a revised nuclear posture review in section 1015. Another is a plan for a long-term sustainment of modernization of U.S. strategic nuclear forces in section 1016.

We recognize that times are changing. But this is very serious business. When you are talking about a balance of power between the United States and the rest of the world—and in this particular case, Russia, the former U.S.S.R.—we are talking about very serious business. I don't think this decision should be made by one person. That is why we have set up this posture review process. We suggested it in the bill we have introduced in the full committee and now it is part of the bill. Apparently, this sort of mantle was picked up by Presidential candidate George W. Bush. An important part of his comments is that there be a posture review, a careful analysis of where we are with our nuclear forces. I think your amendment is carrying forward with what the Strategic Subcommittee suggests and the Armed Services Committee and even candidate for the Presidency George W. Bush.

I support the chairman in his amendment to ask for a posture review before we move forward. If I am not a cosponsor on that amendment, I will ask that I be added because I think it is very important. No matter who is President, I don't think one single person should be making these decisions without a careful review from those people who know what they are doing in the Department of Defense.

As I understand the chairman's amendment, it does call for that very careful review. There is one thing I would like to comment on before I yield. The Warner substitute amendment, as I understand it, would provide

authority for the President to waive the limitations in current law regarding the retirement of strategic nuclear delivery systems once the Secretary of Defense has completed the Nuclear Posture Review required by section 1015, which I referred to earlier in my comments. The amendment of the Senator from Nebraska, as I understand it, would not be consistent with the policy enunciated by Governor Bush, nor would it satisfy the concerns that Congress has raised for the last 5 years. It would lead to misguided and uninformed reductions, in my view, rather than a force posture based on careful review of all our strategic requirements and how these relate to our overall national military policy. I think the chairman is headed in the right direction.

Mr. WARNER. Mr. President, if I may, I will make one observation and then I will step back. This provision in the bill that is currently before the Senate was done in, first, the subcommittee of which the Senator is chairman.

Mr. ALLARD. That is correct.

Mr. WARNER. It was brought to a markup, at which time any Senators on that side of the aisle could have objected to it. There was no objection. In fact, as I have looked at the record, it was accepted and voted on unanimously by the entire committee, recognizing the importance of having such a review done timely before any analysis could be made as to future levels of weaponry; am I not correct?

Mr. ALLARD. That is correct. This issue was not brought up in subcommittee or full committee that I recall.

Mr. LEVIN. If the Senator will yield on that narrow point, this language was significantly amended in committee, if I may say so. It wasn't offered in that form. It was amended. This language here is not the issue. The issue is that the amendment of the Senator from Virginia says that this President and the next President cannot take an action until after a certain action is taken at the end of 2001. That was never discussed in committee. It is not part—

Mr. WARNER. Any time before. It doesn't limit it to the end of 2001. It could be done earlier on.

Mr. LEVIN. Oh, it can be?

Mr. WARNER. With the next President.

Mr. KERREY. Mr. President, if the Senator will yield on that, the language of the Senator's amendment doesn't say that. That was the question I was going to ask the Senator from Colorado. It doesn't preclude the President from doing a review before December 2001. The Senator from Virginia was saying so long as it is GORE or Bush, it is OK; but if it is Clinton, it is not.

This is June 6, the day Franklin Delano Roosevelt, while going through a Presidential campaign, authorized the landing on the beaches of Nor-

mandy. There was bipartisan support for it. He was running against Dewey at the time, and he was courageous enough to say we were going to have a bipartisan foreign policy.

The thing that concerns me is that we are losing that. We are saying President Clinton can't do it. If it is Bush or GORE, fine, they can do it, but Clinton can't. I think that is a signal that we are not willing—for example, the Senator said earlier President Bush signed START II after the November election and authorized troops to go to Somalia late in his term. We understood it was late in his term and that he might not have won the election, but, by gosh, the President had the authority to make these decisions right up to the end of his term. This amendment seems to be saying, although I think the language of the amendment—I am trying to ascertain whether or not I should vote for this amendment because it appears the language would allow the President to do an expedited review. It doesn't say he can't have it done earlier. It may be that the Senator's intent is to prevent President Clinton from doing it. But I don't believe the language of the amendment does that.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. ALLARD. I thought the Senator from Virginia was controlling the time.

Mr. KERREY. I ask the Senator from Colorado, is it his understanding that this language would prevent a President Bush from doing a review that could be done in 60 days from, let's say, either the time of his election or the time he is sworn in as President? Would it prevent an expedited review? Say he has Colin Powell or former National Security Adviser Brent Scowcroft and Henry Kissinger and George Shultz advising him, and the four of them say we believe he ought to go to 5,000, and the Secretary of Energy is going to notify Bush on February 1; would your amendment preclude that?

Mr. ALLARD. In my view, and the way I read the amendment—and I think you are missing the main point of the amendment—is that you have a careful review before making a decision. From a practical standpoint, hopefully, it is not going to be an easy decision arrived at. If you are using February as an example, I think it may be possible, because if you look into it, it says after the quadrennial review of 2001.

Mr. KERREY. No. It says concurrent, which, as I read the language of this amendment, would cause me not to vote for it. It doesn't preclude President Clinton or Bush or GORE from saying we can finish that part of the review faster than the rest of the review and have the Secretary of Energy submit it to Congress for congressional consideration. By the way, you can strike this provision and there is no guarantee at all that President Clinton is going to take any action. He hasn't thus far. He hasn't asked for authority.

Mr. ALLARD. The important point is that we have careful review of our nuclear posture. I think it should be done with a lot of consultation with a lot of different people, other than only the President and his immediate surrounding staff. I think the amendment of Senator WARNER does that. I think it is certainly compatible and consistent with what the committee has been thinking in terms of the studies they think are necessary, both in long-term as well as short-term posturing with the nuclear forces. Personally, I think probably there is going to be an opportunity for us to reduce some of our nuclear forces. But it has to be done with a lot of forethought and careful study. I don't think we are going to solve that on the Senate floor. I think it is going to take people who know and understand all the details of the program—both ours as well as throughout the world—to make this decision. I don't think it can be made quickly.

Mr. KERREY. The Senator's answer is yes, for a new President. He could do it as long as he is satisfied with the definition of "careful review." He could do it prior to December of 2001. According to this amendment, it has to be submitted by 2001. So a careful review could be done before December 2001.

I am trying to get the Senator to talk me into voting for his amendment. That is what I am attempting to do here. If the answer is yes, as it appears to be, you may not want President Clinton to make the decision. By the way, I think it is unlikely that he will. He hasn't thus far.

I just think it would not be a good thing for us to say that we are going to put a restriction on this President that we are not going to put on the President-elect, whoever that happens to be.

Mr. ALLARD. I would like to respond to that. On page 4 of the Warner amendment, it says after submission of a report, consult with the new Congress in subsection (c).

I think if those positions are met, we can move forward.

Mr. WARNER. Mr. President, if I might interject myself, as this is drawn, I can easily amend it so that the next President can bring about the necessary infrastructure of studies and have them completed on a timetable to accelerate it so it is not tied to December. The way this is drawn, it is due in December. But I do not interpret that to preclude an earlier assessment by the next President.

What I say to the Senator most respectfully is, practically speaking, under the current administration you have several years in which to do this work and bring it up to date. It simply has not been done.

I just think, practically speaking, this President would be ill-advised to try in the remaining period of a few months to do this type of important thing and to have these studies suddenly brought up.

Mr. KERREY. First of all, I think it would be a very unwise thing to do.

Again, as I indicated earlier, President Bush took action on START II after the election of 1992. President Bush committed troops to Somalia late in his term without getting my objection to do it. I wasn't going to draw a line in the sand late in his term if he saw a threat to this Nation. And if he had a policy, I would agree with that policy. I was not going to prevent him from doing it simply because it would be late. I think that would be inadvisable.

I look at the language of the amendment. I don't see any need to do in the amendment what the Senator is saying. It seems to me that the language of the amendment says it has to be submitted by December 2001, but also there is language in there precluding President Clinton, if he could, to accelerate a review if he chose to.

I am trying to get the Senator to talk me into voting for his amendment because it seems to me the language of his amendment would allow the President, if he chose to, to do the review just as President-elect Bush or President-elect GORE could do.

Mr. WARNER. I think the Senator from Nebraska has carefully pointed out that some clarification of this December timeframe is desirable. I will begin to draft it immediately and hope he can accept some.

Mr. KERREY. Mr. President, it is not desirable, if the Senator from Virginia seeks to get additional support. I am saying that as long as he keeps the language the way it is right now, I can interpret this in a way that allows President Clinton to do so if he chooses. Again, I say to my good friends on that side that President Clinton hasn't indicated any desire to do so.

Why would we want to draft this amendment so that it prevented an existing President from doing something that a new President could do if the existing President hasn't demonstrated any willingness to do so in the first place?

It seems to me if Congress is saying we just do not trust this particular President, and we are not going to allow him to do that, it is a very bad signal. It signals to people that may have a bad intent toward the United States of America that they might be able to get away with things. They might be able to do things in this current environment as a consequence of Congress not willing to allow what normally the Commander in Chief would be allowed to do.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona.

Mr. KYL. Mr. President, as a cosponsor of the Warner amendment, maybe I can offer a little solace to my colleague from Nebraska, which I think is consistent with the intent of the chairman of the Armed Services Committee.

First of all, as the Senator from Colorado pointed out, the primary point of the Warner amendment is to ensure that two specific studies are done; that

this cannot be done just on the certification of the President. That is the primary distinction between this amendment and the amendment from the Senator from Nebraska.

With respect to those two studies, one of them is the quadrennial review. That is the review that Congress now requires of the President every 4 years. It is a very long set of requirements that take all of the defense needs of the country into account in a coordinated, structured way.

It is in that context that I believe, incidentally, Governor Bush would probably want to have this review done. I can't speak for Governor Bush. But I am certain after having talked to him that he has in mind approaching our defense structure generally in a somewhat different way than the past administration has. He has some different strategies in mind.

My guess is that he would want the nuclear review to be done consistent with the quadrennial review so that the Nuclear Posture Review would be coordinated with the quadrennial review. That is precisely what the Warner amendment calls for. It says:

The secretary of defense shall submit to Congress in unclassified and classified forms as necessary a report on the result of the Nuclear Posture Review concurrently with the Quadrennial Defense Review due in December of 2001.

The Senator from Nebraska is quite correct. That report would be accelerated some. As a practical matter, however, it is not going to be accelerated to the point that would occur in the year 2000, and as a result it would, in fact, occur during the next administration—not this administration, the way the amendment is written, at least as I read it.

While it does not tie the Nuclear Posture Review to a specific date, it does say that it should be submitted concurrently with the QDR, whenever that happens to be submitted.

I think that is the answer to the Senator's question. I think this is a very reasonable approach. I hope the Senator will support the amendment for that reason.

I again go back to primarily the point that was made, and that is that we have two different approaches. One relies on just the certification of the President that he thinks this is a good thing to do. The other specifically requires him to do the Nuclear Posture Review and the quadrennial review and to submit those two concurrently. Then the President can, if need be, bring the force structure down.

I would like to make one other point, if I could. If the Senator from Nebraska wishes to interrupt me, that is fine.

The second point I want to make is this: There is a tendency to speak in just sort of hypothetical terms about numbers: Well, 6,000 is a lot or 3,000 seems more reasonable.

What everyone really needs to understand is that we are talking about one of the most complex sets of inter-

related considerations that exist in our defense strategic posture.

The Senator from Nebraska, as the vice chairman of the Intelligence Committee until very recently, appreciates this point as well as anyone. I know that. Among the things that have to be considered, for example, in bringing the number of warheads down, are two things: First, though we all talk in terms of warheads, the Senator from Nebraska knows and the chairman of the Armed Services Committee knows that isn't what we really count. We count delivery systems. Those delivery systems include ICBMs, missiles on submarines, and bombers, which are the three legs of the triad that deliver the warheads.

Here is just one consideration that goes into this equation. The United States has a need to project its conventional forces. We are the superpower of the world. We try to keep peace in parts of the world when other nations cannot do so because among other things, we have the reach to get to those places. We recently involved those forces in Kosovo, and before that we did it in the gulf war. In both cases we used our bomber forces.

Some of these bomber forces, such as the B-2 bomber, clearly count in terms of strategic warheads. If we were to bring the strategic warheads down too far, the result of that would be to take out of service bombers which we need not just for strategic purposes but for conventional purposes as well.

That is why this gets to be a pretty complicated matter and why it shouldn't be done quickly. It certainly shouldn't be done merely for political reasons. I am not suggesting that any President would do that.

That is why clearly a Nuclear Posture Review is critical to any proposal that the President would make in this regard or any decision he would announce. Because you are talking about the interrelationship between conventional and strategic forces, you should tie this to the QDR as well.

That is why the Warner amendment very wisely says the Nuclear Posture Review, and the quadrennial review should be submitted concurrently, and that when they are, the President could make a decision to reduce our warheads below that called for by this agreement.

One more point in response to a point that the Senator from Massachusetts made earlier. The inference of his remarks was now that START II has been ratified by both the United States and Russia, there is no reason why we can't bring these warhead numbers down. But that is not true. START II has not been ratified unconditionally by the Duma. The Duma in Russia ratified START II with conditions, and until those conditions are satisfied, Russia will not submit its articles of ratification. They will not become effective. Until they are deposited with the appropriate international body, and I believe it is Geneva, Switzerland,



the Duma ratification of START II is not effective. It is conditional upon two things that the U.S. won't approve: the so-called multilateralization agreement and another agreement which limits the way in which our tactical missile defenses could be arrayed.

We are at a stalemate in terms of START II. That is why it is inaccurate to argue that since both countries have now ratified START II, the President might as well bring the numbers down. That is not true. There may be good reason to bring those numbers down irrespective of START II, but it is not an argument that because both countries have ratified START II, now the President should bring the warhead numbers down. In point of fact, START II has not yet been legally ratified by Russia.

The bottom line is I agree with President Bush. I take it, to some extent based upon what I know of Senator KERREY's comments, that we ought to make a determination which makes sense for America. The world is different now than it used to be. The President ought to, upon proper review, determine the size of our nuclear strategic forces.

Where I think perhaps we may have a disagreement, although perhaps he now is convinced, is that rather than simply saying the President can have that authority and can exercise it irrespective of what the Congress did last year in passing the law that said no, rather than taking that approach, it makes much more sense to ensure that the President makes this decision with the calm, cool reflection of the quadrennial review and the strategic nuclear posture review having been done. When those two things are done and submitted concurrently, it will be an appropriate time for the President then to make this decision.

Mr. KERREY. First, I appreciate very much the statement of the Senator from Arizona. We have been together on a number of occasions before the intelligence committee and in the public environment talking about the threat of the missiles, especially from rogue states. I have enjoyed those associations very much.

He is quite right; the systems are extremely complicated. We do talk about warheads and we ought to focus on the platforms. One of the problems is that it is very rare we have a chance to focus on any of these. It is debated too little, in my view. These are not bullets; these are very complicated systems. If you are the STRATCOM, you have a Presidential directive that tells you what you are supposed to do. Again, that is where it all begins, with a Presidential directive and a PPD 60 that was updated during the Clinton administration. You set forth talents. You are the CINC in charge of this. You have ICBMs, submarine launch ballistic missiles; you have your bombers at your disposal; and you are calculating whether they will be reliable, whether they are available, whether they will be able to do what that Presi-

dential directive says you have to do. I am challenging the Presidential directive, the policy itself.

As I understand it, I thought earlier we could have some flexibility in this amendment. I am uncomfortable tying this thing to quadrennial review. I don't want to speak for the administration. I am not on the Armed Services Committee so I haven't been there when they made the presentations, but I have, as a consequence of being provoked to do so, requested a briefing from STRATCOM that was given to General Shalikashvili in 1997 and was presented to the Armed Services Committee. I believe both the chairman and ranking member received that briefing, as well. I am satisfied that is a current analysis. I am satisfied that it needs relatively little attention.

I don't agree with what the chairman has said, saying that the President has not been evaluating this over the last 7 years. He has arms control negotiators. In fact, he has resisted pressure from this side of the aisle to do the very thing I am talking about right now. He has been unwilling to do it; he has been unwilling to go lower, to do the thing that President Bush did in 1991.

I am not certain, even if this section were stricken, that the President would take any action, but I am not willing to accept that there hasn't been a sufficient amount of review done on this, and I think it would be unwise, as I hear now, not only restricting President Clinton but restricting President-elect Bush or President-elect GORE.

Earlier in a colloquy with the author of the amendment, it seemed there was some flexibility. But I hear the Senator from Arizona saying, no, there is not; it would have to be submitted concurrent with the quadrennial review, which is expected in December of 2001, and it may not be done 2001. It could take longer than December of 2001. We are saying that the current President and future Presidents could not, if they got an attractive offer from the Russians to accept the kind of modifications in ABM that permit a vigorous deployment of missile defense along the lines of what Governor Bush is talking about, this would prohibit Governor Bush from doing that unless we came in and changed the law again.

I think we should not be tying the hands of the President in these kinds of negotiations. What current law does, as modified by the Senator from Virginia, is to untie it slightly, but as I understand it now and if the Senator from Virginia agrees regarding the explanation of the Senator from Arizona in an earlier evaluation, that could not be done, but only submitted concurrent with the submission of the quadrennial review.

Mr. LEVIN. Will the Senator yield?

Mr. KERREY. I yield.

Mr. LEVIN. My understanding is the Senator from Arizona and the Senator from Virginia would have to make a decision on this because it is his amendment. But my understanding is

that the decision of the President to lower the force structure—what he negotiates is a totally different issue. We are not limiting what the President can negotiate in terms of a treaty which will then be submitted to the Senate.

We are talking about a force structure which has to be maintained, subject to being changed either by treaty when ratified becomes the law of the land, or by a subsequent law.

What this language does, as I understand it, and I think I partly agree with the Senator from Arizona, is that he could not lower the force structure until that Quadrennial Defense Review and Nuclear Posture Review are submitted. I think that is the way the amendment reads.

However, I think I agree with what the Senator from Virginia suggested before, which is if that Quadrennial Defense Review and Nuclear Posture Review is submitted before December of 2001, at that point this waiver could be exercised by a President.

Mr. KYL. That is exactly my understanding, too. That is precisely the way I think it reads.

Mr. LEVIN. Will the Senator yield for a question?

Mr. KERREY. I am pleased to yield.

Mr. LEVIN. What is interesting to me is that there has been an argument from the Senator from Virginia and our good friend from Arizona that there should be a review; until there is a review, there should not be a reduction in our force from START I levels.

Mr. WARNER. That is correct.

Mr. LEVIN. There was a review in 1994—1994. In 1994, the START II level was deemed to be adequate by the chiefs. There was a nuclear posture review in 1994.

Then, in 1996, we come along and say you can't go to START II levels. You have to stay with START I levels, we said, by law—by law.

So we had this thoughtful Nuclear Posture Review that took place in 1994, but we won't let a Commander in Chief implement that Nuclear Posture Review, which was thoughtfully carried out and which supported the START II levels in 1994 because we came along a year and a half later and said you have to stick with the START I levels.

Now the chiefs are very much opposed to that requirement in law that restricts us to START I levels, the higher levels, and doesn't allow a Commander in Chief to go to the START II levels. They have written us, and they have testified. Here is General Shelton:

I would definitely oppose inclusion of any language that mandates specific force structure levels.

General Shelton:

The Service Chiefs and I feel it is time to consider options that will reduce the strategic forces to the levels recommended by the Nuclear Posture Review.

That was 1994. He went on:

The START I legislative restraint will need to be removed before we can pursue these options. Major costs will be incurred if we remain at START I levels.



So we required that they stick at START I levels, in 1996. And then some of us now are critical of the Commander in Chief for not going to a different force structure. We are saying: Well, that's the law. We passed the law. We require him to stay at the START I levels. And now some of us criticize him for trying to do something precipitously, without adequate study.

There was an adequate study. It was called a Nuclear Posture Review in 1994, which said the START II levels were adequate for the security of this country. We will not let him go to the START II levels. Then, as my good friend from Nebraska points out, in 1997 there was an additional review. I do not think any of us want to suggest the chiefs did not do a thoughtful review in 1997, saying we could safely go, in a START III agreement, to a lower level than START II. But we are stuck at START I. We are at START I levels. Now we are saying we will let the next President go to a lower level than START I, but not this, because we want it to be thoughtful, when we had a thoughtful review in 1994. We will not let them go on. We had a thoughtful review in 1997 to which we won't let him go.

Of course, it should be thoughtful. We have had two of them right in the RECORD, right before us, that we are saying, in the Kerrey amendment, to which we ought to allow a Commander in Chief to go. We have the Chiefs saying they want the option to go to the START II levels. Unless we say the chiefs do not act thoughtfully—and I do not think anybody in this Chamber wants to take that position—then it seems to me we should allow a Commander in Chief to go to the thoughtful Posture Review level of 1994 and the thoughtful 1997 level.

So the first thing we need to do is interpret what this amendment means. I do not know if Senator WARNER agrees with this, but I think Senator KYL has suggested the way I phrased that interpretation was accurate. I would be asking a question, even though Senator KERREY has the floor, of Senator WARNER, whether he agrees with Senator KYL's interpretation of the Warner amendment.

Mr. KERREY. Let me ask Senator WARNER the question.

Mr. WARNER. I ask my colleague to restate his position for clarity, and then I will clearly indicate.

Mr. KERREY. In answering the question of the Senator from Michigan, that portion that was directed to me at least, first of all I say you are right. I think the question is, Do we need an additional review, more than we have already had, to support a President if the President decides to go at lower levels? That is what this amendment says. This amendment says we need additional review and it needs to be more thoughtful than we have had thus far.

I am prepared to say, with the little I know—you know more than I on this subject—that we have had thoughtful

and serious review done. What the amendment does is it ties the hands of a President, this President and the President-elect, if we have to wait for it to be submitted concurrently with the quadrennial review, and it weakens him as a consequence. It says to the people who are negotiating with him, if an offer is put on the table by this President that is different from what the current law allows, he cannot do it. He can't sit down and negotiate with President Putin to go to lower levels in exchange for a modification of ABM because the law prevents him from doing it.

It weakens an incumbent President. That is exactly what it does. I think that is what it is intended to do. That is what it will successfully accomplish. I don't think—in fact, I know—from my experience of the Senator from Virginia that is precisely the opposite of the sort of thing he would want. He would avoid it. I am going to listen to the answer of the Senator from Virginia and then come back in the morning to hear even more.

But in the spirit of bipartisanship, I understand the Senator from Virginia is going to be offering later, perhaps, an amendment that would provide some resources for the operation of a World War II memorial.

Mr. WARNER. That is my intention.

Mr. KERREY. I would like to be added as a cosponsor of that.

Mr. WARNER. At long last, he is joining me. I am going to do that as soon as the opportunity presents itself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I believe the question of the Senator from Michigan through the Senator from Nebraska to the Senator from Virginia is whether he agreed with me.

My interpretation is simply the language of the amendment which says that the Nuclear Posture Review shall be submitted concurrently with the quadrennial review, which is due in December—

Mr. WARNER. No later than.

Mr. KYL. No later than December 2001. It could be, therefore, submitted prior to that date. It all depends upon when the QDR would be submitted. But it does have to be at the same time.

If I could just make one other point, I am advised by staff that the last quadrennial review did not include a review of the nuclear posture. So the last Nuclear Posture Review was in fact in 1994.

Mr. WARNER. Mr. President, my colleague is correct on that. I can verify that. And I agree with his interpretation of my amendment. It is as simple as that.

Mr. LEVIN. I think I did say the Nuclear Posture Review of 1994, which was a thoughtful review which supports START II levels. The Commander has been precluded from going to that by our law.

Mr. WARNER. It comes down to a very practical application, that we be-

lieve strongly—and this amendment recites it—that certain steps should be taken before any President makes such important decisions with regard to the numbers in our future arsenals.

Mr. President, under the unanimous consent agreement, this debate can continue tomorrow. I think we have had an excellent debate. I think we have narrowed, for the benefit of the Senate, where the differences are on the two sides.

Unless my colleague from Colorado has further to say on this amendment, I will proceed to do another amendment at this time.

Mr. LEVIN. Will the Senator yield for just one procedural question?

Mr. WARNER. Yes, of course.

Mr. LEVIN. Is it the intention, then, of the Senator from Virginia to modify his pending amendment?

Mr. WARNER. I thank the Senator from Michigan. It is not my intention to modify the amendment of the Senator from Virginia at the desk at this time.

Mr. LEVIN. The modification I was referring to was not a technical modification to comply with the unanimous consent agreement. The modification I was referring to is whether the Senator from Virginia is intending to modify any of the language relative to that 2001 date.

Mr. WARNER. At this time I do not think it is necessary. I will ask the Chair, for the purposes of clarity, is the amendment of the Senator from Virginia in order?

The PRESIDING OFFICER. Yes, it is.

Mr. WARNER. There was some concern, technically, heretofore that it was not.

Mr. LEVIN. That is correct.

Mr. WARNER. Mr. President, we will lay aside this amendment for the time being.

The PRESIDING OFFICER. The unanimous consent agreement we are operating under at the present time does not contemplate any additional amendments, so it would require unanimous consent.

Mr. WARNER. That is correct. I am simply at this point in time asking my colleague for unanimous consent that I can send to the desk an amendment relating to the World War II veterans memorial.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, we just need a few minutes to look at it. We just received it.

Mr. WARNER. Why don't we put in a brief quorum call, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

AMENDMENT NO. 3189

(Purpose: To require the disposal of a certain quantity of titanium from the National Defense Stockpile)

Mr. WARNER. Mr. President, I have consulted with my distinguished colleague, and I am going to now send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself, Mr. LEVIN, Mr. THURMOND, Mr. INOUE, Mr. HOLLINGS, Mr. STEVENS, Mr. ROTH, Mr. HELMS, Mr. MOYNIHAN, Mr. LAUTENBERG, Mr. GORTON, Mr. AKAKA, and Mr. KERREY, proposes an amendment numbered 3189.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 613, after line 12, insert the following:

**SEC. 3403. DISPOSAL OF TITANIUM.**

(a) **DISPOSAL REQUIRED.**—Subject to subsection (b), the President shall, by September 30, 2010, dispose of 30,000 short tons of titanium contained in the National Defense Stockpile so as to result in receipts to the United States in a total amount that is not less than \$180,000,000.

(b) **MINIMIZATION OF DISRUPTION AND LOSS.**—The President may not dispose of titanium under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of titanium; or

(2) avoidable loss to the United States.

(c) **TREATMENT OF RECEIPTS.**—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), funds received as a result of the disposal of titanium under subsection (a) shall be applied as follows: \$174,000,000 to defray the costs of health care benefit improvement for retired military personnel; and \$6,000,000 for transfer to the American Battle Monuments Commission for deposit in the fund established under section 2113 of title 36, United States Code, for the World War II memorial authorized by section 1 of Public Law 103-32 (107 Stat. 90).

(d) **WORLD WAR II MEMORIAL.**—(1) The amount transferred to the American Battle Monuments Commission under subsection (c) shall be used to complete all necessary requirements for the design of, ground breaking for, construction of, maintenance of, and dedication of the World War II memorial. The Commission shall determine how the amount shall be apportioned among such purposes.

(2) Any funds not necessary for the purposes set forth in paragraph (1) shall be transferred to and deposited in the general fund of the Treasury.

(e) **RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.**—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials in the National Defense Stockpile.

Mr. WARNER. Mr. President, our beloved former colleague, former majority leader, Senator Dole, and others have been very active in raising funds to build a memorial to those who served in World War II. I have been in

consultation with him, as have other Members of the Senate, with regard to the success of this memorial effort.

It has been successful. Today Senator Dole was proud to receive a donation from the private sector in excess of some \$14 million. What a fitting day, the 56th anniversary of D-Day. I called Senator Dole, after consultation with a number of my colleagues, most specifically those colleagues in addition to myself who served in World War II, to get their concurrence in a decision that I had made sometime earlier to the effect that I thought Congress should participate in the funding of a portion of this memorial, a relatively small portion that remains to be raised to reach the goal. I asked Senator Dole to come today, which he did several hours ago. We met. We reached concurrence on the following language, which I will address to the Senate.

This is becoming a campaign to build this memorial. It is all America. It is extraordinary. I was very heavily involved in the funding, the legislation and other aspects of the Vietnam Veterans Memorial, spent 2 or 3 years before, in fact, or more working with the courageous group that envisioned that magnificent memorial. I can remember when it was just a glimmer in our eyes, the Vietnam Veterans Memorial. I think there were 10,000 different designs that came in. I remember going out to Andrews Air Force Base where all the designs for the Vietnam Veterans Memorial were posted. We had a group of experts examine them.

Finally, the experts came down on the design which is the current wall. It was designed by a young architectural student or just a graduate, 21 years old. It was as if the hand of providence reached down and touched those individuals who started that campaign, who saw it through at times when we didn't have \$5 in the bank and we worked to rescue it. Then this brilliant woman, Maya Lin, created the design out of 10,000 submissions. So much for that history.

I have a very modest association with Senator Dole and others who are working on this, but I am happy to present this to the Senate tonight as America's campaign. Citizens across our land, corporations, foundations, veterans groups, civic, fraternal, professional organizations and State legislatures, yes, indeed, State legislatures, have generously contributed to this important cause. Hundreds of thousands of individual Americans, young and old, are rallying behind the opportunity to say thank you to a generation of Americans from the World War II generation. It is to the military men and women who wore the uniforms, but I, as a young person who went into the service in January 1945, remember the war was raging, the Battle of the Bulge had not been completed yet. The campaign in Iwo Jima was about to start. The whole of America was involved in that war, whether you were in uniform or whether you were on the home front.

This is a recognition of the contribution of millions of Americans, upwards of 16 million who wore the uniform in that period, and treble that amount at home were involved in the industrial base, all of the activities to support those who were on the battlefronts in the Pacific and in Europe.

So it was America's generation of uniformed and those civilians here at home who fought courageously and sacrificed in so many ways to make victory assured against tyranny.

The memorial campaign currently is progressing toward raising the \$139.6 million needed to build this lasting memorial to the generation that conquered tyranny in the 20th century. While the campaign is very close to the goal, we in the Congress now have an opportunity to show our support and add our shoulder to the wheel.

The site on The National Mall has been chosen, preliminary design approved, and the intent is to break ground on Veterans Day weekend, this November. Since the private sector is generously donating the funds needed to design, construct, and maintain the memorial—over \$120 million as of today—I believe it is appropriate for Congress also to support the memorial campaign.

The amendment I introduce tonight, together with my distinguished colleague from Michigan, Mr. LEVIN, will show the support of Congress for this important project. Specifically, the amendment provides for \$6 million to the American Battle Monuments Commission from the revenues of sale of titanium from the national defense stockpile—nonappropriated funds, Mr. President. The \$6 million should be used to complete all necessary requirements for the design of, groundbreaking for, construction of, maintenance of, and dedication of the World War II memorial.

The Commission plans to complete construction and dedicate the memorial on Veterans Day, 2002. We cannot wait a moment longer to show our support for this project. It is astonishing that over 1,000 men and women each day who proudly wore the uniform, of that 16 million total, are passing on to their great rewards—1,000 a day who die. Now it is the hour for Congress to act and put our shoulder to the wheel to give our expression, along with all other Americans, for this great project.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I congratulate and thank the Senator from Virginia for his leadership in this matter. This is a relatively small contribution from the people, acting through its Congress. The private sector is funding 95 percent of this effort. This is really symbolic almost, but it is an important contribution. It symbolizes where the heart of this institution, this Congress, is, and reflects where the American people are because they would, I think, applaud what the good

Senator from Virginia is doing here tonight, and I am happy to join. I thank him. He points out many things that I won't amplify, given the hour, except to say it is surely the right day today, this 56th anniversary of D-Day.

When he talks about how the American people who participated in that effort are all being honored, surely first and foremost are our veterans, but all the American people who are behind them; it is such an important point for all of us to remember.

I remember as a kid the minute, little contribution we kids were making, going around the streets looking for wrappers that we could peel off the foil, put it together in a little ball of metal, and then, with all the little balls of metal, put together a tank or an airplane. But first and foremost, obviously, it is the veterans, those who didn't come back and those who did.

I thank the Senator from Virginia for doing this. I don't know if he listed all the cosponsors.

Mr. WARNER. I was about to do that. It is so hard for the current generation of people to remember that period. Both of us do. I happen to have been in uniform. I remember where we had a little book of stamps, savings bonds, and you put your quarter stamps in. You were rationing butter, meat, shoes and clothing. We never thought about it. It was our way of backing the men and women in uniform. I remember it was 3 gallons, I think, a week of gasoline that you had. My father was a doctor, and I remember that doctors had an additional allocation of gasoline so they could make hospital calls and visit homes. It was just an extraordinary hour in America, the way there was a total effort.

Mr. LEVIN. All the way down to the kids.

Mr. WARNER. Yes. I remember picking up little bits off the cigarette packs and the tin foil.

Mr. LEVIN. We used to flatten cans. After we were done with a can of food, we would take off the other end that hadn't been opened, put it in a box, flatten the can, and carry in the boxes of tins.

Mr. WARNER. Mr. President, does the Senator remember the collection of scrap metal? I will never forget it. In those days, the Nation's Capital, where we lived, had great big trash trucks, and the trucks ran overtime. They would come down the street, and people would come out and put all kinds of scrap metal in the trucks. I remember the person who lived across from me came out with an armful of magnificent guns—shotguns and rifles that belonged to her husband—and the trash guys looked at them and just threw them in the truck. I don't know that those guns ever got to the scrap heap, but I remember that as if it were yesterday.

Mr. LEVIN. I saw letters of President Roosevelt the other day thanking people for their donations—I think it was of telescopes; I am not sure. It was

something which people just put into the war effort, either scrapped or used in some way.

This is a special tribute to those of our colleagues, including yourself, who were in World War II. I know you are going to list them. But as this honor roll of heroes is read by the Senator from Virginia, I think we are all going to stand very proud that we have so many Members still in this body who served in World War II and, of course, many who did serve in this body who served in World War II who are also being honored. Senator Dole, of course, is very much in the lead in this effort, but so many others came before us who are currently in this body who served.

How many are there who served in this body?

Mr. WARNER. I have spoken to every one of them today. I will read their names in the order of seniority of the Senate: Senator THURMOND, who crossed the beaches on D-Day. He did it in a glider, and it crashed, he was injured, but he went on and took up his duties despite that. Senator INOUE is one of the most highly decorated Members of the Senate. The President upgraded his decoration from the Distinguished Service Cross to the Medal of Honor; is that correct?

Mr. LEVIN. That is correct. It will be presented in a ceremony this month at the White House. That was something Senator INOUE was not even aware of until he read about it.

Mr. WARNER. No. There is not a more modest Member of the Senate.

Mr. LEVIN. So true.

Mr. WARNER. What a great strength he has been to national defense in the 22 years we have worked on this.

FRITZ HOLLINGS was in the European campaign. Senator STEVENS was an Air Corps pilot, before there was an Air Force; he flew in the Pacific. Senator BILL ROTH was in the Army. Senator HELMS was in the Navy. Senator MOYNIHAN was in the Navy, and he was proud to call me Secretary of the Navy. I was just a petty officer third class. Senator LAUTENBERG served. Senator GORTON served in the Army right at the end. Senator AKAKA served. I was a young sailor, and we were trained during the invasion of Japan, and the war ended very precipitously.

Mr. LEVIN. Senator Bob KERREY also wanted to be added as a cosponsor.

Mr. WARNER. Senator Robert KERREY is a Medal of Honor winner. We will add him as a cosponsor. I ask unanimous consent that they all be made cosponsors, along with myself and Senator LEVIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate on the amendment, the amendment is agreed to.

The amendment (No. 3189) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. I thank my distinguished colleague for joining me and for his kind remarks about our colleagues.

Mr. President, we have made some accomplishments today. The hour is 8 o'clock, and we started promptly at about 2:45. I thank all who participated in moving this. We have an order for tomorrow which lays out the work.

#### MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES ON THE OCCASION OF THE 50TH ANNIVERSARY OF THE ASSOCIATION'S CONGRESSIONAL CHARTER

Mr. THURMOND. Mr. President, it is with a great deal of professional pleasure and personal pride that I rise today to honor an organization in which I am a life member and served as the 21st national president nearly 50 years ago. The organization of which I speak is our neighbor across First Street, the Reserve Officers Association of the United States, though it is perhaps best known simply by its initials—ROA. The association was organized in 1922, at the instigation of General of the Armies John J. Pershing, who was then serving as the Army's Chief of Staff. Like many others who served in uniform in World War I, General Pershing was convinced that the war could have been significantly shortened or avoided altogether if an adequate pool of trained officers had existed at the time. Taking his sentiments to heart, 140 Reserve officers met at Washington's Willard Hotel and organized the Reserve Officers Association. It was largely through the dedicated efforts of this voluntary organization and its members that the United States established its Officer Reserve Corps, which was to supply the great majority of America's trained officers in the days leading up to World War II. It is appropriate for the Senate to note that these first ROA members were citizen-soldiers who clearly saw the approaching storm clouds. They pushed the nation toward an unprecedented level of pre-war preparedness that arguably saved lives and formed the very foundations of the great victories of democracy that were to follow.

With the end of the war, the ROA resumed its normal operations, raising and maintaining the nation's awareness of the role and contributions of its military forces in the uneasy post-war

world. It was in these tense days, in June 1950, that the Congress granted the ROA the formal charter that established the association's object and purpose. That formulation was clear and direct, unambiguous and unequivocal: ROA was "to support a military policy for the United States that will provide adequate national security and to promote the development and execution thereof."

For 50 years, the ROA has followed that guidance, and taken the lead in rigorously advocating a strong and viable national defense posture for our nation. The ROA has worked to support concepts that have strengthened our ability to preserve our freedom and to advance our national interests across the world. It worked to revitalize and fund the Selective Service System, support our Cold War allies, and focus the weight of public opinion in favor of our national commitment during the Gulf War and expanding NATO. It has played a major role in persuading the Congress to provide more than \$15 billion in critically needed equipment for our nation's Reserve components. In addition, the ROA has also clearly understood that not all ideas are good ideas. It successfully opposed efforts to combine the Army Reserve and National Guard, and to disestablish the Coast Guard, and Air Force Reserves, as well as the Selective Service System and the commissioned officer corps of the National Oceanic and Atmospheric Administration.

Mr. President, the ROA has, for the past 78 years, proven itself to be a strong and articulate voice in the halls of Congress and the corridors of government for all our service members. It has lived up to its charter and supported the cause of national defense in seasons when it has not been popular to do so. It has established an enviable reputation for nonpartisan expertise and even-handed advocacy, a reputation that has grown and flourished as defense issues have become ever more complex in these days of the Total Force Policy. The ROA enjoys the confidence of the Congress and of the Department of Defense. Its successful legislative efforts have made it a valued partner in the formulation and development of the annual defense bills and in building broad, bipartisan support for our men and women in uniform. Over the years I have learned that serious debate on any issue dealing with our Reserve forces is not complete until we have heard from the ROA. As the number of members of Congress with personal military experience has declined, the importance of ROA's contribution to developing our military policy has increased exponentially. The ROA has played and will continue to play a crucial role in shaping the debate over the appropriate roles and missions of our Armed Forces. The nation is most fortunate to have such an asset to call upon. We should all be grateful.

Mr. President, I urge all Senators to join me in congratulating the Reserve

Officers Association of the United States on the fiftieth anniversary of the granting of its congressional charter.

#### TRIBUTE TO LIEUTENANT GENERAL PHILLIP J. FORD, USAF

Mr. KERREY. Mr. President, I rise today to pay tribute to a life of service devoted to defending the values and ideals of our nation. On July 1, 2000 the country will lose to retirement its Deputy Commander in Chief of the United States Strategic Command, Lieutenant General Phillip J. Ford, USAF. Through his leadership, General Ford has taken the United States and U.S. Strategic Command into a new world environment. During his career, his guidance and foresight helped see the U.S. Military into the new millennium.

Throughout a career that spans four decades, General Ford has commanded the 8th Air Force, the 384th Bomb Wing, and the 524th Bomb Squadron. As commander of the 384th at McConnell Air Force Base, Kansas, he transformed and entire installation to bring in and support a new B-1 bomber wing. General Ford has also served as commandant of the Air Command and Staff College and held key staff positions at the Headquarters of the U.S. Air Force, Military Airlift Command, Air Mobility Command and Strategic Air Command.

As the nation's top bomber commander supporting the United States Central Command, General Ford directed an unprecedented global power strike against Iraq during Operation DESERT FOX. Despite tactical and weapon system limitations, his bombers succeeded in retargeting their air launched cruise missiles while airborne and en route to their targets. His forces delivered their weapons on time and on target, guaranteeing mission success.

As Deputy Commander in Chief of the United States Strategic Command, and as a strong proponent of an enduring, stable, strategic relationship with Russia, General Ford championed the Defense Department's cooperative threat reduction activities, to include military-to-military contacts. General Ford's historic military-to-military exchanges with senior Russian nuclear commanders built a legacy of respect, mutual understanding and cooperation. The general's insight in planning and evaluating the command's communication capabilities assured the nation that the communication between the President, Secretary of Defense, Joint Chiefs and men and women at the helm of ballistic missile submarines, intercontinental ballistic missiles and nuclear bombers remained intact despite Y2K concerns. His efforts will have an enduring, positive impact on strategic stability for many years to come.

Lieutenant General Ford and his wife, Kris leave the military after a distinguished 34 year career serving their nation. The people of the United

States salute General Ford and Mrs. Ford and wish them well as they begin a new chapter of their lives after military service.

#### RECOGNITION OF CHANCELLOR ROBERT KHAYAT'S INDUCTION INTO THE MISSISSIPPI SPORTS HALL OF FAME

Mr. LOTT. Mr. President, I rise today to congratulate my close friend, Robert Khayat. On March 9, 2000, Chancellor Khayat was inducted into the Mississippi Sports Hall of Fame. I want to recognize Chancellor Khayat not just because of his recent induction into this prestigious group, but also for his dedication to the State of Mississippi.

Robert Khayat played college baseball and football at our mutual alma mater, the University of Mississippi. Playing catcher for Ole Miss, he led the team to two consecutive SEC Baseball Championships. A two-time All SEC player, Bob Khayat earned three letters in his sophomore, junior, and senior years.

During Bob Khayat's college football career he demonstrated a definitive leadership role. At the position of place-kicker, "Golden Toe," as he was called, led the Rebels' extraordinary football team to many a victory. His name is forever in the University of Mississippi's history books as one of the greatest place kickers to set foot on the Ole Miss campus. Coach John Vaught's team secured many victories because of Bob Khayat's athletic ability. He was selected as the place-kicker on the Ole Miss Team of the Century.

After graduating from Ole Miss, Bob Khayat played professional football for the Washington Redskins. In his time with the Redskins he scored 204 points, tied the all-time Redskins record for most field goals made in a single game, and was voted into the Pro Bowl. In recognition of his great achievements, the NFL presented Bob Khayat with the 1998 Career Achievement Award for his accomplishments on and off the field.

While performing in the NFL, Robert Khayat pursued his law degree at the University of Mississippi Law School. After graduating third in his class and earning his Juris Doctorate degree in 1966, Bob Khayat entered private practice in Pascagoula, Mississippi. In 1969 he became a law professor at Ole Miss.

From 1980 to 1981, Bob Khayat took a leave of absence to pursue a Masters of Law degree, which he received from Yale Law School. Returning to teach at Ole Miss Law School, he was promoted to Associate Dean before serving as Vice Chancellor for University Affairs in 1984. In 1994 he served as interim athletic director before becoming the University of Mississippi's 15th Chancellor.

Chancellor Robert Khayat plays an instrumental role for the State of Mississippi. He is known for his tireless leadership which he has exemplified as a student, an athlete, a professor and

finally as Chancellor of the University of Mississippi. Chancellor Khayat's character is a tremendous asset to Ole Miss. As a person, he is a role model for all who know him.

Mr. President, on behalf of my fellow Mississippians, I would like to commend Chancellor Khayat for his leadership, his accomplishments, and his continued dedication to making our home state a better place. While I am recognizing Chancellor Khayat for his induction into the Mississippi Sports Hall of Fame, his many talents and abilities distinguish him in countless other areas as well.

#### IN MEMORY OF DR. WALTER WASHINGTON

Mr. LOTT. Mr. President, today I rise to remember an admirable person and a devoted educator, Dr. Walter Washington. Dr. Washington served as a classroom teacher, assistant principal, Dean of Utica Junior College, President of Utica Junior College for twelve years, and served as President of Alcorn State University from 1969 to 1994. Dr. Washington retired as President of Alcorn State University on June 30, 1994, and was subsequently named President Emeritus by the Mississippi Board of Trustees of State Institutions of Higher Learning.

During his tenure as both an educator and administrator, Dr. Washington was a leader in the State of Mississippi and throughout the country. He was a mentor to all who met him, and he set a high standard for his successors. His impact on Mississippi was evident in his work as a representative of the state on several national commissions.

As a man of many talents, he served on the Advisory Council of the National Urban League's Black Executive Exchange Program and the U.S. President's Advisory Council on Historically Black Colleges and Universities. In 1982, he was awarded the Outstanding Presidential Cluster Citation by President Ronald Reagan.

Dr. Washington was a member of several professional organizations, including Kappa Delta Phi, Phi Delta Kappa, and Alpha Kappa Mu Honor Society. He served as president of the Mississippi Teachers Association and held membership in the Mississippi Association of Educators and the national Education Association.

Dr. Washington married his college sweetheart, the former Carolyn Carter, in 1949. In addition to his devotion to his wife, he was involved in many community organizations. Dr. Washington received the Silver Beaver Award from the Boy Scouts of America, the Distinguished Service Award and Distinguished Alumni Award from Peabody College, and the Service to Humanity Award from Mississippi College. He was listed among *Ebony's* 100 Most Influential Black Americans in 1974, 1975, and 1976, and was selected Mississippi Man-of-the-Year in Education in 1981.

Dr. Washington passed away on December 1, 1999, but his legacy will live

on as an eternal flame. I was deeply saddened to hear the news of his death.

Dr. Washington's reputation for hard work and academic excellence set an example which will continue to inspire greatness in the men and women of Mississippi. Such a reputation is the greatest tribute to a man's life. His insight on predicting the needs of future students helped to mold Alcorn State University into one of Mississippi's great universities.

Mr. President, Mississippians and Americans are grateful for Dr. Washington's public service, and I commend him for his leadership and accomplishments.

#### ACCESS TO INNOVATION FOR MEDICARE PATIENTS ACT

Ms. MIKULSKI. Mr. President, we are so fortunate to live in an era when modern medical breakthroughs are an almost common occurrence. Every day brings new research and insight into the human body and diseases that, unfortunately, affect our friends, families, co-workers, and ourselves. For example, there are several wonderful new therapies that help people with chronic diseases like rheumatoid arthritis, multiple sclerosis, and Hepatitis C live more active and pain-free lives. I am proud to be an original co-sponsor of the Access to Innovation for Medicare Patients Act (S. 2644), which would extend Medicare coverage to new self-injected biological therapies for these chronic diseases.

One of the most important things I do as a United States Senator is listen to the people and the stories of their lives. The story of one of my constituents, Judith Levinson of Rockville, Maryland, is a compelling example of the power of these new therapies. Judith was diagnosed with rheumatoid arthritis (RA) when she was 40 years old. At first, her fingers and toes swelled up and sent sharp pains into her arms and shoulders. Over the next few years, she had multiple surgeries to place artificial knuckles in her fingers, to fuse her thumbs, and to replace both of her wrists with steel rods. Her feet have also been affected. Judith had six surgeries on her feet because bone deterioration made walking very difficult and painful. She now wears a size 2 shoe because so much bone has been removed from her feet. Unfortunately, Judith's suffering did not end with the surgeries. During recovery, her hands had to be placed in cages in order to heal properly—which made her completely dependent on others for daily activities. On a scale of 1 to 10, Judith rated her daily pain as an 8.

In January of 1999, Judith's doctor prescribed a new self-injectable drug called Enbrel, which had just been approved by the Food and Drug Administration (FDA) for the treatment of advanced RA. I am proud to add that the Johns Hopkins University's Division of Rheumatology was instrumental in the development of this breakthrough ther-

apy as one of its clinical trial sites. Judith says that, within five weeks, she had less swelling in her fingers and she had more energy. As she puts it, she is in "go mode." I am happy to report that Judith has resumed writing, takes daily walks with her family without stopping at every street corner, and truly believes that this treatment has changed her life.

Judith is fortunate in that her insurance plan covers the cost of Enbrel, with a small co-payment. Medicare, on the other hand, does not allow coverage of self-administered injectable drugs. It covers only drugs that are administered in a physician's office. That means that many Medicare beneficiaries are going without treatment because they can't afford it themselves, or that they are treated with a therapy that is covered but may not be the most appropriate or effective treatment. That doesn't make sense. I am very proud that most of the breakthroughs in medicine today were invented in the United States. But breakthroughs alone aren't enough—I believe that every American ought to have access to those breakthroughs. Medicare patients are certainly no exception.

It is gratifying that this legislation is supported by a broad range of women, senior, minority, religious, rural, and health professional organizations like the Alliance for Aging Research, the American Public Health Association, the National Farmers Union, the Older Women's League (OWL), the National Hispanic Council on Aging, and more than a dozen other organizations. OWL, the only national membership organization that works on the issues unique to midlife and older women, has stressed the importance of access to innovative medical treatments for older women and urged Congress to recognize that "73% of women on Medicare have two or more concurrent chronic conditions, which often lead to limitations in the activities of daily living and the need for long-term care. In order to improve the health of women suffering with chronic diseases . . . Congress should extend Medicare coverage to self-administered injectables."

Mr. President, we must ensure that Medicare beneficiaries have access to promising and innovative new therapies. This legislation will help thousands of people living with chronic conditions like RA, MS, and Hepatitis C live better, happier, and more productive lives. I urge my colleagues to join Senators GORTON, MURRAY, myself and the other co-sponsors in supporting it.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, June 5, 2000, the Federal debt stood at \$5,642,401,863,301.59 (Five trillion, six hundred forty-two billion, four hundred one million, eight hundred sixty-three thousand, three hundred one dollars and fifty-nine cents).

Five years ago, June 5, 1995, the Federal debt stood at \$4,903,928,000,000 (Four trillion, nine hundred three billion, nine hundred twenty-eight million).

Ten years ago, June 5, 1990, the Federal debt stood at \$3,127,410,000,000 (Three trillion, one hundred twenty-seven billion, four hundred ten million).

Fifteen years ago, June 5, 1985, the Federal debt stood at \$1,776,269,000,000 (One trillion, seven hundred seventy-six billion, two hundred sixty-nine million).

Twenty-five years ago, June 5, 1975, the Federal debt stood at \$522,954,000,000 (Five hundred twenty-two billion, nine hundred fifty-four million) which reflects a debt increase of more than \$5 trillion—\$5,119,447,863,301.59 (Five trillion, one hundred nineteen billion, four hundred forty-seven million, eight hundred sixty-three thousand, three hundred one dollars and fifty-nine cents) during the past 25 years.

#### ADDITIONAL STATEMENTS

##### A RETROSPECTIVE ON RACE

• Mr. GRAMM. Mr. President, I wish to share with my colleagues a moving autobiographical article written by Ward Connerly. Mr. Connerly's intelligence and personal experience with racism blend together into a truly insightful analysis and I encourage my colleagues to read about Mr. Connerly's uniquely American story.

Mr. President, I ask that the article which appeared in the June 2000 edition of *The American Enterprise* be printed in the RECORD.

##### LAYING DOWN THE BURDEN OF RACE (By Ward Connerly)

Not long ago, after I'd given a speech in Hartford, Connecticut, I saw a black man with a determined look on his face working his way toward me through the crowd. I steel myself for another abrasive encounter of the kind I've come to expect over the past few years. But once this man reached me he stuck out his hand and said thoughtfully, "You know, I was thinking about some of the things you said tonight. It occurred to me that black people have just got to learn to lay down the burden. It's like we grew up carrying a bag filled with heavy weights on our shoulders. We just have to stop totin' that bag."

I agreed with him. I knew as he did exactly what was in this bag: weakness and guilt, anger, and self-hatred.

I have made a commitment not to tote racial grievances, because the status of victim is so seductive and so available to anyone with certain facial features or a certain cast to his skin. But laying down these burdens can be tricky, as I was reminded not long after this Connecticut meeting. I had just checked into the St. Francis Hotel in San Francisco to attend an annual dinner as master of ceremonies. After getting to my room, I realized that I'd left my briefcase in the car and started to go back to the hotel parking garage for it. As I was getting off the basement elevator, I ran into a couple of elderly white men who seemed a little dis-

oriented. When they saw me, one of them said, "Excuse me, are you the man who unlocks the meeting room?"

I did an intellectual double-take and then, with my racial hackles rising, answered with as much irritation as I could pack into my voice: "No, I'm not the man who unlocks the rooms."

The two men shrank back and I walked on, fuming to myself about how racial profiling is practiced every day in subtle forms by people who would otherwise piously condemn it in state troopers working the New Jersey Turnpike. As I stalked toward the garage, I didn't feel uplifted by my righteous anger. On the contrary, I felt crushed by it. It was a heavy burden, so heavy, in fact, that I stopped and stood there for a minute, sagging under its weight. Then I tried to see myself through the eyes of the two old men I'd just run into: someone who was black, yes, but more importantly, someone without luggage, striding purposefully out of the elevator as if on a mission, dressed in a semi-uniform of blazer and gray slacks.

I turned around and retraced my steps.

"What made you think I was the guy who unlocks the meeting rooms?" I asked when I caught up with them.

"You were dressed a little like a hotel employee, sir," the one who had spoken earlier said in a genuinely deferential way. "Believe me, I meant no insult."

"Well, I hope you'll forgive me for being abrupt," I said, and after a quick handshake I headed back to the garage, feeling immensely relieved.

If we are to lay this burden down for good, we must be committed to letting go of racial classifications—not getting beyond race by taking race more into account, as Supreme Court Justice Harry Blackmun disastrously advised, but just getting beyond race period as a foundation for public policy.

Yet, I know that race is a scar in America. I first saw this scar at the beginning of my life in the segregated South. Black people should not deny that this mark exists: it is part of our connection to America. But we should also resist all of those, black and white, who want to rip open that scar and make race a raw and angry wound that continues to define and divide us.

Left to their own devices, I believe, Americans will eventually merge and melt into each other. Throughout our history, there has been a constant intermingling of people—even during the long apartheid of segregation and Jim Crow. It is malicious as well as unreasonable not to acknowledge that in our own time the conditions for anger have diminished and the conditions for connection have improved.

We all know the compelling statistics about the improvements in black life: increased social and vocational mobility, increased personal prestige and political power. But of all the positive data that have accumulated since the Civil Rights Act of 1964—when America finally decided to leave its racial past behind—the finding that gives me most hope is the recent survey showing that nearly 90 percent of all teenagers in America report having at least one close personal friend of another race.

My wife Ilene is white. I have two racially mixed children and three grandchildren, two of whose bloodlines are even more mixed as a result of my son's marriage to a woman of half-Asian descent. So my own personal experience tells me that the passageway to that place where all racial division ends goes directly through the human heart.

Not long ago, Mike Wallace came to California to interview Ilene and me for a segment on "60 Minutes." He seemed shocked when I told him that race wasn't a big topic in our family. He implied that we were some-

how disadvantaging the kids. But Ilene and I decided a long time ago to let our kids find their way in this world without toting the bag of race. They are lucky, of course, to have grown up after the great achievements of the civil rights movement, which changed America's heart as much as its laws. But we have made sure that the central question for our children, since the moment they came into this world, has always been who are you, not what are you. When we ignore appeals to group identity and focus instead on individuals and their individual humanity, we are inviting the principles of justice present since the American founding to come inside our contemporary American homes.

I won't pretend this is always easy. While a senior at college, I fell in love with an effervescent white woman named Ilene. When Ilene's parents first learned how serious we were about each other, they reacted with dismay and spent long hours on the phone trying to keep the relationship from developing further. Hoping for support from my own relatives, I went home one weekend and told Mom (the grandmother who had raised me) about Ilene. She was cold and negative. "Why can't you find yourself a nice colored girl?" she blurted out. I walked out of the house and didn't contact her for a long time afterward.

Ilene and I now felt secretive and embattled. Marrying "outside your race" was no easy decision in 1962. I knew that Ilene had no qualms about challenging social norms, but I was less sure that she could deal with exclusion by her family, which seemed to me a real possibility. Nonetheless, she said yes when I proposed, and we were married, with no family members present.

I called Mom the day after and told her. She apologized for what she'd said earlier. Ilene's parents were not so quick to alter their position. For months, the lines of communication were down. Sometimes I came home from work and found Ilene sitting on the couch crying.

Finally her parents agreed to see her, but not me. I drove her up to their house and waited in the car while she went in. As the hours passed, I seethed. At one point I started the engine and took off, but I didn't know the area and so, after circling the block, came back and parked again. When Ilene finally came out of the house, she just cried for nearly the entire return trip.

Today, people would rush to hold Ilene's parents guilty of racism.

But even when I was smoldering with resentment, I knew it wasn't that simple. These were good people—hard working, serious, upstanding. They were people, moreover, who had produced my wife, a person without a racist bone in her body. In a sense, I could sympathize with my new in-laws; there were no blacks in their daily life, and they lived in a small town where everyone knew everything about everyone else. Our marriage was a leap nothing in her parents' lives had prepared them to take.

But their reaction to me still rankled. After having to wait in the car that afternoon I vowed never to go near their house again.

For a long time we didn't see Ilene's parents. But we did see her Aunt Markeeta and Uncle Glen. They were wonderful people. Glen, dead now, was a salt-of-the-earth type who worked in a sawmill, and Markeeta had a personality as piquant as her name. They integrated us into their circle of friends, who became our friends too. In those healing days, we all functioned as an extended family.

If I had to pick the moment when our family problems began to resolve themselves it would be the day our son Marc was born.

Not long after, we were invited to come for a visit. This time I was included in the invitation. I remember sitting stiffly through



the event, which had the tone of the recently released film, *Guess Who's Coming to Dinner?* I was supremely uncomfortable, but I also sensed that the fever had broken. And indeed, a peace process was in place. The visits became more frequent. The frigid tolerance gradually thawed into welcome.

There was no single dramatic moment that completed the reconciliation; no cathartic conversation in which we all explored our guilt and misconceptions. Instead, we just got on with our lives, nurturing the relationship that had been born along with my son. It grew faster than he did. Within a year we were on our way to becoming what we are now—a close-knit, supportive family. Today, my relationship with my in-laws could not be better. I love them very much, and they let me know that the feeling is mutual.

The moral is clear. Distance exaggerates difference and breeds mistrust; closeness breaks down suspicion and produces connection. My life so far tells me that our future as a nation is with connection.

Most people call me a black man. In fact, I'm black in the same way that Tiger Woods and so many other Americans are black—by the “one drop of blood” rule used by yesterday's segregationists and today's racial ideologues. In my case, the formula has more or less equal elements of French Canadian, Choctaw, African, and Irish American. But just reciting the fractions provides no insight about the richness of life produced by the sum of the parts.

A journalist for the New York Times once described my bloodline as being right out of a Faulkner novel. He was right. And my family was always trying to understand how the strands of DNA dangling down through history had created their individual selves. They had their share of guilty secrets and agonized over the consequences of bad blood, whatever its racial origin. But in their actions, they, like Faulkner's characters, treated race and other presumed borders between people as being permeable.

I grew up with my mother's people. My maternal grandfather was Eli Soniea, a mixed-blood Cajun born in the tiny Louisiana town of Sulphur. He eventually settled in Leesville, not far from the Texas border, a sleepy town with hazy foothills stretching behind it like a movie backdrop.

Eli died ten years before I was born, and I never knew him. But photographs of him have always intrigued me. He was light skinned, had straight black hair, and a serious look. I've been told he spoke a pidgin French and English and was an ambitious man. He worked as a carpenter, sometimes ran a construction gang, and amassed enough money to buy some land and build a restaurant and bar in Leesville. He was evidently a no-nonsense type who didn't like anyone, especially his own kin, putting on airs.

Eli's wife, my grandmother Mary Smith—or “Mom,” as I always called her—was half Irish and half Choctaw. This latter element was clearly evident in her high cheekbones and broad features, and in the bloom of her young womanhood she was sometimes referred to as an “Indian Princess.” Mom was born and raised in Texas. She married Eli Soniea as a result of an “arrangement” brokered by her parents, after which he brought her to Louisiana.

In their early life together, the two of them lived in that part of Leesville known as “Dago Quarters” because of the large number of Italian immigrants. After Eli's early death—when I was growing up you didn't ask why or how someone died; the mere fact of it ended all discussion—Mary's only income was from the restaurant and bar he had built, which she leased to people who did business with the servicemen from the near-

by Army base. Because money was tight, she moved the family to a less expensive neighborhood, the predominantly black “Bartley Quarters.”

The complexions of Mom's own six children ranged from light to dark. (William, for instance, was always known as “Red,” because of this Indian look and coloring.) But whatever their exact coloration or facial characteristics, they all had “colored” on their birth certificates. In Louisiana in those days, being “colored” was not just a matter of blood; it was also a question of what neighborhood you lived in and what people you associated with. “Colored” is on my birth certificate.

The Sonieas' race problem came not only from whites but from blacks too. Leesville's social boundaries were reasonably porous, but if you were falling down through the cracks rather than moving up, as the Sonieas were doing after Eli died, you attracted notice. My grandmother often recalled how her new neighbors in Bartley Quarters called her and her children “high yellors,” a term coined by white Southern racists but used with equal venom by blacks too. In fact, Mom's kids had so much trouble that officials tried to convince them to transfer out of the school to escape the racial animosity. This experience left some of my relatives with hard feelings that never really went away. During the campaign for California's Proposition 209, for instance, when I was being accused of selling out “my people,” my Aunt Bert got annoyed one day and said, “When we lived back in Leesville, they didn't want to be our ‘brothers and sisters’; they didn't own us as ‘their people’ then; so why do they think we owe them something now because of skin color?”

My biological mother Grace, Bert's little sister, was the youngest of Mom's children. I wish I had more memories of her. I have only one sharp image in my mind: a face resting in satin in a casket. Old photographs show my mother as a beautiful woman with a full, exotic face. But she wasn't beautiful lying there with a waxy, preserved look, certainly not to a terrified four-year-old dragged up to the front of the church to pay his last respects. I still remember standing there looking at her with my cousin Ora holding my hand to keep me from bolting as the pandemonium of a Southern black funeral—women yelling, crying, fainting, and lying palsied on the floor—rose to a crescendo all around me.

According to family legend, she died of a stroke. But I suspect that this claim was really just my family's way of explaining away something infinitely more complex. Two other facts about my mother's life may have had something to do with her early passing. First, she had been in a serious car accident that left her with a steel plate in her head. And secondly, she had been physically abused by my father.

I didn't find this out until I was in my fifties. The information accidentally escaped during a conversation with my Aunt Bert, who said, when the subject of my father came up, “You know, your Uncle Arthur once said, excuse the expression, ‘That son of a bitch once took out a gun and shot at me!’”

I asked her why.

“Because Arthur told your father that if he ever beat your mother again he'd kill him, and your father got out a gun.”

I guess Roy Connerly was what they called a “fancy man” back then. Judging from his photos, he was quite handsome, with light skin and a wicked smile, and a reputation as a gambler, a drinker, and a womanizer. He worked odd jobs, but it seems that his real profession was chasing women. I've been told so many times about the day he got tired of me and my mother and turned us in at my

grandmother's house that it has come to feel like my own legitimate memory.

He arrived there one afternoon with the two of us and with his girlfriend of the moment, a woman named Lucy. My Aunt Bert was watering the lawn when he walked into the yard.

“Is Miss Mary here?” my father asked.

Bert said yes.

“Go get her,” he ordered.

Bert went in to get Mom, who appeared on the porch wiping her hands on her apron.

“I'm giving them back to you, Miss Mary,”

Roy said, gesturing at my sobbing mother and at me, the miserable child in her arms.

“I want to be with Lucy.”

Always composed in a crisis, Mom looked at him without visible emotion and said, “Thank you for bringing them.”

A few days later he brought my red wagon over. Then Roy Connerly vanished from my life.

Later on I learned that Roy Connerly eventually got rid of Lucy and, at the age of 39, entered a relationship with a 15-year-old girl named Clementine and had a couple of kids by her. But nothing more than that for over 50 years. Then, just a couple of years ago, a writer doing a profile on me for the New York Times called one day.

“Are you sitting down?” he asked melodramatically.

I asked him what was up. He said that in his research about my background he had discovered that my father was still alive, 84 years old, and living in Leesville. The writer gave me his phone number.

I didn't do anything about it for a long time. Then, in the fall of 1998, I was invited to debate former Congressman William Gray at Tulane University in New Orleans. One of the things that made me accept was how close it was to Leesville. But I didn't actually decide to go there until after the speech. I came back to the hotel, rented a car, and got directions from the concierge.

It was a four-hour drive in a dreary rain. I warned myself not to surrender to counterfeited sentiment that would make a fool of both me and my father.

I stopped on the outskirts of town and called from a convenience store. My father's wife Clementine answered. I told her who I was and asked if I could come by and see him. There were muffled voices on the other end of the line, then she came back on and said that I should stay put and she'd send someone out to lead me to the house.

A few minutes later, a couple of young men in a beat-up blue car came by and motioned at me. I followed them down the main street and over railroad tracks to a run-down neighborhood of narrow houses and potholed roads without sidewalks.

We got out of the car and went into a tiny, shuttered house whose living room was illumined only by a small television set. I introduced myself to Clementine, and we talked about my father for a minute or two. She emphasized that the man I was about to meet was very old, quite ill, and easily confused.

When she led me into the bedroom, I saw him, sunk down in the mattress, a bag of bones. His hands and feet were gnarled and knobby with arthritis, but in his face I saw my own reflection.

I touched his arm: “How are you feeling today?”

He looked up at me uncomprehendingly: “All right.”

“You know who I am?”

Seeing that he was lost in a fog, Clementine said, “It's Billy,” using my childhood nickname. He looked at her, then at me.

“Oh, Billy,” the voice was thin and wavering. “How long you're staying?”

I told him I couldn't stay long.

There was an awkward silence as I waited for him to say something. But he just stared

at me. We looked at each other for what seemed like a very long time. Finally, a lifetime's worth of questions came tumbling out.

"Did you ever care how I was doing?" I asked him.

"No," he replied uncertainly.

"Did you ever try and get in touch with me?"

"No," he looked at me blankly.

"Did you ever even care what happened to me?"

"No."

At this point Clementine intervened: "I don't even think he knows what you're asking."

I stood there a moment, resigning myself to the situation. I would never get an explanation for his absence from my life. Then Joseph, one of the young men who'd guided me to the house and who I now realized was my half-brother, beckoned me out of the room. In the hallway, he asked if I'd like to visit some of my other relatives living nearby. I said yes and he took me outside. We crossed the street to a narrow house where an elderly woman was waiting for us. Joseph introduced her to me as my Aunt Ethel. She cordially invited us in.

Ethel had married my father's brother and served as the family's unofficial archivist and historian. As we talked, she asked if I knew anything about my father's family. I said no. Ethel showed me some photos. She told me that his mother, born in 1890, was named Fannie Self Conerly, and that they spelled it with one n then. She said that Fannie's mother was Sarah Ford Lovely, who had died at the age of 98, when I was a boy. This woman, my great-grandmother, had been born a slave.

After I walked back to my father's house and sat for a while beside him. I stood and said, "I've got to be going. You take care of yourself."

"You too," he said to me. "You ever coming back this way again, Billy?"

I smiled and waved and left without answering, and without asking him the one question that was still on my mind: Did you beat my mother like they say? Did you hasten her death and thus deprive me of both of you?

On the drive back to New Orleans I thought about my discoveries—this sickly old man who was my life's most intimate stranger; the fact that his blood and mine had once been owned by another human being. I felt subtly altered, but still the same. My father's gift to me, if you could call it that, was a deeper realization that it is not the life we're given that counts, but the life we make of the life we're given.●

#### DELAWARE RT. 52—KENNETT PIKE, NATIONAL SCENIC BYWAY DESIGNATION

● Mr. BIDEN. Mr. President, I rise today to offer my continued endorsement for the Federal Highway Administration's National Scenic Byways Program, and to express my support for the Kennett Pike Preservation Committee's efforts to seek both state and federal scenic byways designation for Route 52, the Kennett Pike, in New Castle County, Delaware.

The National Scenic Byways Program recognizes roadways that exhibit outstanding examples of scenic, historic, recreational, cultural, archeological or natural qualities along their routes. The Kennett Pike boasts a number of cultural, scenic, historic and

recreational values that I believe make it an excellent candidate for federal designation as a national scenic byway.

Originally constructed in the 1700's and named Doe Run, the Kennett Pike maintains much of its original character, despite more than 200 years of steady development in the area. During the Revolutionary War, General George Washington and his troops were thought to have marched along the road, and, during the Civil War, soldiers settled at Camp Brandywine, now the location of an intersection on the Pike.

Along its route, not only will you find world renown tourist attractions, including Winterthur Museum, Hagley Museum and Longwood Gardens, but also historic villages, numerous inns, farms, parks and mills. Within the Kennett Pike Corridor, over 30 sites are already listed on the National Register of Historic Places, with many more sites in the corridor also eligible for the historic designation.

In addition to its historic and cultural relevance, the Kennett Pike has been designated a greenway by the State of Delaware. A ride along the Pike reveals a beautiful landscape of rolling hills, forests and a state park. The Kennett Pike is truly a gem among the ever increasingly populated suburban landscape of the middle Atlantic region.

In the Fall of 1999, the State of Delaware received a grant from the Federal Highway Administration, in the amount of \$140,000, to establish a state scenic byways program. A roadway can only be nominated for a national scenic byway designation after it has been designated on the state level.

It is my hope that the State will act quickly and implement its scenic byways program, so I can continue my efforts to see that Route 52, the Kennett Pike, is designated the first national scenic byway in the State of Delaware.●

#### A TRIBUTE TO LAW ENFORCEMENT OFFICERS

● Mr. ABRAHAM. Mr. President, on June 9, 2000, at the annual State Conference of the Fraternal Order of Police in Lansing, Michigan, there will be a memorial service honoring seventy-four law enforcement officers who have died over the past year, four of whom died in the line of duty. I rise today in their memory, and to thank them posthumously for their many courageous efforts.

There is perhaps no greater sign of dedication to a community than risking one's life to protect it. Law enforcement officers do this on a daily basis. They risk their lives to ensure that our streets and our neighborhoods are safe. We must not let ourselves forget the incredible dedication that these men and women have to the people they protect. Theirs should not be a thankless job.

Mr. President, the comfort, the protection, and the safety that we enjoy

often comes at a very high price to the law enforcement officers themselves. Last year, in the State of Michigan, four officers were killed in the line of duty. In the name of protecting our communities, and our families, they left behind their own communities, and their own families.

As a tribute to these four officers, Mr. President, I would like to have their names inserted into the CONGRESSIONAL RECORD:

Officer Leslie (Les) Keely of the Flint Police Department, Trooper Frederick Hardy, Michigan State Police, Detroit Post, Trooper Rick Lee Johnson, Michigan State Police, Paw Paw Post, Officer Gary Priess, DeWitt Township Police.

I do this not only on behalf of myself, but on behalf of all of my constituents, as a symbol of our appreciation and our gratitude for the work that law enforcement officers do every day throughout the State of Michigan. While this is a small gesture, I hope it will hold some meaning to their families and their fellow officers.●

#### TRIBUTE TO JOHN P. SPUTZ

● Mr. LAUTENBERG. Mr. President, it is a distinct honor for me to pay tribute to John P. Sputz on the occasion of his retirement from BAE Systems North America.

Mr. President, for more than four decades, John has devoted his life to serving this country's defense needs. Under John's leadership, he and I worked together to further the efforts of the Link-16 program. This program, which includes systems that use secure, anti-jam, line-of-sight data radio communications, has moved from the research phase in 1971 to a major Defense Department program in the 1990s. Thanks to John, this program is about to go into service for the Army, Navy and Air Force as well as for our allies in NATO and elsewhere.

John was also responsible for developing and expanding programs like the F-22 advanced tactical fighter program, the Joint Striker Fighter Program and the programmable digital radio technologies that will one day replace all legacy radios with cost-effective and flexible communications systems.

Mr. President, John's commitment to BAE Systems North America is unsurpassed. Even after retiring, John will continue serving his company as President of MIDSCO, a multi-national joint venture company which helped manage the development of the MIDS Program. I hope the example that John set will inspire BAE Systems North America to achieve even higher goals. I know I speak for everyone who knows John when I thank him for his dedication to our country and wish him the very best in the future.●

# AMERICAN SPORTFISHING ASSOCIATION LIFETIME ACHIEVEMENT AWARD

• Mr. ASHCROFT. Mr. President, I am pleased to recognize the winner of the American Sportfishing Association's Lifetime Achievement Award, Mr. Johnny Morris, who is also a friend of mine. This award is being given to Johnny today in recognition of his outstanding lifetime contribution to sportfishing.

Johnny Morris is the founder of Bass Pro Shops, which offers anglers and sportsmen the same equipment that the tournament professionals use. His business has expanded from its original store to include eight additional shops, a catalog, a line of Bass Pro products and a wholesale operation that supplies more than 7,000 independent sporting goods stores in the United States and several foreign countries.

Since 1970, Johnny has provided a place for sportsmen, and the entire family, to outfit their outdoor and sporting activities. Because of my love for the outdoors and fishing, the Bass Pro Shops has long been one of my favorite places in Springfield to visit. I am not alone. The Bass Pro Shops is one of Missouri's top tourist sites, attracting over three and a half million visitors a year.

In addition to outfitting anglers, Johnny donates ten percent of Bass Pro Shops' earnings to conservation efforts, which benefit fishing areas far beyond Missouri's borders. Johnny believes "the future of the sport and of our business depends more on conservation and how we manage our natural resources than absolutely anything else." To further that belief, Johnny is an outspoken supporter of not-for-profit and youth organizations that support or raise awareness of conservation issues. Organizations such as the Missouri Beautification Association, which helps clean up trash along Missouri's roadways and riverbanks, and "Operation Game Thief," a program launched to curb poaching in Missouri, have benefitted from Johnny Morris' support. In March 1998, the first ever World's Fishing Fair was hosted by Bass Pro Shops, and the proceeds were given to Missouri forests and fisheries. I personally have witnessed Johnny's commitment to his community through the many educational events which Bass Pro Shops hosts. Great Outdoors Day, for example, brings together families to learn more about hiking, fishing, archery, shooting and conservation through hands-on experience. He also hosts Kids' Fishing Fun Day in Springfield, an event that brings thousands of young participants to a local pond to try their hand at sportfishing. His efforts show that individual initiative to preserve one's local environment for future generations is not only responsible citizenship but just plain good sense.

I commend Johnny Morris both for receiving this award and for his efforts to enrich the fishing experience for all

Americans and to promote conservation through the Bass Pro Shops.●

## A TRIBUTE TO LAW ENFORCEMENT OFFICERS

• Mr. ABRAHAM. Mr. President, on June 9, 2000, at the annual State Conference of the Fraternal Order of Police in Lansing, Michigan, there will be a memorial service honoring 70 active and associate members of the F.O.P. In addition, four law enforcement officers who gave the ultimate sacrifice, dying in the line of duty, will also be honored. I rise today in their memory, and to thank them posthumously for their many courageous efforts.

There is perhaps no greater sign of dedication to a community than risking one's life to protect it. Law enforcement officers do this on a daily basis. They risk their lives to ensure that our streets and our neighborhoods are safe. We must not let ourselves forget the incredible dedication that these men and women have to the people they protect. Theirs should not be a thankless job.

Mr. President, the comfort, the protection, and the safety that we enjoy often comes at a very high price to the law enforcement officers themselves. Last year, in the State of Michigan, four officers were killed in the line of duty. In the name of protecting our communities, and our families, they left behind their own communities, and their own families.

As a tribute to these four officers, Mr. President, I would like to have their names inserted into the CONGRESSIONAL RECORD: Officer Leslie (Les) Keely of the Flint Police Department, Trooper Frederick Hardy, Michigan State Police, Detroit Post, Trooper Rick Lee Johnson, Michigan State Police, Paw Paw Post, Officer Gary Priess, DeWitt Township Police.

I do this not only on behalf of myself, but on behalf of all of my constituents, as a symbol of our appreciation and our gratitude for the work that law enforcement officers do every day throughout the State of Michigan. While this is a small gesture, I hope it will hold some meaning to their families and their fellow officers.●

## TRIBUTE TO MARC KOENINGS

• Mr. SARBANES. Mr. President, I rise today to pay tribute to an accomplished and respected steward of our National Park System, Marc Koenings, Superintendent of Assateague Island National Seashore. Marc has recently been selected to head Gateway National Recreation Area in New York and New Jersey and I want to wish him well with this important new assignment and thank him for the terrific job he did in managing Assateague over the past seven years.

Throughout his 29-year career in public service, Marc Koenings has distinguished himself as a leader in natural and cultural resource management and

conservation at the local, national and international levels. Beginning with the Peace Corps in 1971, Marc also served for nine years in a variety of positions with the Heritage Recreation and Conservation Service before joining the National Park Service. He quickly advanced to top management jobs in four Parks including Golden Gate National Recreation Area, Point Reyes National Seashore and Virgin Islands National Park where he made substantial contributions to improving park facilities, protecting park resources and developing highly professional work forces.

I came to know Marc in 1993 shortly after he came to Maryland from Virgin Islands National Park. I had invited Interior Secretary Bruce Babbitt to join me on a tour of Assateague Island and to officially dedicate the Beach-to-Bay Indian Trail as a National Recreational Trail. Marc served as host and Master of Ceremonies for the visit and I was immediately impressed not only by his professionalism, but by the knowledge and vision which he had for Assateague after such a short period on the job. Over the past seven years, I have had the opportunity and privilege to work closely with Superintendent Koenings and members of his staff at Assateague in efforts to restore the north end of the island, construct a new pedestrian/bicycle bridge, protect the seashore from encroaching development, and develop the new Coastal Ecology Teaching and Research Laboratory. I know from personal experience that these initiatives would not be taking place, but for his persistent efforts, energy and innovation. In addition to these projects, under Marc's leadership, Assateague's barrier island visitors center was expanded and improved, a new Administrative facility was constructed, and new partnerships were formed to develop water trails and promote other eco-tourism opportunities in the area.

The efforts of Marc Koenings throughout his career in the National Park Service have had a lasting effect not only on the parks he has worked to protect, but on the people with whom he has come in contact. He has earned the respect and admiration of his colleagues in the Park Service as well as the visitors and citizens in the local communities surrounding the parks. It is my firm conviction that public service is one of the most honorable callings, one that demands the very best, most dedicated efforts of those who have the opportunity to serve their fellow citizens and country. Throughout his career Marc Koenings has exemplified a steadfast commitment to meeting this demand. I want to extend my personal congratulations and thanks for his many years of hard work and dedication to the principal conservation mission of the National Park Service and join with his friends and coworkers in wishing him and his family well with his new endeavors.●

# TRIBUTE TO KENTUCKY'S TOYOTA MOTOR MANUFACTURING TEAM MEMBERS

• Mr. MCCONNELL. Mr. President, I rise today to express congratulations to all of the team members at the Toyota assembly plant in Georgetown, Kentucky, on being recognized by J.D. Power and Associates for the high quality of vehicles which they have produced.

It is my understanding that the Georgetown assembly plant is the only plant in North America to win this award this year. Moreover, I understand that all of the cars produced at the Georgetown plant have been ranked best in their category in this year's J.D. Power and Associates survey of the best cars and trucks. Not only is it an outstanding achievement to be chosen by J.D. Power—whose rankings are widely considered to be the industry standard for new car quality—to receive a Gold Plant Quality Award in recognition of outstanding vehicle quality, but to receive this honor for the fourth time in ten years is a truly remarkable accomplishment. I commend you and all of your hard work in earning this award.

News of the announcement by J.D. Power of the Georgetown plant's award follows closely on the announcement by Toyota that the company hit a milestone with a record-breaking production of 1 million vehicles in North America. A significant amount of the credit for this accomplishment, too, belongs to the hard-working folks at the Georgetown facility, and I want to congratulate you on this achievement, as well.

I am proud of the relationship between Toyota Motor Manufacturing and the Commonwealth of Kentucky. Since Kentucky made its original investment in Toyota in 1986, the state has realized a 36.8 percent annual rate of return, and has benefited greatly from the more than \$5 billion which Toyota has invested statewide. Most of all, though, I am proud of the work being done by the Kentuckians who work at the Toyota plant. On behalf of myself and my colleagues in the United States Senate, congratulations again on your significant achievement.●

## 10TH ANNIVERSARY OF THE ADOPT-A-SCHOOL PROGRAM

• Mr. ABRAHAM. Mr. President, in May of 1990, the Second Grace United Methodist Church of Detroit and the First United Methodist Church of Northville collaborated to "adopt" a Detroit Public School, Dixon Elementary School. On June 16, 2000, the two churches, one metropolitan and one suburban, will celebrate the tenth anniversary not only of the Adopt-a-School Program, but also of their unique relationship. I rise today to commemorate this occasion.

The primary emphasis of the Adopt-a-School Program is the mentoring

plan. Adults from both of the churches, as well as the local community, provide tutoring and role modeling for the students. In addition to weekly one-on-one sessions, the mentoring plan also includes a toastmasters club, in which students practice speaking in front of audiences, and a great books program, which introduces students to famous books and authors.

In its ten years, the program has experienced continual expansion, as additional activities have been added for the students. There is an awards dinner each year at Second Grace to recognize students who have attained high levels of academic achievement. Christmas and Easter parties are held each year, as well as the Dixon School Spring Cleanup and Flower Planting Day. Church members also participate in school functions, including career day and musical programs. Finally, what began as a summer field trip has evolved into monthly Saturday field trips for the mentors and their pupils.

Mr. President, the partners are pleased with how the Adopt-a-School Program has developed in the last ten years. The program has touched the lives of over 300 students at Dixon Elementary School, and there is no measure for success like that. The partners look forward to its continued development in the coming years. In addition, efforts will be made by the two churches, along with Dixon Elementary School, to develop a training program to share the Adopt-a-School program with other faith-based communities interested in serving our children in urban schools.

Mr. President, I applaud the efforts of the many people whose hard work over the last ten years has made this birthday celebration possible. Each year, when the partners renew their commitment to this program, it is a testament to the bridges that can be built when people simply reach out to one another. On behalf of the entire United States Senate, I would like to wish the Adopt-a-School Program a happy 10th Anniversary, and continued success in the future.●

## SMURFIT-STONE CONTAINER'S MISSOULA MILL NAMED PLANT OF THE YEAR

• Mr. BURNS. Mr. President, I rise today to bring your attention to the fact that the Smurfit-Stone Container Plant in Missoula, Montana has received the Jefferson Smurfit Group Worldwide Award as plant of the year.

As you know, Montana's wood products industry has been hit extremely hard with federal regulation and the lack of available federal fiber to keep our mills running. Despite these hardships, our mill workers and managers continue to take great pride in their work and continue to do the best with the hand they have been dealt.

The result is that Missoula's Smurfit-Stone Container employees have ensured that their mill rose above

the other 563 Smurfit facilities world wide and defined themselves as being able to increase productivity and reduce operating costs while actually improving safety and the quality of production.

These accomplishments were worker driven and accompanied a 20% reduction of OSHA incidents last year. Some times efficiency comes at the expense of safety or environmental responsibility. This is not the case at the Missoula plant. In addition to reducing injuries, the plant was able to increase paper efficiency while reducing waste, energy consumption and maintenance costs. While Montana's wood products industry relies on renewable natural resources, we are keenly aware that these resources must be conserved and used responsibly. Smurfit-Stone container consistently looks for ways to make the fiber available to them go as far as possible. It makes sense from both a business and an environmental standpoint, and it is a goal that makes them one of the top employers in Montana.

As I mentioned, Montana has been hit extremely hard by federal restrictions on the wood products industry. As a result we have lost 17 mills in Montana over the last decade. These mills provided jobs for thousands of families and numerous communities. While times are extremely tough, Montanans involved in the industry still take great pride in what they do. This is reflected in the honor recently bestowed on the Missoula Smurfit-Stone Container paper mill. Clearly, this mill deserves recognition not only by their parent group, but by Congress as well.●

## NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS GREATER DETROIT CHAPTER CELEBRATES ITS 20TH ANNIVERSARY

• Mr. ABRAHAM. Mr. President, I rise today to recognize the National Association of Women Business Owners Greater Detroit Chapter, which tonight will celebrate its 20th Anniversary. Since 1980, members of the Greater Detroit Chapter have maintained their commitment not only to helping fellow women business owners throughout Michigan, but also to helping the communities in which these businesses reside.

In its twenty years, the Greater Detroit Chapter, originally the Michigan Chapter, has done much to publicize the efforts of women business owners, and to create alliances between women business owners in the State of Michigan. In 1982, chapter members organized the first statewide conference for women business owners, during which awards were given to women business owners in the following categories: Pioneer, Innovator, Dedication to Women Business Owners and Community Service.

In bringing women business owners together from throughout the state,

the chapter makes it easier for members to work together on a local level. In 1994, NAWBO North, a networking group of Northern Oakland County members, was formed. In the years since, following the successful model of NAWBO North, satellites have been established in Plymouth, Detroit, Sterling Heights, Brighton, Southfield and Ann Arbor. Involvement in a satellite allows chapter members to work with one another to benefit the community. Currently, 89 percent of chapter members donate money to charities, 76 percent volunteer their time to local organizations, 65 percent serve on local boards, and 61 percent mentor other women.

The Greater Detroit Chapter of the NAWBO has also established many programs to assist women owned businesses. In 1990, the Greater Detroit Chapter helped to launch the EXCELI (The Initiative for Entrepreneurial Excellence) Project in Detroit, along with corporate partner Deloitte and Touche, the Small Business Administration, NAWBO's National Foundation and the YWCA. In 1994, the chapter took over sole responsibility of this program.

In 1993, Huntington Banks of Michigan entered into a partnership with the chapter to offer market-rate financing to chapter member companies through a special lending process for service businesses. And in June of 1996, Comerica Bank announced its Power Perks Program, in which ideas, resources, and benefits are provided exclusively to NAWBO members. Over the next two years, Comerica invested approximately \$10 million in the program.

Mr. President, women-owned small businesses are the fastest growing segment of the business community. By the year 2010, they will make up more than one-half of all businesses in the United States. Traveling through the State of Michigan I know that women business owners are working very hard to be successful. The twentieth anniversary of the National Association of Women Business Owners Greater Detroit Chapter is certainly evidence of this.

And this incredible growth has been accomplished in spite of some disadvantages. For example, it is clear that the federal government does not do business with a representative percentage of women-owned businesses. This issue was brought to my attention by NAWBO members at a Small Business Committee meeting I held last August in Troy, Michigan.

Mr. President, in 1994, the Federal Acquisition Streamlining Act established a modest five percent goal of federal procurement dollars for women-owned businesses. Last year, though, women-owned businesses received only 2.4 percent of the total dollar value of all prime federal contracts.

Mr. President, these standards have to change. There are too many women in this nation working too hard, only to not find the proper support from

Washington. Earlier this week, I co-sponsored Senate Resolution 311, a resolution urging the President to adopt a policy in support of the five percent federal procurement goal, and to encourage the heads of the federal departments and agencies to undertake a concerted effort to meet this five percent goal before the end of the fiscal year 2000. I strongly hope that this action on my part and the part of my colleagues will lead to an increased procurement for women owned businesses this fiscal year.

Mr. President, I applaud the many members of the National Association of Women Business Owners Greater Detroit Chapter on the great work they are doing for women business owners throughout the State of Michigan. I feel that there is much more we can do here in Washington to support them, and I hope that changes will be made, and followed through upon, in this regard. On behalf of the entire United States Senate, I wish the greater Detroit Chapter a happy 20th Anniversary, and continued success in the future.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE RECEIVED ON MAY 30, 2000

##### ENROLLED BILLS SIGNED

A message from the House of Representatives, delivered during the adjournment of the Senate, announced that the Speaker has signed the following enrolled bills:

H.R. 4489. An act to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and for other purposes.

H.R. 3293. An act to amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2645. A bill to provide for the application of certain measures to the People's Republic

of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes.

H.R. 3244. An act to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-9119. A communication from the Oklahoma City National Memorial Trust transmitting, pursuant to law, the report of a final rule entitled "Rules and Regulations for Oklahoma City National Memorial", received May 22, 2000; to the Committee on Energy and Natural Resources.

EC-9120. A communication from the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Indiana Regulatory Program" (SPATS No. IN-147-FOR), received May 23, 2000; to the Committee on Energy and Natural Resources.

EC-9121. A communication from the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oklahoma Regulatory Program" (SPATS No. OK-027-FOR), received May 23, 2000; to the Committee on Energy and Natural Resources.

EC-9122. A communication from the Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a final rule entitled "Revisions and Clarifications to the Export Administration Regulations; Commerce Control List" (RIN0694-AB86), received May 22, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-9123. A communication from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency transmitting, pursuant to law, the report of a final rule entitled "Privacy of Consumer Financial Information" (RIN1557-AB77), received May 22, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-9124. A communication from the Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Milk in the New England and Other Marketing Areas; Order Amending the Orders; Correction" (Docket Number DA-97-12), received May 22, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9125. A communication from the Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 1999-2000 Marketing Year" (Docket Number FV00-985-3 FIR), received May 22, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9126. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebufenozide; Benzoic Acid, 3,5-

dimethyl - (1,1 -dimethylethyl) -2 - (4-ethylbenzoyl) hydrazide; Pesticide Tolerance" (FRL # 6555-1), received May 19, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9127. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Designation of Areas for Air Quality Planning Purposes, Canon City" (FRL # 6706-5), received May 23, 2000; to the Committee on Environment and Public Works.

EC-9128. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District, South Coast Air Quality Management District, San Diego County Air Pollution Control District, and Monterey Bay Unified Air Pollution Control District" (FRL # 6585-9), received May 23, 2000; to the Committee on Environment and Public Works.

EC-9129. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "National Emission Standards for Hazardous Air Pollutants for Source Categories" (FRL # 6706-1), received May 23, 2000; to the Committee on Environment and Public Works.

EC-9130. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "National Emission Standards for Hazardous Air Pollutants for Source Categories" (FRL # 6706-2), received May 23, 2000; to the Committee on Environment and Public Works.

EC-9131. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Allegheny County, Pennsylvania; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerators; Correction" (FRL # 6705-7), received May 22, 2000; to the Committee on Environment and Public Works.

EC-9132. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "Approval and Promulgation of Implementation Plans; Ohio; Designation of Areas for Air Quality Planning Purposes, Ohio" (FRL # 6701-8), received May 22, 2000; to the Committee on Environment and Public Works.

EC-9133. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "Removal of the Maximum Contaminant Level Goal for Chloroform from the National Primary Drinking Water Regulations" (FRL # 6705-4), received May 22, 2000; to the Committee on Environment and Public Works.

EC-9134. A communication from the Office of Regulatory Management and Information,

Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a final rule entitled "Approval and Promulgation of Implementation Plans; Oregon" (FRL # 6601-1), received May 22, 2000; to the Committee on Environment and Public Works.

EC-9135. A communication from the Federal Trade Commission transmitting a report entitled "Privacy Online: Fair Information Practices in the Electronic Marketplace"; to the Committee on Commerce, Science, and Transportation.

EC-9136. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (44); Amdt. No. 1989 (5-4/5-18)" (RIN2120-AA65) (2000-0027), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9137. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (127); Amdt. No. 1990 (5-4/5-18)" (RIN2120-AA65) (2000-0026), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9138. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (87); Amdt. No. 1992 (5-18/5-22)" (RIN2120-AA65) (2000-0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9139. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Certain Flights Within the Territory and Airspace of Ethiopia; Docket No. 2000-7340 (5-16/5-18)" (RIN2120-AH01), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9140. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision to the Legal Description of the Hayward Air Termination Class D Airspace Area, CA; Docket No. 00-AWP-4 (5-2/5-22)" (RIN2120-AA66) (2000-0115), received May 22, 2000; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1507: A bill to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, and for other purposes (Rept. No. 106-306).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WARNER:

S. 2669. A bill to amend title 10, United States Code, to extend to persons over age 64 eligibility for medical care under CHAMPUS

and TRICARE; to extend the TRICARE Senior Prime demonstration program in conjunction with the extension of eligibility under CHAMPUS and TRICARE to such persons, and for other purposes; to the Committee on Armed Services.

By Mr. THOMAS:

S. 2670. A bill to amend chapter 8 of title 5, United States Code, to require major rules of agencies to be approved by Congress in order to take effect, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ASHCROFT:

S. 2671. A bill to amend the Internal Revenue Code of 1986 to promote pension opportunities for women, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2672. A bill to provide for the conveyance of various reclamation projects to local water authorities; to the Committee on Energy and Natural Resources.

By Mr. REID:

S. 2673. A bill to direct the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2674. A bill to amend title 5, United States Code to provide for realignment of the Department of Defense workforce; to the Committee on Governmental Affairs.

By Ms. SNOWE (for herself and Ms. MIKULSKI):

S. 2675. A bill to establish an Office on Women's Health within the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HUTCHINSON (for himself, Mr. GREGG, Mr. ENZI, Mr. HAGEL, Mr. SESSIONS, Mrs. HUTCHISON, Mr. KYL, Mr. NICKLES, Mr. HELMS, Mr. ALLARD, Mr. SMITH of New Hampshire, and Mr. INHOFE):

S. 2676. A bill to amend the National Labor Relations Act to provide for inflation adjustments to the mandatory jurisdiction thresholds of the National Labor Relations Board; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRIST (for himself, Mr. FEINGOLD, and Mr. HELMS):

S. 2677. A bill to restrict assistance until certain conditions are satisfied and to support democratic and economic transition in Zimbabwe; to the Committee on Foreign Relations.

By Mr. BRYAN (for himself, Mr. MURKOWSKI, Mr. REID, and Mr. ALLARD):

S. 2678. A bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar, in the same manner as stocks and bonds for purposes of the maximum capital gain rate for individuals; to the Committee on Finance.

By Mr. DASCHLE (for Mr. BREAUX):

S. 2679. A bill to suspend temporarily the duty on stainless steel rail car body shells; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 2680. A bill to authorize such sums as may be necessary for a Balkan Stabilization Conference as convened by the United States and to express the sense of Congress that the president should convene such a conference to consider all outstanding issues related to the execution of the Dayton Accords and the peace agreement with Serbia that ended Operation Allied Force; to the Committee on Foreign Relations.

By Mr. DASCHLE (for Mr. BREAUX):

S. 2681. A bill to suspend temporarily the duty on stainless steel rail car body shells; to the Committee on Finance.

By Mr. BIDEN (for himself and Mrs. BOXER):



S. 2682. A bill to authorize the Broadcasting Board of Governors to make available to the Institute for Medial Development certain materials of the Voice of America; to the Committee on Foreign Relations.

By Ms. SNOWE:

S. 2683. A bill to deauthorize a portion of the project for navigation, Kennebunk River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 2684. A bill to redesignate and reauthorize as anchorage certain portions of the project for navigation, Narraguagus River, Milbridge, Maine; to the Committee on Environment and Public Works.

By Mr. THURMOND:

S.J. Res. 46. A joint resolution commemorating the 225th Birthday of the United States Army; to the Committee on the Judiciary.

By Mr. SMITH of New Hampshire:

S.J. Res. 47. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GORTON (for himself, Mr. FEINGOLD, Mr. ABRAHAM, Mrs. HUTCHISON, Mr. LIEBERMAN, and Mr. SESSIONS):

S. Con. Res. 119. A concurrent resolution commending the Republic of Croatia for the conduct of its parliamentary and presidential elections; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER:

S. 2669. A bill to amend title 10, United States Code, to extend to persons over age 64 eligibility for medical care under CHAMPUS and TRICARE; to extend the TRICARE Senior Prime demonstration program in conjunction with the extension of eligibility under CHAMPUS and TRICARE to such persons, and for other purposes; to the Committee on Armed Services.

##### LEGISLATION REGARDING MEDICARE-ELIGIBLE MILITARY RETIREES

Mr. WARNER. Mr. President, today I am introducing a bill, S. 2669, to afford members the opportunity to examine the issues related to the complicated military medical program. We desire to change the existing program to encompass, in the future, retirees over age 65.

Beginning in World War II promises were made to military members that they and their families would be provided health care if they served a full career. Subsequent legislation was enacted which cut off medical benefits at age 65, leaving them to depend on the Medicare system, which has provided to be inefficient. This is a breach of promise made on behalf of our country to retirees who devoted a significant portion of their lives with careers in service to their country. I recognize with profound sorrow how we broke this promise to these retirees.

I have gone back and carefully examined these issues. There is no statutory foundation providing for entitlement to military health care benefits. It does not exist. It is a myth. But good faith representation was made to these members. Who made the commitment is irrelevant. I know personally that these representations were made. I served in the military and heard the same promises.

My Committee has made a determination, a bipartisan decision, that we would fix the issue of health care for our older retirees, this year. We have started with a series of bills, strengthening them as we went along, listening to those beneficiaries who use the system. The legislation I bring to the floor today repeals the restriction barring 65 and older military retirees and their families from continued access to the military health care system. If enacted, this legislation will provide an equal benefit for all military health care system beneficiaries, retirees, reservists, guardsmen and families. This puts all beneficiaries in the same class. It is fairly expensive, but we need to do it.

The legislation is a quantum leap over the provisions included in the Committee markup of the annual Defense bill. While the markup includes a comprehensive drug benefit regardless of age, the legislation goes further and provides uninterrupted access to complete health care services.

As a result of my initiatives, all military retirees, irrespective of age, will now enjoy the same health care benefit.

In Town Hall meetings, I have listened carefully to the health care concerns of military retirees—particularly those over age 65 who have lost their entitlement to health care within the current military health care system. The constant theme that runs through their requests is that, once they reach the point at which they are eligible for Medicare, they are no longer guaranteed care from the military health care system. This discriminatory characteristic of our current system—that has been in effect since 1964—reduces retiree medical benefits and requires a significant change in the manner in which health care is obtained at a point in the lives of our older military retirees when stability and confidence are most important. This bill, in effect, repeals the 1964 law.

The bill that I am proposing today would eliminate the current discrimination based on age and would permit military retirees and their dependents to be served by the military health care system throughout their lives. Under my proposal, it would not matter whether the military retiree is 47 years old or 77 years old. He or she will be covered by the military health care system while on active duty and throughout their retirement. No new systems will be required, although the existing military system may require assistance from the Congress to

strengthen its ability to serve all retirees. This bill eliminates the confusing and ineffective transfer of funds from Medicare to the Department of Defense. Military retirees will not be required to pay the high cost of additional basic or supplemental insurance premiums to ensure their health care needs are met. Military readiness will not be adversely impacted and our commitment to those who served a full career will be fulfilled.

In order to permit the Department of Defense to plan for restoring the health care benefit to all retirees, my bill would be effective on October 1, 2001. While some may advocate an earlier effective date, it is simply not feasible to expand the medical coverage to the 1.8 million Medicare-eligible retirees overnight.

What is apparent to me is that the will of the Congress, reflecting the will of the Nation, is that now is the time to act on this issue. My bill would eliminate the discriminatory practice that caused concern among our military retirees and will restore full benefits of the military health care system to all retirees.

Access to military health care has reached a crisis point. With the reduction in the number of military hospitals and with the growth in the retiree population, addressing the health care needs of our older retirees has become increasingly difficult. These beneficiaries should be assured that their health care needs will be met. They were promised a healthcare benefit, they served to earn a benefit, and our country needs to fulfill the commitments that were made to them.

I am well aware of the legislative alternatives that have been proposed to address military retiree health care needs. I have struggled to examine the most acute needs of these beneficiaries and have struggled to develop a plan that equally benefits all our retirees, not just those fortunate enough to live near a military medical facility, or those fortunate enough to be selected through some sort of lottery to be allowed to participate in the various pilot programs now underway. My goal is to provide health care through a means that is available to all beneficiaries, in an equitable and complete manner.

As I have made it clear throughout the year, improving the military health care system has been the Committee's top quality of life initiative this year. My Committee has held hearings and listened to a variety of beneficiary representatives. I have traveled throughout my state and listened to the concerns of retirees. I conducted an extensive town hall meeting in Norfolk in March. I have met with many retirees and their representatives at my office, during my travels, and even in social settings. I have listened.

This extensive review has allowed me to examine carefully how to approach this issue. The number one priority I

heard from retirees was the importance of access to pharmaceuticals. This inspired me to develop S. 2087, which provided a mail order pharmacy benefit for all military beneficiaries, including—for the first time—all Medicare eligible retirees. S. 2087 also addressed a number of other issues with the military health care system including some critical improvements to the TRICARE program for both active duty and retirees and their family members. I appreciate the bipartisan support of so many of my colleagues in crafting and introducing this critical first step.

In my many meetings with retirees, and through discussions with my colleagues, I came to understand the need to further enhance S. 2087. I proposed amendments to the budget resolution to increase the funding available to address retiree health care needs. Then, again with bipartisan support, I crafted a new piece of legislation which improved and enhanced the pharmacy provisions of the original legislation. With special assistance from Senator SNOWE and Senator KENNEDY, the new S. 2486 included an enhanced pharmacy benefit with no enrollment fees, that included both retail and mail order programs. This improved legislation addressed the major unmet need of retirees, access to pharmaceuticals, and provides an equitable benefit, one that is not discriminatory based on age. This legislation was included during Committee consideration of the Fiscal Year 2001 National Defense Authorization Bill, with the overwhelming support of Committee members.

The bill now before the Congress compliments my earlier efforts and those of the Committee. This bill, in conjunction with the provisions in the Defense Authorization Bill, would provide a complete health care benefit for all military retirees. I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the bill and my statement be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2669

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

**SECTION 1. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS UPON THE ATTAINMENT OF 65 YEARS OF AGE.**

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—Section 1086(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

“(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

“(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426-1(a)).”; and

(2) in paragraph (4), by striking “paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,” and inserting “subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph”.

(b) EXTENSION OF TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.—Paragraph (4) of section 1896(b) of the Social Security Act (42 U.S.C. 1395ggg(b)) is amended by striking “3-year period beginning on January 1, 1998” and inserting “period beginning on January 1, 1998, and ending on December 31, 2002”.

(c) REPEAL OF RELATED DEMONSTRATION PROGRAM.—Section 702 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2431; 10 U.S.C. 1079 note) is repealed.

(d) EFFECTIVE DATES.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 2001.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

By Mr. THOMAS:

S. 2670. A bill to amend chapter 8 of title 5, United States Code, to require major rules of agencies to be approved by Congress in order to take effect, and for other purposes; to the Committee on Governmental Affairs.

**THE CONGRESSIONAL REGULATORY REVIEW REFORM ACT OF 2000**

• Mr. THOMAS. Mr. President, I rise today to introduce legislation to curb Federal over-regulation by the executive branch of Government and to restore congressional accountability for the regulatory process.

The annual regulatory costs of the Federal Government on the private sector have been estimated to be \$200–\$800 billion annually. The pace and scope of over-regulation has accelerated under the Clinton Administration. For example, the IRS has tried to raise taxes administratively, the EPA has exceeded its authority with the Clean Water Action Plan and the National Park Service is trying to eliminate snowmobile use in our national parks, all without congressional authorization. Increasingly, we have found that this administration tries to advance through regulation and executive order an agenda it cannot get done through the normal legislative process. In fact, there are currently 137 major regulations in the works that will each have at least a \$100 million cost. That means these new regulations will impose at least a \$13.7 billion yearly impact on the economy.

Unfortunately, Congress has allowed this to happen. For years Congress has delegated its most fundamental responsibility—the creation of laws—to the executive branch. Consequently, rather than just enforce laws, these unelected bureaucrats now also write the laws. These regulatory bureaucracies have often been called the fourth branch of Government. This fourth branch has misinterpreted, undercut and directly contradicted the will of Congress time and time again. It is well past time to end this “regulation without representation.”

As many of my colleagues know, Congress passed the Congressional Review Act in 1996 in an attempt to slow the executive regulatory machine. For the first time, this law established a process by which Congress can review and disapprove virtually all federal agency rules. Unfortunately, the promise of the Act has not been fulfilled.

Between 1996 and 1999, 12,269 non-major rules and 186 major rules were submitted to Congress by federal agencies. Only seven joint resolutions of disapproval were introduced, pertaining to five rules. None passed either House. In fact, none have even been debated on the floor of either House.

The legislation I introduce today will address the flaws in the Congressional Review Act and restore the proper balance between the congressional and executive branches when it comes to rule-making. The Congressional Regulatory Review Reform Act will require all major rules (those with a \$100 million annual impact as defined by the Office of Management in consultation with GAO) to be approved by Congress before they take effect. If Congress disapproves a rule, an agency will be precluded from proposing the same or similar rule for a period of 6 months. A rule may be given interim effectiveness if the President determines and certifies that a rule should take effect because of an imminent threat to health and safety or emergency (this decision is not judicially reviewable). Finally, the president is authorized to establish, by executive order a program for the systematic review of agency rules.

I believe that congressional review and accountability for federal regulations will improve efficiency and lessen federal government intervention in the daily lives of the American people. Congress cannot allow the Executive Branch to continue to legislate through rules and regulations. Congress must be responsible. Congress must take back its constitutionally granted authority over the rule-making process.

This is not a partisan issue. Supreme Court Justice Stephen Breyer suggested this idea as long ago as 1984. Nor is the purpose of this legislation to overturn a great number of rules submitted by agencies. It is intended to increase incentives regulators have to respond to the views of the general public, rather than narrow interests and to make Congress and the president more politically accountable for the resulting rules.

Mr. President, I am hopeful my colleagues will join me in supporting this commonsense, good government reform. •

By Mr. ASHCROFT:

S. 2671. A bill to amend the Internal Revenue Code of 1986 to promote pension opportunities for women, and for other purposes; to the Committee on Finance.

THE PENSION OPPORTUNITIES FOR WOMEN'S  
EQUALITY IN RETIREMENT ACT

Mr. ASHCROFT. Mr. President, I rise today to introduce the Pension Opportunities for Women's Equality in Retirement (POWER) Act of 2000. This legislation is important because the current tax code often fails to give women—especially women who take time off to raise children—sufficient opportunities to earn a large enough pension to guarantee their financial security in retirement.

The facts demonstrate that women need help in building pensions for their future. In America today, two-thirds of women over 65 have no pension other than Social Security. This translates into 300,000 women in my home state of Missouri and 14 million women nationwide. At the same time, the median income from assets for women age 65 and over is only \$860 a year. Retirement is often compared to a three-legged stool, with the three legs being pensions, savings, and Social Security. Now, everyone knows what happens to a three-legged stool when one of the legs is missing: it falls over. But these statistics show that many, too many, American women are trying to manage their retirements on only one leg of the stool.

As a result of the lack of pensions and relatively low savings among American women, older women are twice as likely as older men to be living near or below the federal poverty threshold. Further, the poverty rates for widows, divorced women, and never-married women are significantly higher than the rate for all elderly women. The 20 million elderly American women—including 440,000 in Missouri—carry an extremely high risk of poverty.

The causes for this risk can be found in the tax code and pension rules. One of the key elements of pension building is called vesting. Employees cannot build pension assets until they vest, or serve at a particular job for a redetermined amount of time, often 5 years. Employers have a perfectly good reason for vesting requirements—they want to encourage job stability—and there is no inherent bias in these requirements. But the effect of these requirements is to make it harder for women to build up pension assets. The reason for this is that the median job tenure for women is 3.8 years, well below the median job tenure for men, as well as the 5 years most pension plans require for vesting.

Another problem women face is that 59 percent of women have not figured out how much they need to save for retirement. When workers, men and women alike, are younger, they are frequently not thinking of how much they need to save for retirement. Younger workers are concerned with mortgages, school loans, children's needs. When these workers get older, and start thinking about retirement, they often increase the amount of money they will put away for retirement. Unfortu-

nately women, who have often spent less time in the workplace, have less time in which to make the required 'catch-up' contributions that will help create a stable and secure retirement. This process is made even harder by existing rules that limit the amounts of the catch-up contributions.

Given the difficulties women, especially unmarried women, face in their retirement years, I believe that it is time for the Congress to step up and to ensure that retirement security law provides for higher contribution limits for working women, easier catch-up to make up for years women missed in the labor force, and increased portability of pensions.

The POWER Act of 2000 will do three major things: First, the bill will increase contribution limits, allowing workers to contribute more money to retirement accounts during their working years, thereby ensuring that their retirements will be more secure.

For workers who are over fifty, the bill allows additional pension contributions of up to 50 percent more than allowed under current law. This provision is particularly helpful to women who leave the labor force to raise their children, and then want to 'catch-up' when they are older by increasing their contributions in the years leading up to retirement. This bill also requires employers to vest employees earlier, so that women, who have shorter average job tenures, can accrue pension benefits earlier.

The bill's third section eases portability of pensions among workers who switch jobs. The bill eases rollovers and requires that rollovers apply to all retirement plans. In addition, the bill extends pension rollovers to include post-tax as well as pre-tax distributions, and calls for the post-tax distributions to be accounted for separately.

These provisions are not controversial. They have all passed both the Senate and the House of Representatives as part of the Taxpayer Refund and Relief Act. President Clinton vetoed that earlier bill. I disagree with the President, but he is entitled to his opinion. On these provisions, however, it is impossible to claim that these female-friendly provisions will cost too much money. The provisions in this bill will help all workers save more for retirement, and develop larger pensions for their golden years.

This bill will particularly help women, who face a much greater risk of poverty. While the POWER Act will help both women and men save for retirement, it will correct specific pension inequalities in the current law that particularly hurt women. Missouri's nearly 900,000 working women certainly will benefit through enhanced opportunities to create financial security for retirement. In Missouri, 65 percent of working age women are in the paid labor force. According to the Missouri Women's Council, only 26 percent of older women receive a

pension, compared with 47 percent of men. In addition, the pensions that women do receive are significantly less than those of men—\$4,200 for women, on average, compared with \$7,800 for men.

I hope that the Senate will take quick action on this matter, to help American women provide for safe and secure retirements.

By Mrs. FEINSTEIN:

S. 2672. A bill to provide for the conveyance of various reclamation projects to local water authorities; to the Committee on Energy and Natural Resources.

THE SUGAR PINE DAM AND RESERVOIR  
CONVEYANCE ACT

• Mrs. FEINSTEIN. Mr. President, I am pleased to introduce this bill today which will provide for the transfer of the Sugar Pine Dam and Reservoir Project in the Central Valley Project to the Forest Hills Public Utility District. I continue to support the transfer of the Bureau of Reclamation projects to the local water districts which operate and benefit from them.

This bill is important in one other way. The language in this bill will correct the financial inequity that affects CVP beneficiaries. Some of the costs of constructing Bureau of Reclamation projects have been allocated to other CVP contractors even though the projects have never been operationally integrated into the CVP. Thus, Irrigation and Municipal and Industrial (M&I) contractors such as Contra Costa Water District, East Bay MUD, Santa Clara Valley Water District, Sacramento MUD, City of Fresno and a number of others have incurred substantial costs without ever receiving any benefit.

This bill has the bipartisan support of Congressman GEORGE MILLER and JOHN DOOLITTLE in the House. And I can think of no opposition to assisting Forest Hills Public Utility District and other M&I contractors with this legislation. •

By Mr. REID:

S. 2673. A bill to direct the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, to the Committee on Energy and Natural Resources.

THE EUREKA COUNTY CEMETERY CONVEYANCE  
ACT

Mr. REID. Mr. President, I rise today to introduce the Eureka County Cemetery Conveyance Act.

The settlement of Beowawe, Nevada was destination and home to pioneers that settled the isolated high desert of the central Great Basin. The inhabitants of this community set aside a specific community cemetery to provide the final resting place for friends and family who passed away. The early settlers established and managed the cemetery in the late 1800's. The Beowawe cemetery is on land currently managed by the Bureau of Land Management (BLM).

The site of these historic cemetery was established prior to the creation of the BLM as an agency. The BLM was created in 1946. Under current law, the agency must sell the encumbered land at fair market value to this community. My bill provides for conveyance of this cemetery to Eureka County, at no cost. It is unconscionable to me that this community would have to buy their ancestors back from the Federal government.

I sincerely hope that members of Congress recognize the benefit to the local community that the conveyances would provide and pass this legislation.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2673

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

#### SECTION 1. FINDINGS.

Congress finds that—

(1) the historical use by settlers and travelers since the late 1800's of the cemetery known as "Maiden's Grave Cemetery" in Beowawe, Nevada, predates incorporation of the land on which the cemetery is situated within the jurisdiction of the Bureau of Land Management; and

(2) it is appropriate that that use be continued through local public ownership of the parcel rather than through the permitting process of the Federal agency.

#### SEC. 2. CONVEYANCE TO EUREKA COUNTY, NEVADA.

(a) CONVEYANCE.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the "Secretary"), shall convey, without consideration, subject to valid existing rights, to Eureka County, Nevada (referred to in this section as the "county"), all right, title, and interest of the United States in and to the parcel of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the parcel of public land (including any improvements on the land) known as "Maiden's Grave Cemetery", consisting of approximately 10 acres and more particularly described as S1/2NE1/4SW1/4SW1/4, N1/2SE1/4SW1/4SW1/4 of section 10, T.31N., R.49E., Mount Diablo Meridian.

(c) USE OF LAND.—

(1) IN GENERAL.—The county shall continue the use of the parcel conveyed under subsection (a) as a cemetery.

(2) REVERSION.—If the Secretary, after notice to the county and an opportunity for a hearing, makes a finding that the county has discontinued the use of the parcel conveyed under subsection (a) as a cemetery, title to the parcel shall revert to the Secretary.

(d) RIGHT-OF-WAY.—At the time of the conveyance under subsection (a), the Secretary shall grant the county a right-of-way allowing access for persons desiring to visit the cemetery and other cemetery purposes over an appropriate access route.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2674. A bill to amend title 5, United States Code to provide for realignment of the Department of Defense workforce; to the Committee on Governmental Affairs.

#### THE DEPARTMENT OF DEFENSE CIVILIAN WORKFORCE REALIGNMENT ACT OF 2000

• Mr. VOINOVICH. Mr. President, the Federal Government is facing a little-known, yet serious problem that jeopardizes its ability to provide services to the American people—a crisis in human capital. The federal workforce has endured years of downsizing, hiring freezes, and inadequate investment in the dedicated men and women who comprise the federal civil service. As a result, the Federal Government is ill-equipped to compete with the private sector for a new generation of technology-savvy workers to replace the nearly 900,000 "baby boomers" who will be eligible for retirement from the civil service in the next 5 years.

To meet that challenge, I rise today to introduce legislation, along with my friend and colleague from Ohio, Senator MIKE DEWINE, that will help one critical department of our Federal Government—the Department of Defense—get a head start in addressing its future workforce needs. Our bill, the "Department of Defense Civilian Workforce Realignment Act of 2000," provides the Department of Defense with greater flexibility to adequately manage its civilian workforce and align its human capital to meet the demands of the post-cold-war environment.

During the last decade, the Department of Defense underwent a massive civilian workforce downsizing program that saw a cut of more than 280,000 positions. In addition, the Defense Department—like other federal departments—was subject to hiring restrictions. Taken together, these two factors have inhibited the development of mid-level career, civilian professionals; the men and women who serve a vital role in the management and development of our nation's military. The extent of this problem is exhibited in the fact that right now, the Department is seriously understaffed in certain key occupations, such as computer experts and foreign language specialists. The lack of such professionals has the potential to affect the Defense Department's ability to respond effectively and rapidly to military threats to our nation.

The need to address the pending human capital crisis in the federal workforce is increasingly apparent, as more and more leaders acknowledge that our past policies did not consider future federal workforce needs. Indeed, in testimony before the Oversight of Government Management Subcommittee, which I chair, the head of the General Accounting Office, Comptroller General David Walker, stated, "(I)n cutting back on the hiring of new staff in order to reduce the number of their employees, agencies also reduced the influx of new people with the new competencies needed to sustain excellence."

The bill that Senator DEWINE and I are introducing today will help respond to these concerns by giving the Depart-

ment of Defense the assistance it needs to shape the "skills mix" of the current workforce in order to address shortfalls brought about by years of downsizing. Our bill will also help the Department meet its needs for new skills in emerging technological and professional areas.

Another area of concern for the Department of Defense—as well as many other federal agencies—is the serious demographic challenges that exist in its workforce. The average Defense Department employee is 45 years old, and more than a third of the Department's workforce is age 51 or older. In the Department of the Air Force, for example, 45 percent of the workforce will be eligible for either regular retirement or early retirement by 2005.

Wright-Patterson Air Force Base in Dayton, OH, is an excellent example of the demographic challenge facing military installations across the country. Wright-Patterson is the headquarters of the Air Force Materiel Command, and employs 22,700 civilian federal workers. By 2005, 60 percent of the Base's civilian workforce will be eligible for either regular retirement or early retirement. Although a mass exodus of all retirement-eligible employees is not anticipated, there is a genuine concern that a significant portion of the Wright-Patterson civilian workforce, including hundreds of key leaders and employees with crucial expertise, could decide to retire, leaving the remaining workforce without experienced leadership and absent essential institutional knowledge.

This combination of factors poses a serious challenge to the long-term effectiveness of the civilian component of the Defense Department, and by implication, the national security of the United States.

Military base leaders, and indeed the entire Defense establishment, need to be given the flexibility to hire new employees so they can begin to develop another generation of civilian leaders and employees who will be able to provide critical support to our men and women in uniform.

That is the purpose of the legislation we are introducing today. The Department of Defense Civilian Workforce Realignment Act addresses the current imbalance between the federal workforce and the skills needed to run the Federal Government in the 21st century, as well as the age imbalance between new employees and the potential mass retirement of senior public employees in the next 5 years. If we wait for this "retirement bubble" to burst before we begin to hire new employees, then not only will we be woefully understaffed in a number of key areas, but we will have fewer seasoned individuals left in the federal workforce who can provide training and mentoring.

The provisions in our bill will allow the Defense Department to conduct a smoother transition by bringing new employees into the Department over

the next 5 years. The new employees will have the opportunity to work with and learn from their more experienced colleagues, and invaluable institutional knowledge will be passed along.

While this proposal does not address all of the human capital needs of the Defense Department, it will help ensure that the Department of Defense recruits and retains a quality civilian workforce so that our Armed Forces may remain the best in the world. It is extremely important to the future vitality of the Department's civilian workforce and the national security of the United States that we address the human capital crisis while we have the opportunity. I urge my colleagues to support this legislation.

Thank you, Mr. President. I ask unanimous consent that the bill be printed in full in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2674

*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 "Department of Defense Civilian Workforce Realignment Act of 2000".

#### SEC. 2. EXTENSION OF AUTHORITY FOR VOLUNTARY SEPARATIONS IN REDUCTIONS IN FORCE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking "September 30, 2001" and inserting "September 30, 2005".

#### SEC. 3. EXTENSION, REVISION, AND EXPANSION OF AUTHORITIES FOR USE OF VOLUNTARY SEPARATION INCENTIVE PAY AND VOLUNTARY EARLY RETIREMENT.

(a) EXTENSION OF AUTHORITY.—Subsection (e) of section 5597 of title 5, United States Code, is amended by striking "September 30, 2003" and inserting "September 30, 2005".

(b) REVISION AND ADDITION OF PURPOSES FOR DEPARTMENT OF DEFENSE VSIP.—Subsection (b) of such section is amended by inserting after "transfer of function," the following: "restructuring of the workforce (to meet mission needs, to achieve one or more strength reductions, to correct skill imbalances, or to reduce the number of high-grade, managerial, or supervisory positions)."

(c) INSTALLMENT PAYMENTS.—Subsection (d) of such section is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) shall be paid in a lump-sum or in installments;"

(2) by striking "and" at the end of paragraph (3);

(3) by striking the period at the end of paragraph (4) and inserting "; and"; and

(4) by adding at the end the following:

"(5) if paid in installments, shall cease to be paid upon the recipient's acceptance of employment by the Federal Government as described in subsection (g)(1)."

#### SEC. 4. DEPARTMENT OF DEFENSE EMPLOYEE VOLUNTARY EARLY RETIREMENT AUTHORITY.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8336 of title 5, United States Code, is amended—

(1) in subsection (d)(2), by inserting "except in the case of an employee described in subsection (o)(1)," after "(2)"; and

(2) by adding at the end the following:

"(o)(1) An employee of the Department of Defense who, before October 1, 2005, is sepa-

rated from the service after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to an immediate annuity under this subchapter if the employee is eligible for the annuity under paragraph (2) or (3).

"(2)(A) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee—

"(i) is separated from the service involuntarily other than for cause; and

"(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

"(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

"(3) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

"(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment, as determined by the Secretary of Defense.

"(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

"(C) The employee is serving under an appointment that is not limited by time.

"(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

"(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

"(i) One or more organizational units.

"(ii) One or more occupational groups, series, or levels.

"(iii) One or more geographical locations.

"(iv) Any other similar criteria that the Secretary of Defense determines appropriate.

"(4) The determinations necessary for establishing the eligibility of a person for an immediate annuity under paragraph (2) or (3) shall be made in accordance with regulations prescribed by the Secretary of Defense.

"(5) In this subsection, the term 'major organizational adjustment' means any of the following:

"(A) A major reorganization.

"(B) A major reduction in force.

"(C) A major transfer of function.

"(D) A workforce restructuring—

"(i) to meet mission needs;

"(ii) to achieve one or more reductions in strength;

"(iii) to correct skill imbalances; or

"(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions."

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8414 of such title is amended—

(1) in subsection (b)(1)(B), by inserting "except in the case of an employee described in subsection (d)(1)," after "(B)"; and

(2) by adding at the end the following:

"(d)(1) An employee of the Department of Defense who, before October 1, 2005, is separated from the service after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is en-

titled to an immediate annuity under this subchapter if the employee is eligible for the annuity under paragraph (2) or (3).

"(2)(A) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee—

"(i) is separated from the service involuntarily other than for cause; and

"(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

"(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

"(3) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

"(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment, as determined by the Secretary of Defense.

"(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

"(C) The employee is serving under an appointment that is not limited by time.

"(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

"(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

"(i) One or more organizational units.

"(ii) One or more occupational groups, series, or levels.

"(iii) One or more geographical locations.

"(iv) Any other similar criteria that the Secretary of Defense determines appropriate.

"(4) The determinations necessary for establishing the eligibility of a person for an immediate annuity under paragraph (2) or (3) shall be made in accordance with regulations prescribed by the Secretary of Defense.

"(5) In this subsection, the term 'major organizational adjustment' means any of the following:

"(A) A major reorganization.

"(B) A major reduction in force.

"(C) A major transfer of function.

"(D) A workforce restructuring—

"(i) to meet mission needs;

"(ii) to achieve one or more reductions in strength;

"(iii) to correct skill imbalances; or

"(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions."

(c) CONFORMING AMENDMENTS.—(1) Section 8339(h) of such title is amended by striking out "or (j)" in the first sentence and inserting "(j), or (o)".

(2) Section 8464(a)(1)(A)(i) of such title is amended by striking out "or (b)(1)(B)" and "b)(1)(B), or (d)".

(d) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section—

(1) shall take effect on October 1, 2000; and

(2) shall apply with respect to an approval for voluntary early retirement made on or after that date.

**SEC. 5. RESTRICTIONS ON PAYMENTS FOR ACADEMIC TRAINING.**

(a) **SOURCES OF POSTSECONDARY EDUCATION.**—Subsection (a) of section 4107 of title 5, United States Code, is amended—

(1) by striking “or” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; or”; and

(3) by adding at the end the following:

“(3) any course of postsecondary education that is administered or conducted by an institution not accredited by a national or regional accrediting body (except in the case of a course or institution for which standards for accrediting do not exist or are determined by the head of the employee’s agency as being inappropriate), regardless of whether the course is provided by means of classroom instruction, electronic instruction, or otherwise.”.

(b) **WAIVER OF RESTRICTION ON DEGREE TRAINING.**—Subsection (b)(1) of such section is amended by striking “if necessary” and all that follows through the end and inserting “if the training provides an opportunity for an employee of the agency to obtain an academic degree pursuant to a planned, systematic, and coordinated program of professional development approved by the head of the agency.”.

(c) **CONFORMING AND CLERICAL AMENDMENTS.**—The heading for such section is amended to read as follows:

**“§ 4107. Restrictions”.**

(3) The item relating to such section in the table of sections at the beginning of chapter 41 of title 5, United States Code, is amended to read as follows:

“4107. Restrictions.”.

**SEC. 6. STRATEGIC PLAN.**

(a) **REQUIREMENT FOR PLAN.**—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategic plan for the exercise of the authorities provided or extended by the amendments made by this Act. The plan shall include an estimate of the number of Department of Defense employees that would be affected by the uses of authorities as described in the plan.

(b) **CONSISTENCY WITH DoD PERFORMANCE AND REVIEW STRATEGIC PLAN.**—The strategic plan submitted under subsection (a) shall be consistent with the strategic plan of the Department of Defense that is in effect under section 306 of title 5, United States Code.

(c) **APPROPRIATE COMMITTEES.**—For the purposes of this section, the appropriate committees of Congress are as follows:

(1) The Committee on Armed Services and the Committee on Governmental Affairs of the Senate.

(2) The Committee on Armed Services and the Committee on Government Reform of the House of Representatives.●

Mr. DEWINE. Mr. President, today Senator VOINOVICH and I are introducing the Department of Defense Civilian Workforce Realignment Act of 2000. This legislation is designed to give the Department of Defense some of the administrative flexibility it needs to shape the civilian workforce to meet the tremendous national defense challenges that face our nation well into this century.

My colleague from Ohio and I, along with our Ohio colleagues in the House, Mr. HOBSON and Mr. HALL have been working on this issue for almost two years. What has fostered this bipartisan unity is the current workforce

situation at Wright-Patterson Air Force Base in Dayton, Ohio. What we have seen there is a rather large microcosm of a current and growing problem that affects the civilian workforce throughout our defense infrastructure. At Wright-Patterson, this problem threatens to diminish significantly the pool of talented experts in critical research and development fields. As I have often said, Wright-Patterson is the brain power behind our air power, and is the central reason why our Air Force is second to none in technological and aeronautical superiority.

Wright-Patterson has already lost a significant number of people who constituted that brain power as a result of Cold War downsizing. In the last decade alone, 8,000 positions at Wright-Patterson have been lost. For the entire Department of Defense, approximately 280,000 positions were lost during the same period. At the same time we were downsizing, hiring restrictions prevented the Defense Department from establishing a foundation of younger innovators. In short, the combination of downsizing, retirement, and a hiring freeze has left a shallow talent pool of young skilled workers.

The statistics tell the story. Today, for example, nearly one out of 10 civilian workers at Wright-Patterson’s Aeronautical Systems Center are under the age of 35, while more than one-third of the workforce is over the age of 50. In less than five years, more than half of this workforce will be eligible for retirement, but only 2.5 percent will be under the age of 35. This trend is typical for all civilian functions at Wright-Patterson.

The Department of Defense Civilian Workforce Realignment Act would extend, revise and expand the Defense Department’s limited authority to use voluntary incentive pay and voluntary early retirement. Our bill would allow for the Department to utilize the added authority to restructure the civilian workforce to meet missions needs and to correct skill imbalances. Given the significant numbers of eligible federal retirees the Department will face in just a few short years, this legislation would give the Department the ability to better manage this extraordinary transition period. Just as important, this smoother transition period would allow for better and more effective development of our younger workers, who will have a better chance to learn and gain from the expertise of the older generation of innovators.

The legislation we are introducing, fundamentally for Wright-Patterson Air Force Base, is about maintaining technological superiority. That superiority is the foundation of future Air Force dominance in the skies. It’s that simple. Weakening that foundation places the lives of our pilots and the security of our nation at risk. Our legislation is a positive step toward rebuilding and strengthening that foundation with an investment in those who will make tomorrow’s discoveries and

breakthroughs that will keep our pilots safe and our nation secure.

I am pleased that the Department of the Air Force and the Department of Defense have expressed the need for workforce realignment legislation. I believe the legislation Senator VOINOVICH and I are introducing today will meet the concerns they have expressed not just to us, but also to other members of the House and Senate.

I want to thank Senator VOINOVICH for his efforts and leadership on his legislation, and also want to extend my appreciation to his staff, especially Aric Newhouse and Andrew Richardson, for their hard work. The Miami Valley community also has been of great help in demonstrating the importance of this issue not just to Wright-Patterson but also to the entire region and the nation.

I urge my colleagues to support this legislation.

By Ms. SNOWE (for herself and  
Ms. MIKULSKI):

S. 2675. A bill to establish an Office on Women’s Health within the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

**WOMEN’S HEALTH OFFICE ACT OF 2000**

● Ms. SNOWE. Mr. President, I rise today to introduce the Women’s Health Office Act of 2000 and I am pleased to be joined on this legislation by my friend and colleague, Senator BARBARA MIKULSKI. Companion legislation to this bill has been introduced in the House by Congresswomen CONNIE MORELLA and CAROLYN MALONEY.

The Women’s Health Office Act of 2000 provides permanent authorization for offices of women’s health in five federal agencies: the Department of Health and Human Services (HHS); the Centers for Disease Control and Prevention (CDC); the Agency for Health Care Research and Quality (AHRQ); the Health Resources and Services Administration (HRSA); and the Food and Drug Administration (FDA).

Currently, only two women’s health offices in the federal government have statutory authorization: the Office of Research on Women’s Health at the National Institutes of Health (NIH) and the Office for Women’s Services within the Substance Abuse and Mental Health Services Administration (SAMHSA).

For too many years, women’s health care needs were ignored or poorly understood, and women were systematically excluded from important health research. One famous medical study on breast cancer examined hundreds of men. Another federally-funded study examined the ability of aspirin to prevent heart attacks in 20,000 medical doctors, all of whom were men, despite the fact that heart disease is the leading cause among women.

Today, members of Congress and the American public understand the importance of ensuring that both genders benefit equally from medical research



and health care services. Unfortunately, equity does not yet exist in health care, and we have a long way to go. Knowledge about appropriate courses of treatment for women lags far behind that for men for many diseases. For years, research into diseases that predominantly affect women, such as breast cancer, went grossly underfunded. And many women do not have access to reproductive and other vital health services.

Throughout my tenure in the House and Senate, I have worked hard to expose and eliminate this health care gender gap and improve women's access to affordable, quality health services. Ten years ago, as co-chairs of the Congressional Caucus for Women's Issues (CCWI), Representative Pat Schroeder and I, along with Representative HENRY WAXMAN, called for a GAO investigation into the inclusion of women and minorities in medical research at the National Institutes of Health.

This study documented the widespread exclusion of women from medical research, and spurred the Caucus to introduce the first Women's Health Equity Act (WHEA) in 1990. This comprehensive legislation provided Congress with its first broad, forward-looking health agenda designed to redress the historical inequities that face women in medical research, prevention and services.

Three years later Congress enacted legislation mandating the inclusion of women and minorities in clinical trials at NIH through the National Institutes of Health Revitalization Act of 1993 (P.L. 103-43). Also included in the NIH Revitalization Act was language establishing the NIH Office of Research on Women's Health—language based on my original Office of Women's Health bill that was introduced in the 104th Congress.

And yet, despite all the progress that we have made, there is still a long way to go on women's health care issues. Last month, the GAO released a report—a ten-year update—on the status of women's research at NIH ("NIH Has Increased Its Efforts to Include Women in Research," published on May 2, 2000). This report found that since the first GAO report and the 1993 legislation, NIH has made significant progress toward including women as subjects in both intramural and external clinical trials.

However, the report notes that the Institutes have made less progress in implementing the requirement that certain clinical trials be designed and carried out to permit valid analysis by sex, which could reveal whether interventions affect women and men differently. The GAO found that NIH researchers will include women in their trials—but then they will either not do analysis on the basis of sex, or if no difference was found, they will not publish the sex-based results.

NIH has done a good job of improving participation of women in clinical

trials, but our commitment to women's health this is not about quotas and numbers. It is about real scientific advances that will improve our knowledge about women's health. At a time when we are on track to double funding for NIH, it is troubling that the agency has still failed to fully implement both its own guidelines and Congress's directive for sex-based analysis. And as a result, women continue to be short-changed by federal research efforts.

The crux of the matter is that NIH's problems exist despite the fact that it has an Office of Women's Health that is codified in law. If NIH is having problems, imagine the difficulties we will have in continuing the focus on women's health in offices that don't have this legislative mandate, and that may change focus with a new HHS Secretary or Agency Director.

Offices of Women's Health across the Public Health Service are charged with coordinating women's health activities and monitoring progress on women's health issues within their respective agencies, and they have been successful in making federal programs and policies more responsive to women's health issues. Unfortunately, all of the good work these offices are doing is not guaranteed in Public Health Service authorizing law. Providing statutory authorization for federal women's health offices is a critical step in ensuring that women's health research will continue to receive the attention it requires in future years.

Codifying these offices of women's health is important for several reasons: First, it re-emphasizes Congress's commitment to focusing on women's health. Second, it ensures that Agencies will enact Congress's intent with good faith. Finally, it ensures that appropriations will be available in future years to fulfill these commitments.

By statutorily creating Offices of Women's Health, the Deputy Assistant Secretary for Women's Health will be able to better monitor various Public Health Service agencies and advise them on scientific, legal, ethical and policy issues. Agencies would establish a Coordinating Committee on Women's Health to identify and prioritize which women's health projects should be conducted. This will also provide a mechanism for coordination within and across these agencies, and with the private sector. But most importantly, this bill will ensure the presence of enduring offices dedicated to addressing the ongoing needs and gaps in research policy, programs, and education and training in women's health.

Improving the health of American women requires a far greater understanding of women's health needs and conditions, and ongoing evaluation in the areas of research, education, prevention, treatment and the delivery of services. I urge my colleagues to join Senator MIKULSKI and me in supporting this legislation, to help ensure that women's health will never again be a missing page in America's medical textbook.●

● Ms. MIKULSKI. Mr. President, I rise to join my good friend and colleague, Senator SNOWE, to introduce the Women's Health Office Act of 2000. I'm pleased to join Senator SNOWE in introducing this bill because it establishes an important framework to address women's health within the Department of Health and Human Services (DHHS).

Historically, women's health needs were ignored or inadequately addressed by the medical establishment and the government. It is really only in the last ten years that the health of women has begun to receive more attention. A 1990 General Accounting Office (GAO) report acknowledged the historical pattern of neglect of women in health research, and especially the exclusion of women as research subjects in many clinical trials. This was unacceptable. Women make up half or more of the population and must be adequately included in clinical research. That's why I fought to establish the Office of Research on Women's Health (ORWH) at the National Institutes of Health (NIH) ten years ago. We needed to ensure that women were included in clinical research, so that we would know how treatments for a particular disease or condition would affect women. Would men and women react the same way to a particular treatment for heart disease? We had no way of knowing because women were not being included in clinical trials.

While the ORWH began its work in 1990, I wanted to ensure that it stayed at NIH and had the necessary authority to carry out its mission of ensuring that women were included in clinical research. That's why I authored legislation in 1990 and 1991 to formally establish the ORWH in the Office of the Director of NIH. These provisions were later enacted into law in the NIH Revitalization Act of 1993.

Last year, Senator HARKIN, Senator SNOWE, and I requested that GAO examine how well the NIH and ORWH was carrying out the mandates under the NIH Revitalization Act of 1993. The results were mixed. While NIH had made substantial progress in ensuring the inclusion of women in clinical research, it had made less progress in encouraging the analysis of study findings by sex. This means that women are being included in clinical trials, but we are not able to fully reap the benefits of inclusion because analysis of how interventions affect men and women is not being done. While the NIH is taking steps to address this, we are missing information from research done over the last few years about how the outcomes of the research varied or not for men and women.

NIH is but one agency in the DHHS. Other agencies in DHHS do not even have women's health offices. How are these other agencies addressing women's health? Only NIH and the Substance Abuse and Mental Health Services Administration (SAMHSA) have statutory authorization for offices dedicated to women's health. Other

agencies in HHS have a hodgepodge of women's health offices or advisors/coordinators, some of whom have experienced cuts in their funding. For example, funding for the Food and Drug Administration's (FDA) Office of Women's Health has decreased from \$2 million in Fiscal Year 1995 to \$1.6 million in Fiscal Year 2000. In addition, funding for the Centers for Disease Control and Prevention's (CDC) Office of Women's Health was cut more than 10% between Fiscal Year 1999 and Fiscal Year 2000.

I believe we need a consistent and comprehensive approach to address the needs of women's health in the DHHS. This bill that I join Senator SNOWE in introducing today would do just that. The Women's Health Office Act of 2000 would provide authorization for women's health offices in DHHS, CDC, the FDA, the Agency for Healthcare Research and Quality (AHRQ), and the Health Resources and Services Administration (HRSA).

This legislation establishes an important framework and build on existing efforts. The HHS Office on Women's Health would take over all functions which previously belonged to the current Office of Women's Health of the Public Health Service. The HHS Office would be headed by a Deputy Assistant Secretary for Women's Health who would also chair an HHS Coordinating Committee on Women's Health. The responsibilities of the HHS Office would include establishing short and long-term goals, advising the Secretary of HHS on women's health issues, monitoring and facilitating coordination and stimulating HHS activities on women's health, establishing a national Women's Health Information Center to facilitate exchange of and access to women's health information, and coordinating private sector efforts to promote women's health.

Under this legislation, the Offices of Women's Health in CDC, FDA, HRSA, and AHRQ would be housed in the office of the head of each agency and be headed by a Director appointed by the head of the respective agency. The offices would assess the current level of activity on women's health in the agency; establish short-term and long-term goals for women's health and coordinate women's health activities in the agency; identify women's health projects to support or conduct; consult with appropriate outside groups on the agency's policy regarding women; serve on HHS' Coordinating Committee on Women's Health; and establish and head a coordinating committee on women's health within the agency to identify women's health needs and make recommendations to the head of the agency. The FDA office would also have specific duties regarding women and clinical trials. All the offices, including the HHS Office beginning no later than Jan. 31, 2002, would submit a report every two years to the appropriate Congressional committees documenting activities accomplished. In addition, the bill authorizes appropriations for all the offices through 2005.

I believe that this bill will establish a valuable and consistent framework for addressing women's health in the Department of Health and Human Services. It will help to ensure that women's health research will continue to have the resources it needs in the coming years. This bill is a priority of the Women's Health Research Coalition. The Coalition is comprised of nearly three dozen academic centers, voluntary health associations and membership organizations with a strong focus on women's health research and gender-based biology. I encourage my colleagues to join Senator SNOWE and myself in supporting and cosponsoring this important legislation for women.●

By Mr. HUTCHINSON (for himself, Mr. GREGG, Mr. ENZI, Mr. HAGEL, Mr. SESSIONS, Mrs. HUTCHISON, Mr. KYL, Mr. NICKLES, Mr. HELMS, Mr. ALLARD, Mr. SMITH of New Hampshire, and Mr. INHOFE):

S. 2676. A bill to amend the National Labor Relations Act to provide for inflation adjustments to the mandatory jurisdiction thresholds of the National Labor Relations Board; to the Committee on Health, Education, Labor, and Pensions.

LEGISLATION REGARDING INFLATION ADJUSTMENTS TO MANDATORY JURISDICTION THRESHOLDS OF THE NATIONAL LABOR RELATIONS BOARD

● Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the bill and additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2676

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

**SECTION 1. INFLATION ADJUSTMENTS TO MANDATORY JURISDICTION THRESHOLDS OF NATIONAL LABOR RELATIONS BOARD.**

Section 14(c)(1) of the National Labor Relations Act (29 U.S.C. 164(c)(1)) is amended to read as follows:

“(c)(1)(A) MANDATORY JURISDICTION.—The Board shall assert jurisdiction over any labor dispute involving any class or category of employers over which it would assert jurisdiction under the standards prevailing on August 1, 1959, with the financial threshold amounts adjusted for inflation under subparagraph (B).

“(B) INFLATION ADJUSTMENTS.—The Board, beginning on October 1, 2000, and not less often than every 5 years thereafter, shall adjust each of the financial threshold amounts referred to in subparagraph (A) for inflation, using as the base period the later of (i) the most recent calendar quarter ending before the financial threshold amount was established, or (ii) the calendar quarter ending June 30, 1959. The inflation adjustments shall be determined using changes in the Consumer Price Index for all urban consumers published by the Department of Labor and shall be rounded to the nearest \$10,000. The Board shall prescribe any regulations necessary for making the inflation adjustments.”.

[From the Dallas Morning News, Apr. 28, 2000]

**MIKE HUCKABEE: GOVERNMENT'S FLAWED PURSUIT OF MICROSOFT**

(By Mike Huckabee, Governor of Arkansas)

As a lifelong Southerner, I am proud our region is known for its hospitality and common sense. It seems the Justice Department could use a little of both in the handling of its antitrust suit against the Microsoft Corp.

When Federal Judge Thomas Penfield Jackson recently issued his ruling, he gave credence to the flawed logic upon which the government has built its case.

That flawed logic should have precluded the federal government from bringing the case in the first place. Washington bureaucrats shouldn't be in the business of choosing winners and losers in the private sector. That responsibility belongs to consumers.

The government's theory behind the case is that America's high-technology industry has been victimized by Microsoft's stifling competition and squelching innovation. Every piece of the federal government's theory is an insult to the free-enterprise system and the will of consumers.

First, there is no more competitive industry in the world than America's high-tech market. That is as true today as it was before the federal government's five-year, \$30 million attempt to regulate free enterprise. There are thousands of companies selling software products today, far more than at the start of the trial.

And in the time since the federal government and 19 state attorneys general filed their suit, America's technology industry has produced one-third of the nation's economic growth.

Those facts hardly would support the government's characterization of the information technology industry as a shell of its former self.

As for innovation, consider the change in the simple matter of personal computing since 1995. In 1995, the personal computer was just starting to have its potential realized with the development—among other innovations—of Windows 95. Just as Windows 95 has since been rendered obsolete by Microsoft itself, so now is the debate beginning about the future of the personal computer as we know it. Many believe the PC soon will be replaced by Internet-based appliances in phones, televisions and hand-held computing devices. The technology industry in 2000 looks nothing like it did in 1995.

Just as many of the technologies of the mid-'90s now are obsolete, so are the issues the government has raised in this case. The high-tech market has moved—and will continue to move—too quickly for any government to keep tabs on it through regulation. By the time federal bureaucrats get around to fixing rules, the market will change them. That is the way of the new economy, built on competition, innovation and customer service.

The federal government's case against Microsoft attacks all three principles.

Instead of the self-regulating competition that has enabled Microsoft to lead the technology industry to its current heights, the government favors either breaking up the company or regulating away its freedom to innovate and compete. The federal government's "remedy" would insert bureaucrats into the technology market in ways never before imagined. Those Washington bureaucrats would be involved in questions of product design and marketing. That would empower pencil-pushing Beltway bureaucrats to second-guess innocent computer programmers and entrepreneurs. The new arrangement would enable regulators to pick winners and losers in the marketplace, stripping consumers of their rights.

In a free market, it is consumers, not bureaucrats, who should control the destinies of individual industries and companies. In response to consumers' influence over the market, companies have lowered prices, created new products and focused on customer services. The government's scheme would negate those market forces. It also would preclude the industry and the government from working together to bridge the digital divide, since the industry probably would be forced to raise prices to account for new regulatory compliance costs. Higher prices would prohibit low-income families from enjoying newer technologies, so poor families would remain behind the technological curve.

The Justice Department has wasted the taxpayers' money and attacked the interests of consumers, from the case's inception to the intentional failure of government lawyers to settle the case to the reckless break-up scheme it hatched to punish Microsoft. The suit is a deliberate attempt by the government to circumvent the economic authority of consumers and entrepreneurs in the free market. It seems the least the federal government could show the American people would be a little bit of hospitality and common sense on this issue. ●

By Mr. FRIST (for himself and Mr. FEINGOLD):

S. 2677. A bill to restrict assistance until certain conditions are satisfied and to support democratic and economic transition in Zimbabwe; to the Committee on Foreign Relations.

LEGISLATION TO PROMOTE POLITICAL AND ECONOMIC REFORM IN ZIMBABWE

● Mr. FRIST. Mr. President, on its surface, the turmoil and death toll of Zimbabwe's brutal farm invasions is an economic and racial battle. At its core, it is an engineered effort to distract from the government's assault on a besieged democratic opposition movement. The crisis in Zimbabwe has profound implications for Africa far beyond the killings and lawlessness necessary to sustain it. It has the potential to fundamentally compromise the future of the entire region and the United States' most basic interests there. But it is a crisis which we are ill-prepared to address, and time is not on our side.

President Robert Mugabe's orchestration and blessing of the invasions of predominantly white-owned commercial farms—the backbone of Zimbabwe's export economy—by so-called war veterans is actually a shrewd maneuver to disguise behind the veil of a racial drama his relentless attack on the democratic institutions and rule of law in Zimbabwe. By successfully casting the issue as one of race rather than his own lawlessness, President Mugabe has paralyzed the very forces which should otherwise call his bluff.

Most notable among the paralyzed are other African heads of state—and Kofi Annan. The deliberate introduction of a racial element to the controversy has left them in an untenable position: if they dare criticize behavior they find outrageous or even dangerous, they would seemingly side against black Africans on behalf of “colonial” whites. Thus neighboring

heads of state—some of whom have shown great commitment to democracy and racial reconciliation in their own countries—are unhappily muted, even seemingly compelled to support President Mugabe's antics.

Yet the near paralysis of the United States is of greatest concern. Over 10,000 Zimbabwean troops from the thin green line which keeps Laurent Kabila in power in the Democratic Republic of Congo. The volatile Kabila, in turn, determines whether or not the war in Congo ends peacefully—a goal to which the administration has staked considerable political capital during “the month of Africa” at the United Nations. Thus, President Mugabe has presented us with a ludicrous choice between support for democracy in Zimbabwe and the chance to prevent Kabila from plunging Congo back into full scale war. The United States is frozen lest we provoke them.

Relatively small Zimbabwe's ability to direct the fate of Congo and the entire central African region is testament to its weight on the continent and why its internal chaos is reason for great concern. Zimbabwe can be a force for good or bad in southern Africa, the region which will in turn, drive either the progress or further demise of the entire continent south of the Sahara. Zimbabwe is currently a driving force for its demise. The best chance to reverse that is through support for the democratic forces challenging a leader whose increasingly destructive acts imperil the continent. The United States' policy imperative in Zimbabwe could not be clearer, but we are seemingly unprepared to take the necessary steps to aggressively defend democracy and our national interests.

First, the United States must be willing to “decouple” our support for democracy in Zimbabwe from the war in Congo. As in any hostage situation, you never let the captor dictate the terms. That will require commitment of considerable political capital and diplomatic muscle. It will require taking some necessary risks.

Second, the United States should not wait until after ballots are cast for parliament on June 24 and 25 to declare whether the elections were “free and fair” or even “flawed but representative.” The government's attempt to steal the election now through violence, intimidation, and brazen manipulation of procedures are in daily news reports. Silence on that point makes us accomplices in its attempts to maintain its grip on power and false pretense of democracy. More insidious, the world is helping to pave the way for the same deception and violence in the critical 2002 presidential elections by essentially demonstrating how little we expect when it comes to democracy in Africa. It stands in shameful contrast to our expectations and actions in South Africa in 1994.

Third, we must explicitly link international financial support and cooperation with Zimbabwe to the fate of its

democratic institutions. With the virtual end of support from international lending institutions and economic aid, we have precious few “sticks” at our disposal. The “carrots” are real, through. We must use them to communicate that democracy brings immediate benefits and to entice and generously shore up any gains made, including progress on real land reform. In the 20 years since independence, land reform, which is broadly supported in Zimbabwe and among donors, has been slow and has benefitted ruling party insiders.

It is critical that the United States be clear about its support for peaceful democratic transition in Zimbabwe. That fact must be communicated to the Zimbabwean government in no uncertain terms, and to the Zimbabwean people. They should know that we back them in their struggle for democracy.

But it must be more than just words. The United States should be prepared to meet the needs of those fighting for democracy, and to be there to assist them should they have the opportunity to govern.

Mr. President, to that end, Senators FEINGOLD and HELMS have joined me in introducing the Zimbabwe Democracy Act. The legislation contains several critical democratic support mechanisms which we should act quickly to put in place.

First, it unequivocally states the policy of the United States is to support the people of Zimbabwe in their struggles to effect peaceful, democratic change, achieve broad-based and equitable economic growth, and restore the rule of law.

It suspends bilateral assistance to the government of Zimbabwe; suspends any debt reduction measures for the government of Zimbabwe; and instructs the U.S. executive directors of the multilateral lending institutions to vote against the extension of any credit or benefits to the government of Zimbabwe until rule of law and democratic institutions are restored.

It includes explicit exceptions for humanitarian, health and democracy support programs. It authorizes a legal assistance fund for individuals and institutions which are suffering under the breakdown of rule of law. The legal fees for torture victims, independent media supporting free speech and other democratic institutions challenging election results or undemocratic laws can be paid from the funds.

It provides new authority for broadcasting of objective and reliable news to listeners in Zimbabwe.

It doubles next year's funding for democracy programs in Zimbabwe.

It expresses the sense of the Senate that the United States should support election observers to the parliamentary and presidential elections.

It prepares the United States to act decisively to support democracy. If the President certifies to Congress that rule of law has been restored, freedom of speech and association is respected,

free elections have been conducted, Zimbabwe is pursuing an equitable and legal land reform program, and the army is under civilian control, a series of programs to support democratic transition and aggressively promote economic recovery are initiated:

Suspended assistance is restored.

The Secretary of Treasury is directed to undertake a review of Zimbabwe's bilateral debt for the purposes of elimination of that debt to the greatest extent possible.

It directs the U.S. executive directors at the multilateral institutions to propose and support programs for the elimination of Zimbabwe's multilateral debt, and that those institutions initiate programs to support rapid economic recovery and the stabilization of the Zimbabwe dollar.

It allocates an initial US\$16 million for alternative land reform programs under the Inception Phase of the Land Reform and Resettlement Program—including acquisition and resettlement costs.

It directs the establishment of a "Southern Africa Finance Center" in Zimbabwe which will serve as a joint office for the Export-Import Bank, the Overseas Private Investment Corporation, and the Trade Development Agency to pursue, facilitate and underwrite American private investment in Zimbabwe and the region.

Mr. President, the future stability of Zimbabwe is in the United States national interest. That future is dependent on the viability of the democratic legal and economic institutions in Zimbabwe which are currently under assault. It is clear that the United States must support those individuals and institutions, both during the current assaults and especially if they gain in elections.

This legislation offers clear support for democratic institutions and the rule of law now, and it provides aggressive future United States economic and institutional support for a transition to democracy, including real land reform based on equitable distribution and title to the land.

In the end, President Mugabe may simply dismiss all international and internal pressure. He has both the power to do so and increasingly seems to have the inclination, despite the costs. Even so, the United States cannot be intimidated or compromised. We must act decisively and quickly to support the democratic institutions upon which he is waging war. It is upon the fate of those institutions and individuals which so much of Africa's future depends.●

By Mr. BIDEN (for himself and Mrs. BOXER):

S. 2682. A bill to authorize the Broadcasting Board of Governors to make available to the Institute for Media Development certain materials of the Voice of America; to the Committee on Foreign Relations.

#### LEGISLATION REGARDING THE VOICE OF AMERICA/AFRICA ARCHIVES

● Mr. BIDEN, Mr. President, today I am introducing, along with Senator BOXER, a bill to authorize the Broadcasting Board of Governors to make available to a private entity archival materials from the Africa Division of the Voice of America. This bill is also being introduced today in the other body by Representative CYNTHIA MCKINNEY, who initiated this proposal and asked me to introduce the Senate version of the bill.

The bill authorizes the Broadcasting Board of Governors to make available to the Institute for Media Development, a non-profit organization, archival materials of the Africa Division of the Voice of America (VOA). These materials, currently stored at the VOA in analog form, will be put into modern digital form and made available to scholars through the University of California, Los Angeles, and any other institution of higher learning approved by the Board.

I believe this is a very useful public-private partnership that will result in a positive benefit to scholars of African studies. As I am sure my colleagues are aware, the Voice of America is not broadcast in the United States. Programs which may be of interest to students and scholars of African politics, history, literature and foreign policy are often inaccessible. Moreover, there is no systematic means, much less the funds, to make such archival material available. And once the programs are aired, there is no guarantee that the analog tape on which they are recorded will be preserved. History may literally be lost, if news shows and interviews with prominent figures in various African countries are not preserved. Storing these recordings in a central archive should prove invaluable in years to come.

There will be no cost to the U.S. Government. The bill requires that the government be reimbursed for any expenses it incurs in making such materials available, and for the indemnification of the government in the event that the materials are used in a manner that violates the copyright laws of the United States. I would not anticipate that such copyright violations will occur, because the bill also makes clear that materials made available may be used only for academic and research purposes and may not be used for public or commercial broadcast purposes.

I am pleased that the chairman of the Committee on Foreign Relations has agreed to place this legislation on the agenda of the committee later this week. I hope the Committee, and then the full Senate, will give its approval.

I ask unanimous consent that the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2682

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

#### SECTION 1. AVAILABILITY OF CERTAIN MATERIALS OF THE VOICE OF AMERICA.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to the provisions of this Act, the Broadcasting Board of Governors (in this Act referred to as the "Board") is authorized to make available to the Institute for Media Development (in this Act referred to as the "Institute"), at the request of the Institute, previously broadcast audio and video materials produced by the Africa Division of the Voice of America.

(2) DEPOSIT OF MATERIALS.—Upon the request of the Institute and the approval of the Board, materials made available under paragraph (1) may be deposited with the University of California, Los Angeles, or such other appropriate institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) that is approved by the Board for such purpose.

(3) SUPERSEDES EXISTING LAW.—Materials made available under paragraph (1) may be provided notwithstanding section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) and section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a).

(b) LIMITATIONS.—

(1) AUTHORIZED PURPOSES.—Materials made available under this Act shall be used only for academic and research purposes and may not be used for public or commercial broadcast purposes.

(2) PRIOR AGREEMENT REQUIRED.—Before making available materials under subsection (a)(1), the Board shall enter into an agreement with the Institute providing for—

(A) reimbursement of the Board for any expenses involved in making such materials available;

(B) the establishment of guidelines by the Institute for the archiving and use of the materials to ensure that copyrighted works contained in those materials will not be used in a manner that would violate the copyright laws of the United States (including international copyright conventions to which the United States is a party);

(C) the indemnification of the United States by the Institute in the event that any use of the materials results in violation of the copyright laws of the United States (including international copyright conventions to which the United States is a party);

(D) the authority of the Board to terminate the agreement if the provisions of paragraph (1) are violated; and

(E) any other terms and conditions relating to the materials that the Board considers appropriate.

(c) CREDITING OF REIMBURSEMENTS TO BOARD APPROPRIATIONS ACCOUNT.—Any reimbursement of the Board under subsection (b) shall be deposited as an offsetting collection to the currently applicable appropriation account of the Board.

#### SEC. 2. TERMINATION OF AUTHORITY.

The authority provided under this Act shall cease to have effect on the date that is 5 years after the date of enactment of this Act.●

By Ms. SNOWE:

S. 2683. A bill to deauthorize a portion of the project for navigation, Kennebunk River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 2684. A bill to redesignate and reauthorize as anchorage certain portions of the project for navigation, Narraguagus River, Milbridge, Maine;

to the Committee on Environment and Public Works.

LEGISLATION REGARDING MAINE RIVER  
NAVIGATION PROJECTS

• Ms. SNOWE. Mr. President, I rise today to introduce two bills that are important to my State of Maine. The first piece of legislation pertains to the Narraguagus River dredge in Milbridge and will reauthorize former Corps project areas so as to design a portion of the 11-foot channel as anchorage. The town has provided the Corps with harbor use data that indicates that the 11-foot channel need only be dredged to 9 feet.

I have already requested \$30,000 for FY01 Energy and Water appropriations to complete plans and specifications for a maintenance dredge of the 11-, 9- and 6-foot channel from Narraguagus Bay to the town landings and the 6-foot anchorages in Milbridge. The project serves the important commercial fishing and lobstering fleet, aquaculture operations, and fish packing facility, and a small recreational fleet.

The second bill concerns the Kennebunk River in Kennebunkport that deauthorizes a small elongated section of the Federal Navigation Channel. Not only would this allow much needed moorings from a nearby marina to remain where they have been positioned, but most importantly, the deauthorization would be the last piece needed so that the important dredge project can go forward.

This is a very active channel, Mr. President, and the dredge is extremely important for the safe passage not only for fishermen, but also for the tour boats, transporting up to 150 people, which go in and out of the busy harbor area throughout the spring, summer and fall months. Anyone who has been to the "Port" during the heavy tourist season can tell you it is a very popular attraction, particularly the tour boat trips that take tourists out past the breakwater for a view of the Maine coastline. The New England District Corps has given its approval for the deauthorization as has the town and the Joint River Commission.

I look forward to the speedy passage of these two non-controversial bills separately and to support their inclusion into legislation reauthorizing the Water Resources Development Act, or WRDA, for which passage is being considered in this Congress.●

By Mr. THURMOND:

S.J. Res. 46. A joint resolution commemorating the 225th birthday of the United States Army; to the Committee on the Judiciary.

COMMEMORATING JUNE 6, 2000, AS THE UNITED  
STATES ARMY'S 225TH BIRTHDAY

Mr. THURMOND. Mr. President, today on the anniversary of D-Day, June 6th, 1944, I have the great privilege to introduce a joint resolution honoring the United States Army on its 225th birthday.

Before there was a United States of America, there was an American Army,

born on June 14th, 1775. On the town square of Cambridge, Massachusetts, a small group of American colonists came together to form an army, under the authority of the Continental Congress. This June 14th, we will look back over those 225 years and see clearly that the forming of the colonial Army was the prelude to the birth of our nation. As the Army's slogan for this commemoration says, it was the "Birth of an army and the birth of freedom."

Like Members of this body, to be a soldier is to believe in something other than what we can achieve for ourselves as individuals. I am proud to help celebrate the Army birthday, marking more than two centuries of selfless service to the United States of America. More than 42 million Americans have raised their right hands to take an oath, both in times of crisis and in times of peace.

As I introduce this resolution, I ask that each of you please join me next month to extend the heartfelt thanks of this Congress to each and every soldier for their outstanding service to our nation!

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Mr. DURBIN. Mr. President, I want to take a moment to note that Senator THURMOND, who took the floor and introduced a joint resolution commending our Armed Forces, is someone who should also be commended personally today. This is the 56th anniversary of Senator THURMOND's landing in the D-Day invasion.

As we consider the construction of the museum in New Orleans, LA, to pay tribute to those soldiers and all those involved in the D-Day invasion, we should take a moment on the floor of the Senate to pay tribute to our colleague from South Carolina, who had such a distinguished career in the military. It is almost inconceivable to think he was there as a volunteer to fly a glider into the D-Day invasion—probably one of the more dangerous assignments of the men and women in uniform who made that invasion such a success. The fact that he is here today is a tribute to not only his longevity, but his continued dedication to this country.

On behalf of a generation—frankly, I wasn't born when that occurred but have been the beneficiary of that victory—I say to my colleague from South Carolina that we are in deepest debt to him for his personal service to this country, and for his courage in participating in that D-Day invasion. I commend not only him but also all of those who made that invasion such a success, and hope that on this 56th anniversary all of the people involved, and their families who waited expectantly to hear the results of that invasion, will be remembered in the thoughts and prayers of every American family.

Mr. THURMOND. Mr. President, I thank the Senator for his kind words. I would do it again, if necessary.

Mr. DURBIN. There is no doubt in the mind of any Member of the Senate that Senator THURMOND would volunteer again, as he just promised that he would. I thank the Senator again.

S.J. RES. 46

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to our Nation's Declaration of Independence and the codification of our basic principles and values in the Constitution of the United States;

Whereas for the past 225 years, our Army's central purpose has been to fight and win wars that were typically fought and won on distant, foreign battlefields, while at home, the Army provided for the Nation's security;

Whereas whatever the mission, the Nation turns to its Army for decisive victory, regardless of whether those are measured in the defeat of foreign Army forces or the timely delivery of humanitarian assistance at home or abroad;

Whereas the 172 battle streamers carried on the Army's flag are testament to the valor, commitment, and sacrifice of those who have served and fought under its banner;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where American soldiers have won extraordinary distinction and respect for our Nation and our Army;

Whereas "Duty, Honor, Country" are more than mere words, they are the creed by which the American soldier lives and serves;

Whereas while no one can predict the cause, location, or magnitude of future battles, there is one certainty—American soldiers of character, selflessly serving the Nation, will continue to be the credentials of our Army;

Whereas the Army is prepared to answer the Nation's call, and such calls have been increasing in number and disparity in recent years;

Whereas the threats are less distinct and less predictable than the past, but more complex and just as real and dangerous;

Whereas our Army, the world's most capable and respected ground force, is in the midst of an unparalleled transformation as it prepares for the new challenges of the next century and a different world;

Whereas future forces will be prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas our Army will be ready to fight and win our Nation's call to service at home and abroad: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—*

(1) recognizes the valor, commitment, and sacrifice that American soldiers have made throughout the history of the Nation;

(2) commends the United States Army and American soldiers for 225 years of selfless service; and

(3) calls upon the President to issue a proclamation recognizing the 225th birthday of the United States Army and calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

By Mr. SMITH of New Hampshire:

S.J. Res. 47. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

LEGISLATION REGARDING THE TRADE ACT OF 1974  
WITH RESPECT TO VIETNAM

• Mr. SMITH of New Hampshire. Mr. President, I rise to introduce a resolution concerning our trade relationship with the Socialist Republic of Vietnam. On June 2, 2000, the President of the United States formally recommended a waiver of the application of the Trade Act of 1974 with respect to Vietnam. I am deeply troubled by the President's decision to grant this waiver in light of Vietnam's continuing poor record on human rights. One need only look at the 1999 U.S. State Department report on human rights practices in Vietnam to recognize that the Vietnamese Government once again has failed to meet recognized standards with respect to such fundamental rights as freedom of emigration, freedom of speech and freedom of religion, to name only a few, which are so often taken for granted in our great country.

I would like to quote from this revealing report to emphasize my point. The State Department declared the following regarding Vietnam: "The Government's human rights record remained poor; . . . and serious problems remain . . . The Government continued to repress basic political and some religious freedoms and to commit numerous abuses . . . the Government arbitrarily arrested and detained citizens, including detention for peaceful expression of political and religious views . . . The Government significantly restricts freedom of speech, the press, assembly, and association . . . The Government restricts freedom of religion and significantly restricts the operation of religious organizations other than those entities approved by the State . . . Citizens' access to passports frequently was constrained by factors outside the law, such as bribery and corruption. Refugee and immigrant visa applicants sometimes encountered local officials who arbitrarily delayed or denied passports based on personal animosities or on the officials' perception that an applicant did not meet program criteria or in order to extort a bribe." The list of violations outlined by our State Department goes on, but I will stop here.

Mr. President, the resolution I have introduced keeps faith with the original Congressional intent of the Trade Act of 1974. Our dedication to fundamental human rights must be resolute, even when it means one powerful interest group or another does not get its way. Unfortunately, the President's decision to grant this waiver once again undermines the United States' long-standing dedication to human rights and sends a message to the rest of the world that the United States is more interested in profits over principles. Finally, rewarding Communist Viet-

nam by allowing U.S. tax dollars to subsidize business operations in Hanoi, while at the same time their leaders hold back key POW/MIA records from the war, is a disgrace to the men and women who valiantly served our country and were honored just last week on Memorial Day. This Presidential waiver should be overturned by the Congress, as is our right under the law. •

ADDITIONAL COSPONSORS

S. 459

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 620

At the request of Mr. SARBANES, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 620, a bill to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 656

At the request of Mr. REED, the names of the Senator from Rhode Island (Mr. L. CHAFEE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 784

At the request of Mr. ROCKEFELLER, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 818

At the request of Mr. DEWINE, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 1016

At the request of Mr. DEWINE, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1016, a bill to provide collective bargaining for rights for public safety officers employed by States or their political subdivisions.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1110

At the request of Mr. LOTT, the name of the Senator from Kansas (Mr. ROB-

ERTS) was added as a cosponsor of S. 1110, a bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering.

S. 1159

At the request of Mr. STEVENS, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Georgia (Mr. CLELAND), the Senator from Maryland (Ms. MIKULSKI), and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1227

At the request of Mr. L. CHAFEE, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1227, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women and children to be eligible for medical assistance under the medical program, and for other purposes.

S. 1446

At the request of Mr. LOTT, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1446, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 1487

At the request of Mr. AKAKA, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Idaho (Mr. CRAPO), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1487, a bill to provide for excellence in economic education, and for other purposes.

S. 1709

At the request of Mr. KYL, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1709, a bill to provide Federal reimbursement for indirect costs relating to the incarceration of illegal aliens and for emergency health services furnished to undocumented aliens.

S. 1716

At the request of Mr. TORRICELLI, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1716, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes.

S. 1717

At the request of Mr. BOND, the names of the Senator from Missouri (Mr. ASHCROFT) and the Senator from



Alabama (Mr. SHELBY) were added as cosponsors of S. 1717, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

S. 1805

At the request of Mr. KENNEDY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1805, a bill to restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

S. 1851

At the request of Mr. CAMPBELL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1851, a bill to amend the Elementary and Secondary Education Act of 1965 to ensure that seniors are given an opportunity to serve as mentors, tutors, and volunteers for certain programs.

S. 1883

At the request of Mr. BINGAMAN, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1883, a bill to amend title 5, United States Code, to eliminate an inequity on the applicability of early retirement eligibility requirements to military reserve technicians.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 1941

At the request of Mr. DODD, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 2003

At the request of Mr. JOHNSTON, the names of the Senator from Missouri (Mr. ASHCROFT) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2061

At the request of Mr. BIDEN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2061, a bill to establish a crime prevention and computer education initiative.

S. 2062

At the request of Mr. DEWINE, the name of the Senator from Maine (Ms.

SNOWE) was added as a cosponsor of S. 2062, a bill to amend chapter 4 of title 39, United States Code, to allow postal patrons to contribute to funding for organ and tissue donation awareness through the voluntary purchase of certain specially issued United States postage stamps.

S. 2078

At the request of Mr. BUNNING, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2078, a bill to authorize the President to award a gold medal on behalf of Congress to Muhammad Ali in recognition of his outstanding athletic accomplishments and enduring contributions to humanity, and for other purposes.

S. 2084

At the request of Mr. LUGAR, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Missouri (Mr. BOND), the Senator from Florida (Mr. GRAHAM), and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

2308

At the request of Mr. MOYNIHAN, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 2308, a bill to amend title XIX of the Social Security Act to assure preservation of safety net hospitals through maintenance of the Medicaid disproportionate share hospital program.

S. 2311

At the request of Mr. JEFFORDS, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Oregon (Mr. SMITH), the Senator from Missouri (Mr. BOND), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2311, supra.

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 2311, supra.

At the request of Mr. KENNEDY, the names of the Senator from California (Mrs. BOXER) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2311, a bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

S. 2322

At the request of Mr. MCCAIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2322, a bill to amend title 37, United States Code, to establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance, and for other purposes.

S. 2330

At the request of Mr. ROTH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 2357

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2357, a bill to amend title 38, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation.

S. 2365

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2365, a bill to amend title XVII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services.

S. 2390

At the request of Mr. DEWINE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2390, a bill to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

S. 2408

At the request of Mr. BINGAMAN, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 2408, a bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation.

S. 2413

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2413, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

At the request of Mr. CAMPBELL, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2413, supra.

S. 2459

At the request of Mr. MOYNIHAN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2459, a bill to provide for the award of a gold medal on behalf of the Congress

to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

S. 2514

At the request of Mr. GRAMS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2514, a bill to improve benefits for members of the reserve components of the Armed Forces and their dependants.

S. 2519

At the request of Mr. VOINOVICH, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2519, a bill to authorize compensation and other benefits for employees of the Department of Energy, its contractors, subcontractors, and certain vendors who sustain illness or death related to exposure to beryllium, ionizing radiation, silica, or hazardous substances in the performance of their duties, and for other purposes.

S. 2585

At the request of Mr. GRAHAM, the names of the Senator from New York (Mr. MOYNIHAN), the Senator from Minnesota (Mr. WELLSTONE), the Senator from New York (Mr. SCHUMER), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 2585, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Security Block Grant, to restore the ability of the States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 2586

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2586, a bill to reduce the backlog in the processing of immigration benefit applications and to make improvements to infrastructure necessary for the effective provision of immigration services, and for other purposes.

S. 2589

At the request of Mr. JOHNSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2589, a bill to amend the Federal Deposit Insurance Act to require periodic cost of living adjustments to the maximum amount of deposit insurance available under the Act, and for other purposes.

S. 2601

At the request of Mr. ASHCROFT, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 2601, a bill to amend the Internal Revenue Code of 1986 to exclude from the gross income of an employee any employer provided home computer and internet access.

S. 2617

At the request of Mr. BAUCUS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2617, a bill to lift the trade embargo on Cuba, and for other purposes.

S. 2621

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2621, a bill to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met.

S. 2625

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from Missouri (Mr. BOND) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2625, a bill to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations.

S. CON. RES. 53

At the request of Mrs. FEINSTEIN, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. Con. Res. 53, a concurrent resolution condemning all prejudice against individuals of Asian and Pacific Island ancestry in the United States and supporting political and civic participation by such individuals throughout the United States.

S. CON. RES. 113

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 113, a concurrent resolution expressing the sense of the Congress in recognition of the 10th anniversary of the free and fair elections in Burma and the urgent need to improve the democratic and human rights of the people of Burma.

S. CON. RES. 118

At the request of Mr. HELMS, the names of the Senator from Illinois (Mr. FITZGERALD) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. Con. Res. 118, a concurrent resolution commemorating the 60th anniversary of the execution of Polish captives by Soviet authorities in April and May 1940.

S. RES. 260

At the request of Mr. BOND, the names of the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mr. EDWARDS), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. Res. 260, a resolution to express the sense of the Senate that the Federal investment in programs that provide health care services to uninsured

and low-income individuals in medically underserved areas be increased in order to double access to care over the next 5 years.

#### SENATE CONCURRENT RESOLUTION 119—COMMENDING THE REPUBLIC OF CROATIA FOR THE CONDUCT OF ITS PARLIAMENTARY AND PRESIDENTIAL ELECTIONS

Mr. GORTON (for himself, Mr. FEINGOLD, Mr. ABRAHAM, Mrs. HUTCHISON, Mr. LIEBERMAN, and Mr. SESSIONS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 119

Whereas the fourth Croatian parliamentary elections, held on January 3, 2000, marked Croatia's progress toward meeting its commitments as a participating state of the Organization on Security and Cooperation in Europe (OSCE) and as a member of the Council of Europe;

Whereas Croatia's third presidential elections were conducted smoothly and professionally and concluded on February 7, 2000, with the landslide election of Stipe Mesic as the new President of the Republic of Croatia;

Whereas the free and fair elections in Croatia, and the following peaceful and orderly transfer of power from the old government to the new, is an example of democracy to the people of other nations in the region and a major contribution to the democratic development of southeastern Europe; and

Whereas the people of Croatia have made clear that they want Croatia to take its rightful place in the family of European democracies and to develop a closer and more constructive relationship with the Euro-Atlantic community of democratic nations: Now, therefore, be it

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

(1) the people of the Republic of Croatia are to be congratulated on the successful elections and the outgoing Government of Croatia is to be commended for the democratic standards with which it managed the elections;

(2) the United States should support the efforts of the new Government of Croatia to increase its work on refugee return, privatization reform, media reform, and further cooperation with the International Criminal Tribunal for Former Yugoslavia (ICTY) to set an example to other countries in the region;

(3) the Congress strongly supports Croatia's commitment to democracy and will give its full support to the efforts of the new Government of Croatia to fully implement democratic reforms;

(4) the United States should continue to promote Croatian-American economic, political, and military relations and to recognize Croatia as a loyal partner in south central Europe; and

(5) taking into consideration Croatia's contributions as a committed partner in the region, the Congress recommends establishing a strategic partnership with the Republic of Croatia and supports the serious consideration of Croatia's candidacy for membership in the North Atlantic Treaty Organization's Partnership for Peace program and its candidacy for accession into the World Trade Organization.

## AMENDMENTS SUBMITTED

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

WARNER (AND OTHERS)  
AMENDMENT NO. 3173

Mr. WARNER (for himself, Mr. LOTT, Mr. HUTCHINSON, Mr. THURMOND, Mr. INHOFE, Ms. SNOWE, Mr. KERRY, Mrs. HUTCHISON, and Mr. MURKOWSKI) proposed an amendment to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike sections 701 through 704 and insert the following:

**SEC. 701. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS UPON THE ATTAINMENT OF 65 YEARS OF AGE.**

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—Section 1086(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

“(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

“(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426–1(a)).”; and

(2) in paragraph (4), by striking “paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,” and inserting “subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph”.

(b) EXTENSION OF TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.—Paragraph (4) of section 1896(b) of the Social Security Act (42 U.S.C. 1395ggg(b)) is amended by striking “3-year period beginning on January 1, 1998” and inserting “period beginning on January 1, 1998, and ending on December 31, 2002”.

(c) EFFECTIVE DATES.—(1) The amendments made by subsection (a) shall take effect on October 1, 2001.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT 2001COLLINS AMENDMENTS NOS. 3174–  
3178

(Ordered to lie on the table.)

Ms. COLLINS submitted five amendments intended to be proposed by her to the bill (S. 2593) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

## AMENDMENT NO. 3174

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by title II under the heading “AIRCRAFT PROCUREMENT, ARMY” for the procurement of C-212 short takeoff and landing, fixed-wing aircraft, \$15,000,000 may be used for the procurement of C-212 short takeoff and landing, fixed-wing aircraft for the Army National Guard for the use of Special Forces Groups of the Army National Guard.

## AMENDMENT NO. 3175

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, there is hereby appropriated for the purposes under that heading \$2,000,000: *Provided*, That such amount shall be available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

## AMENDMENT NO. 3176

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, there is hereby appropriated for the purposes under that heading \$6,000,000: *Provided*, That such amount shall be available for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces.

## AMENDMENT NO. 3177

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, there is hereby appropriated for the purposes under that heading \$2,000,000: *Provided*, That such amount shall be available for the Marine Corps advanced technology demonstration program for the delivery of the prototype units of the ALGL/STRIKER for testing and evaluation by the Marine Corps that, except for this section, would otherwise be an unfunded requirement of the Marine Corps.

## AMENDMENT NO. 3178

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title III under the heading “PROCUREMENT, DEFENSE-WIDE”, there is hereby appropriated for the purposes under that heading \$7,000,000: *Provided*, That such amount shall be available for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

## MCCAIN AMENDMENT NO. 3179

Mr. MCCAIN proposed an amendment to the bill, S. 2549, *supra*; as follows:

On page 206, between lines 15 and 16, insert the following:

**SEC. 610. SPECIAL SUBSISTENCE ALLOWANCE FOR MEMBERS ELIGIBLE TO RECEIVE FOOD STAMP ASSISTANCE.**

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

**“§ 402a. Special subsistence allowance**

“(a) ENTITLEMENT.—(1) Upon the application of an eligible member of a uniformed

service described in subsection (b), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance.

“(2) In determining the eligibility of a member to receive food stamp assistance for purposes of this section, the amount of any special subsistence allowance paid the member under this section shall not be taken into account.

“(b) COVERED MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member in pay grade E-5 or below.

“(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

“(1) Termination of eligibility for food stamp assistance.

“(2) Payment of the special subsistence allowance for 12 consecutive months.

“(3) Promotion of the member to a higher grade.

“(4) Transfer of the member in a permanent change of station.

“(d) REESTABLISHED ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

“(2) Payments resumed under this subsection shall terminate under subsection (c) upon the occurrence of an event described in that subsection after the resumption of the payments.

“(3) The number of times that payments are resumed under this subsection is unlimited.

“(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for the special subsistence allowance under this section shall furnish the Secretary concerned with such evidence of the member's eligibility for food stamp assistance as the Secretary may require in connection with the application.

“(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is \$180.

“(g) RELATIONSHIP TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.

“(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term ‘food stamp assistance’ means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

“(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section for any month beginning after September 30, 2005.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

“402a. Special subsistence allowance.”.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins on or after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 2000, the Comptroller General of the United States shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Comptroller General shall consult with the Secretary of

Defense, the Secretary of Transportation (with respect to the Coast Guard), the Secretary of Health and Human Services (with respect to the commissioned corps of the Public Health Service), and the Secretary of Commerce (with respect to the commissioned officers of the National Oceanic and Atmospheric Administration), who shall provide the Comptroller General with any information that the Comptroller General determines necessary to prepare the report.

(3) No report is required under this subsection after March 1, 2005.

# MCCAIN AMENDMENTS NOS. 3180–3182

(Ordered to lie on the table.)

Mr. MCCAIN submitted three amendment intended to be proposed by him to the bill, S. 2549, *supra*; as follows:

## AMENDMENT No. 3180

On page 206, between lines 15 and 16, insert the following:

### ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-7 .....	1,765.80	1,927.80	2,001.00	2,073.00	2,148.60
E-6 .....	1,518.90	1,678.20	1,752.60	1,824.30	1,899.40
E-5 .....	1,332.60	1,494.00	1,566.00	1,640.40	1,715.70
	Over 8	Over 10	Over 12	Over 14	Over 16
E-7 .....	2,277.80	2,350.70	2,423.20	2,495.90	2,570.90
E-6 .....	2,022.60	2,096.40	2,168.60	2,241.90	2,294.80
E-5 .....	1,821.00	1,893.00	1,967.10	1,967.60	1,967.60
	Over 18	Over 20	Over 22	Over 24	Over 26
E-7 .....	2,644.20	2,717.50	2,844.40	2,926.40	3,134.40
E-6 .....	2,332.00	2,332.00	2,335.00	2,335.00	2,335.00
E-5 .....	1,967.60	1,967.60	1,967.60	1,967.60	1,967.60

(b) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall take effect as of October 1, 2000, and shall apply with respect to months beginning on or after that date.

## AMENDMENT No. 3181

On page 236, between lines 6 and 7, insert the following:

### SEC. 646. POLICY ON INCREASING MINIMUM SURVIVOR BENEFIT PLAN BASIC ANNUITIES FOR SURVIVING SPOUSES AGE 62 OR OLDER.

It is the sense of Congress that there should be enacted during the 106th Congress legislation that increases the minimum basic annuities provided under the Survivor Benefit Plan for surviving spouses of members of the uniformed services who are 62 years of age or older.

### SEC. 647. SURVIVOR BENEFIT PLAN ANNUITIES FOR SURVIVORS OF ALL MEMBERS WHO DIE ON ACTIVE DUTY.

(a) ENTITLEMENT.—(1) Subsection (d)(1) of section 1448 of title 10, United States Code, is amended to read as follows:

“(1) SURVIVING SPOUSE ANNUITY.—The Secretary concerned shall pay an annuity under this subchapter to the surviving spouse of—

“(A) a member who dies on active duty after—

“(i) becoming eligible to receive retired pay;

“(ii) qualifying for retired pay except that he has not applied for or been granted that pay; or

“(iii) completing 20 years of active service but before he is eligible to retire as a commissioned officer because he has not completed 10 years of active commissioned service; or

“(B) a member not described in subparagraph (A) who dies on active duty, except in the case of a member whose death, as determined by the Secretary concerned—

“(i) is a direct result of the member’s intentional misconduct or willful neglect; or

“(ii) occurs during a period of unauthorized absence.”.

(2) The heading for subsection (d) of such section is amended by striking “RETIREMENT-ELIGIBLE”.

(b) AMOUNT OF ANNUITY.—Section 1451(c)(1) of such title is amended to read as follows:

“(1) IN GENERAL.—In the case of an annuity provided under section 1448(d) or 1448(f) of this title, the amount of the annuity shall be determined as follows:

“(A) BENEFICIARY UNDER 62 YEARS OF AGE.—If the person receiving the annuity is under 62 years of age or is a dependent child when the member or former member dies, the monthly annuity shall be the amount equal to 55 percent of the retired pay imputed to the member or former member. The retired pay imputed to a member or former member is as follows:

“(i) Except in a case described in clause (ii), the retired pay to which the member or former member would have been entitled if the member or former member had been entitled to that pay based upon his years of active service when he died.

“(ii) In the case of a deceased member referred to in subparagraph (A)(iii) or (B) of section 1448(d)(1) of this title, the retired pay to which the member or former member would have been entitled if the member had been entitled to that pay based upon a retirement under section 1201 of this title (if on active duty for more than 30 days when the member died) or section 1204 of this title (if on active duty for 30 days or less when the member died) for a disability rated as total.

“(B) BENEFICIARY 62 YEARS OF AGE OR OLDER.—

“(i) GENERAL RULE.—If the person receiving the annuity (other than a dependent child) is 62 years of age or older when the member or former member dies, the monthly annuity shall be the amount equal to 35 percent of the retired pay imputed to the member or former member as described in clause (i) or (ii) of the second sentence of subparagraph (A).

“(ii) RULE IF BENEFICIARY ELIGIBLE FOR SOCIAL SECURITY OFFSET COMPUTATION.—If the beneficiary is eligible to have the annuity computed under subsection (e) and if, at the time the beneficiary becomes entitled to the annuity, computation of the annuity under that subsection is more favorable to the beneficiary than computation under clause (i), the annuity shall be computed under that subsection rather than under clause (i).”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2000, and shall apply with

## SEC. 610. RESTRUCTURING OF BASIC PAY TABLES FOR CERTAIN ENLISTED MEMBERS.

(a) IN GENERAL.—The table under the heading “ENLISTED MEMBERS” in section 601(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 105–65; 113 Stat. 648) is amended by striking the amounts relating to pay grades E–7, E–6, and E–5 and inserting the amounts for the corresponding years of service specified in the following table:

respect to deaths occurring on or after that date.

### SEC. 648. FAMILY COVERAGE UNDER SERVICEMEMBERS’ GROUP LIFE INSURANCE.

(a) INSURABLE DEPENDENTS.—Section 1965 of title 38, United States Code, is amended by adding at the end the following:

“(10) The term ‘insurable dependent’, with respect to a member, means the following:

“(A) The member’s spouse.

“(B) A child of the member for so long as the child is unmarried and the member is providing over 50 percent of the support of the child.”.

(b) INSURANCE COVERAGE.—(1) Subsection (a) of section 1967 of title 38, United States Code, is amended to read as follows:

“(a)(1) Subject to an election under paragraph (2), any policy of insurance purchased by the Secretary under section 1966 of this title shall automatically insure the following persons against death:

“(A) In the case of any member of a uniformed service on active duty (other than active duty for training)—

“(i) the member; and

“(ii) each insurable dependent of the member.

“(B) Any member of a uniformed service on active duty for training or inactive duty training scheduled in advance by competent authority.

“(C) Any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 1965(5)(B) of this title.

“(2)(A) A member may elect in writing not to be insured under this subchapter.

“(B) A member referred to in subparagraph (A) may also make either or both of the following elections in writing:

“(i) An election not to insure a dependent spouse under this subchapter.

“(ii) An election to insure none of the member’s children under this subchapter.

“(3)(A) Subject to an election under subparagraph (B), the amount for which a person is insured under this subchapter is as follows:

“(i) In the case of a member, \$200,000.

“(ii) In the case of a member’s spouse, the amount equal to 50 percent of the amount for which the member is insured under this subchapter.

“(iii) In the case of a member’s child, \$10,000.

“(B) A member may elect in writing to be insured or to insure an insurable dependent in an amount less than the amount provided under subparagraph (A). The amount of insurance so elected shall, in the case of a member or spouse, be evenly divisible by \$10,000 and, in the case of a child, be evenly divisible by \$5,000.

“(4) No dependent of a member is insured under this chapter unless the member is insured under this subchapter.

“(5) The insurance shall be effective with respect to a member and the member’s dependents on the first day of active duty or active duty for training, or the beginning of a period of inactive duty training scheduled in advance by competent authority, or the first day a member of the Ready Reserve meets the qualifications set forth in section 1965(5)(B) of this title, or the date certified by the Secretary to the Secretary concerned as the date Servicemembers’ Group Life Insurance under this subchapter for the class or group concerned takes effect, whichever is the later date.”.

(2) Subsection (c) of such section is amended by striking out the first sentence and inserting the following: “If a person eligible for insurance under this subchapter is not so insured, or is insured for less than the maximum amount provided for the person under subparagraph (A) of subsection (a)(3), by reason of an election made by a member under subparagraph (B) of that subsection, the person may thereafter be insured under this subchapter in the maximum amount or any lesser amount elected as provided in such subparagraph (B) upon written application by the member, proof of good health of each person to be so insured, and compliance with such other terms and conditions as may be prescribed by the Secretary.”.

(c) **TERMINATION OF COVERAGE.**—(1) Subsection (a) of section 1968 of such title is amended—

(A) in the matter preceding paragraph (1), by inserting “and any insurance thereunder on any insurable dependent of such a member,” after “any insurance thereunder on any member of the uniformed services.”;

(B) by striking “and” at the end of paragraph (3);

(C) by striking the period at the end of paragraph (4) and inserting “; and”; and

(D) by adding at the end the following:

“(5) with respect to an insurable dependent of the member—

“(A) upon election made in writing by the member to terminate the coverage; or

“(B) on the earlier of—

“(i) the date of the member’s death;

“(ii) the date of termination of the insurance on the member’s life under this subchapter;

“(iii) the date of the dependent’s death; or

“(iv) the termination of the dependent’s status as an insurable dependent of the member.

(2) Subsection (b)(1)(A) of such section is amended by inserting “(to insure against death of the member only)” after “converted to Veterans’ Group Life Insurance”.

(d) **PREMIUMS.**—Section 1969 of such title is amended by adding at the end the following:

“(g)(1) During any period in which any insurable dependent of a member is insured under this subchapter, there shall be deducted each month from the member’s basic or other pay until separation or release from active duty an amount determined by the Secretary (which shall be the same for all such members) as the premium allocable to the pay period for providing that insurance coverage.

“(2)(A) The Secretary shall determine the premium amounts to be charged for life in-

surance coverage for dependents of members under this subchapter.

“(B) The premium amounts shall be determined on the basis of sound actuarial principles and shall include an amount necessary to cover the administrative costs to the insurer or insurers providing such insurance.

“(C) Each premium rate for the first policy year shall be continued for subsequent policy years, except that the rate may be adjusted for any such subsequent policy year on the basis of the experience under the policy, as determined by the Secretary in advance of that policy year.

“(h) Any overpayment of a premium for insurance coverage for an insurable dependent of a member that is terminated under section 1968(a)(5) of this title shall be refunded to the member.”.

(e) **PAYMENTS OF INSURANCE PROCEEDS.**—Section 1970 of such title is amended by adding at the end the following:

“(h) Any amount of insurance in force on an insurable dependent of a member under this subchapter on the date of the dependent’s death shall be paid, upon the establishment of a valid claim therefor, to the member or, in the event of the member’s death before payment to the member can be made, then to the person or persons entitled to receive payment of the proceeds of insurance on the member’s life under this subchapter.”.

(f) **EFFECTIVE DATE AND INITIAL IMPLEMENTATION.**—(1) This section and the amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act, except that paragraph (2) shall take effect on the date of the enactment of this Act.

(2) The Secretary of Veterans Affairs, in consultation with the Secretaries of the military departments, the Secretary of Transportation, the Secretary of Commerce and the Secretary of Health and Human Services, shall take such action as is necessary to ensure that each member of the uniformed services on active duty (other than active duty for training) during the period between the date of the enactment of this Act and the effective date determined under paragraph (1) is furnished an explanation of the insurance benefits available for dependents under the amendments made by this section and is afforded an opportunity before such effective date to make elections that are authorized under those amendments to be made with respect to dependents.

#### AMENDMENT No. 3182

On page 239, after line 22, add the following:

#### **Subtitle F—Additional Benefits For Reserves and Their Dependents**

##### **SEC. 671. SENSE OF CONGRESS.**

It is the sense of Congress that it is in the national interest that the President provide funds for the reserve components of the Armed Forces (including the National Guard and Reserves) that are sufficient to ensure that the reserve components meet the requirements specified for the reserve components in the National Military Strategy, including military training.

##### **SEC. 672. TRAVEL BY RESERVES ON MILITARY AIRCRAFT.**

(a) **SPACE-REQUIRED TRAVEL FOR TRAVEL TO DUTY STATIONS INCONUS AND OCONUS.**—(1) Subsection (a) of section 18505 of title 10, United States Code, is amended to read as follows:

“(a) A member of a reserve component traveling to a place of annual training duty or inactive-duty training (including a place other than the member’s unit training assembly if the member is performing annual training duty or inactive-duty training in

another location) may travel in a space-required status on aircraft of the armed forces between the member’s home and the place of such duty or training.”.

(2) The heading of such section is amended to read as follows:

##### **“§ 18505. Reserves traveling to annual training duty or inactive-duty training: authority for space-required travel”.**

(b) **SPACE-AVAILABLE TRAVEL FOR MEMBERS OF SELECTED RESERVE AND DEPENDENTS.**—Chapter 1805 of such title is amended by adding at the end the following new section:

##### **“§ 18506. Space-available travel: Selected Reserve; dependents**

“(a) **ELIGIBILITY FOR SPACE-AVAILABLE TRAVEL.**—The Secretary of Defense shall prescribe regulations to allow persons described in subsection (b) to receive transportation on aircraft of the Department of Defense on a space-available basis under the same terms and conditions (including terms and conditions applicable to travel outside the United States) as apply to members of the armed forces entitled to retired pay.

“(b) **PERSONS ELIGIBLE.**—Subsection (a) applies to a person who is a member of the Selected Reserve in good standing (as determined by the Secretary concerned).

“(c) **DEPENDENTS.**—A dependent of a person described in subsection (b) may be provided transportation under this section on the same basis as dependents of members of the armed forces entitled to retired pay.

“(d) **LIMITATION ON REQUIRED IDENTIFICATION.**—Neither the ‘Authentication of Reserve Status for Travel Eligibility’ form (DD Form 1853), nor any other form, other than the presentation of military identification and duty orders upon request, or other methods of identification required of active duty personnel, shall be required of reserve component personnel using space-available transportation within or outside the continental United States under this section.”.

(c) **CLERICAL AMENDMENTS.**—The table of sections at the beginning of such chapter is amended by striking the item relating to section 18505 and inserting the following new items:

“18505. Reserves traveling to annual training duty or inactive-duty training: authority for space-required travel.

“18506. Space-available travel: Selected Reserve; dependents.”.

(d) **IMPLEMENTING REGULATIONS.**—Regulations under section 18506 of title 10, United States Code, as added by subsection (b), shall be prescribed not later than 180 days after the date of the enactment of this Act.

##### **SEC. 673. BILLETING SERVICES FOR RESERVE MEMBERS TRAVELING FOR INACTIVE DUTY TRAINING.**

(a) **IN GENERAL.**—(1) Chapter 1217 of title 10, United States Code, is amended by adding at the end the following new section:

##### **“§ 12604. Attendance at inactive-duty training assemblies: billeting in Department of Defense facilities**

“(a) **AUTHORITY FOR BILLETING ON SAME BASIS AS ACTIVE DUTY MEMBERS TRAVELING UNDER ORDERS.**—The Secretary of Defense shall prescribe regulations authorizing a Reserve traveling to inactive-duty training at a location more than 50 miles from the Reserve’s home to be eligible for billeting in Department of Defense facilities on the same basis as a member of the armed forces on active duty who is traveling under orders away from the member’s duty station.

“(b) **PROOF OF REASON FOR TRAVEL.**—The Secretary shall include in regulations under subsection (a) means for establishing that a Reserve seeking billeting in Department of Defense facilities under that subsection is

traveling for attendance at inactive-duty training at a location more than 50 miles from the Reserve's home."

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"12604. Attendance at inactive-duty training assemblies: billeting in Department of Defense facilities."

(b) **EFFECTIVE DATE.**—Section 12604 of title 10, United States Code, as added by subsection (a), shall apply with respect to periods of inactive-duty training beginning more than 180 days after the date of the enactment of this Act.

**SEC. 674. INCREASE IN MAXIMUM NUMBER OF RESERVE RETIREMENT POINTS THAT MAY BE CREDITED IN ANY YEAR.**

Section 12733(3) of title 10, United States Code, is amended by striking "but not more than" and all that follows and inserting "but not more than—

"(A) 60 days in any one year of service before the year of service that includes September 23, 1996;

"(B) 75 days in the year of service that includes September 23, 1996, and in any subsequent year of service before the year of service that includes the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001; and

"(C) 90 days in the year of service that includes the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001."

**SEC. 675. AUTHORITY FOR PROVISION OF LEGAL SERVICES TO RESERVE COMPONENT MEMBERS FOLLOWING RELEASE FROM ACTIVE DUTY.**

(a) **LEGAL SERVICES.**—Section 1044(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

"(4) Members of a reserve component not covered by paragraph (1) or (2), but only during a period, following a release from active duty under a call or order to active duty for more than 29 days under a mobilization authority (as determined by the Secretary of Defense), that is not in excess of twice the length of time served on active duty."

(b) **DEPENDENTS.**—Paragraph (5) of such section, as redesignated by subsection (a), is amended by striking "and (3)" and inserting "(3), and (4)".

(c) **IMPLEMENTING REGULATIONS.**—Regulations to implement the amendments made by subsections (a) and (b) shall be prescribed not later than 180 days after the date of the enactment of this Act.

**KERREY (AND OTHERS)  
AMENDMENT NO. 3183**

Mr. KERREY (for himself, Mr. LEVIN, Mr. DASCHLE, Mr. HARKIN, Mr. KERRY, and Mr. DURBIN) proposed an amended to the bill, S. 2549, supra; as follows:

Strike section 1017 and insert the following:

**SEC. 1017. REPEAL OF LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS IN EXCESS OF MILITARY REQUIREMENTS.**

Section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948) is repealed.

**WARNER AMENDMENT NO. 3184**

Mr. WARNER proposed an amendment to amendment No. 3183 proposed by Mr. KERREY to the bill, S. 2549, supra; as follows:

In lieu of the language proposed to be inserted, insert the following:

**"SEC. 1017. CORRECTION OF SCOPE OF WAIVER AUTHORITY FOR LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS; AUTHORITY TO WAIVE LIMITATION.**

"(a) Section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 806), is further amended by striking "the application of the limitation in effect under paragraph (1)(B) or (3) of subsection (a), as the case may be," and inserting "the application of the limitation in effect under subsection (a) to a strategic nuclear delivery system.

"(b) **AUTHORITY TO WAIVE LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.**—After the submission of the report on the results of the nuclear posture review to Congress under section 1015(c)—

"(1) the Secretary of Defense shall, taking into consideration the results of the review, submit to the President a recommendation regarding whether the President should waive the limitation on the retirement or dismantlement of strategic nuclear delivery systems in section 1302 National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948); and

"(2) the President, taking into consideration the results of the review and the recommendation made by the Secretary of Defense under paragraph (1), may waive the limitation referred to in that paragraph if the President determines that it is in the national security interests of the United States to do so."

**BENNETT AMENDMENT NO. 3185**

(Ordered to lie on the table).

Mr. BENNETT submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 462, between lines 2 and 3, insert the following:

**SEC. 1210. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.**

(a) **LAYOVER PERIOD FOR NEW PERFORMANCE LEVELS.**—Section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence of subsection (d), by striking "180" and inserting "60"; and

(2) by adding at the end the following:

"(g) **CALCULATION OF 60-DAY PERIOD.**—The 60-day period referred to in subsection (d) shall be calculated by excluding the days on which either House of Congress is not in session because of an adjournment of the Congress sine die."

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to any new composite theoretical performance level established for purposes of section 1211(a) of the National Defense Authorization Act for Fiscal Year 1998 that is submitted by the President pursuant to section 1211(d) of that Act on or after the date of the enactment of this Act.

**ROBB AMENDMENTS NOS. 3186-3187**

(Ordered to lie on the table.)

Mr. ROBB submitted two amendments intended to be proposed by him to the bill, S. 2549, supra; as follows:

**AMENDMENT NO. 3186**

On page \_\_\_, between lines \_\_\_ and \_\_\_, insert the following:

**SEC. . DEFENSE TRAVEL SYSTEM.**

(a) **REQUIREMENT FOR REPORT.**—Not later than November 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report on the Defense Travel System.

(b) **CONTENT OF REPORT.**—The report shall include the following:

(1) A detailed discussion of the development, testing, and fielding of the system, including the performance requirements, the evaluation criteria, the funding that has been provided for the development, testing, and fielding of the system, and the funding that is projected to be required for completing the development, testing, and fielding of the system.

(2) The schedule that has been followed for the testing of the system, including the initial operational test and evaluation and the final operational testing and evaluation, together with the results of the testing.

(3) The cost savings expected to result from the deployment of the system and from the completed implementation of the system, together with a discussion of how the savings are estimated and the expected schedule for the realization of the savings.

(4) An analysis of the costs and benefits of fielding the front-end software for the system throughout all 18 geographical areas selected for the original fielding of the system.

(c) **LIMITATIONS.**—(1) Not more than 25 percent of the amount authorized to be appropriated under section \_\_\_ for the Defense Travel System may be obligated or expended before the date on which the Secretary submits the report required under subsection (a).

(2) Funds appropriated for the Defense Travel System pursuant to the authorization of appropriations referred to in paragraph (1) may not be used for a purpose other than the Defense Travel System unless the Secretary first submits to Congress a written notification of the intended use and the amount to be so used.

**AMENDMENT NO. 3187**

On page 545, following line 22, add the following:

**PART IV—OTHER CONVEYANCES**

**SEC. 2876. LAND CONVEYANCE, FORMER NATIONAL GROUND INTELLIGENCE CENTER, CHARLOTTESVILLE, VIRGINIA.**

(a) **CONVEYANCE AUTHORIZED.**—The Administrator of General Services may convey, without consideration, to the City of Charlottesville, Virginia (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, formerly occupied by the National Ground Intelligence Center and known as the Jefferson Street Property.

(b) **AUTHORITY TO CONVEY WITHOUT CONSIDERATION.**—The conveyance authorized by subsection (a) may be made without consideration if the Administrator determines that the conveyance on that basis would be in the best interests of the United States.

(c) **PURPOSE OF CONVEYANCE.**—The conveyance authorized by subsection (a) shall be for the purpose of permitting the City to use the parcel, directly or through an agreement with a public or private entity, for economic development purposes.

(d) **REVERSIONARY INTEREST.**—If, during the 5-year period beginning on the date the Administrator makes the conveyance authorized by subsection (a), the Administrator determines that the conveyed real property is not being used for a purpose specified in subsection (c), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United



States, and the United States shall have the right of immediate entry onto the property.

(e) **INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.**—The conveyance authorized by subsection (a) shall not be subject to the following:

(1) Sections 2667 and 2696 of title 10, United States Code.

(2) Section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411).

(3) Sections 202 and 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483, 484).

(f) **LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.**—(1) Subject to paragraph (2), if at any time after the Administrator makes the conveyance authorized by subsection (a) the City conveys any portion of the parcel conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to the fair market value (as determined by the Administrator) of the portion conveyed at the time of its conveyance under this subsection.

(2) Paragraph (1) applies to a conveyance described in that paragraph only if the Administrator makes the conveyance authorized by subsection (a) without consideration.

(3) The Administrator shall cover over into the general fund of the Treasury as miscellaneous receipts any amounts paid the Administrator under this subsection.

(g) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Administrator. The cost of the survey shall be borne by the City.

(h) **ADDITIONAL TERMS AND CONDITIONS.**—The Administrator may require such additional terms and conditions in connection with the conveyance as the Administrator considers appropriate to protect the interests of the United States.

#### KERREY AMENDMENT NO. 3188

(Ordered to lie on the table.)

Mr. KERREY submitted an amendment intended to be proposed by him to the bill, S. 2549, *supra*; as follows:

On page 368, between lines 21 and 22, insert the following:

(7) The ability of the United States to deter a nuclear attack with strategic forces at the levels proposed for a third treaty between the United States and the Russian Federation on the reduction and limitation of strategic offensive arms, with consideration being given to the estimated effect on the Russian Federation of a nuclear retaliation by the United States.

#### WARNER AMENDMENT NO. 3189

Mr. WARNER proposed an amendment to the bill, S. 2549, *supra*; as follows:

On page 613, after line 12, insert the following:

#### SEC. 3403. DISPOSAL OF TITANIUM.

(a) **DISPOSAL REQUIRED.**—Subject to subsection (b), the President shall, by September 30, 2010, dispose of 30,000 short tons of titanium contained in the National Defense Stockpile so as to result in receipts to the United States in a total amount that is not less than \$180,000,000.

(b) **MINIMIZATION OF DISRUPTION AND LOSS.**—The President may not dispose of titanium under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of titanium; or

(2) avoidable loss to the United States.

(c) **TREATMENT OF RECEIPTS.**—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), funds received as a result of the disposal of titanium under subsection (a) shall be applied as follows: \$174,000,000 to defray the costs of health care benefit improvement for retired military personnel; and \$6,000,000 for transfer to the American Battle Monuments Commission for deposit in the fund established under section 2113 of title 36, United States Code, for the World War II memorial authorized by section 1 of Public Law 103-32 (107 Stat. 90).

(d) **WORLD WAR II MEMORIAL.**—(1) The amount transferred to the American Battle Monuments Commission under subsection (c) shall be used to complete all necessary requirements for the design of, ground breaking for, construction of, maintenance of, and dedication of the World War II memorial. The Commission shall determine how the amount shall be apportioned among such purposes.

(2) Any funds not necessary for the purposes set forth in paragraph (1) shall be transferred to and deposited in the general fund of the Treasury.

(e) **RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.**—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials in the National Defense Stockpile.

#### RYAN WHITE CARE ACT AMENDMENTS OF 2000

#### JEFFORDS (AND OTHERS) AMENDMENT NO. 3190

Mr. WARNER (for Mr. JEFFORDS (for himself, Mr. KENNEDY, and Mr. FRIST)) proposed an amendment to the bill (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ryan White CARE Act Amendments of 2000”.

#### SEC. 2. REFERENCES; TABLE OF CONTENTS.

(a) **REFERENCES.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(b) **Table of Contents.**—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. References; table of contents.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

Sec. 101. Duties of planning council, funding priorities, quality assessment.

Sec. 102. Quality management.

Sec. 103. Funded entities required to have health care relationships.

Sec. 104. Support services required to be health care-related.

Sec. 105. Use of grant funds for early intervention services.

Sec. 106. Replacement of specified fiscal years regarding the sunset on expedited distribution requirements.

Sec. 107. Hold harmless provision.

Sec. 108. Set-aside for infants, children, and women.

##### Subtitle B—Amendments to Part B (Care Grant Program)

Sec. 121. State requirements concerning identification of need and allocation of resources.

Sec. 122. Quality management.

Sec. 123. Funded entities required to have health care relationships.

Sec. 124. Support services required to be health care-related.

Sec. 125. Use of grant funds for early intervention services.

Sec. 126. Authorization of appropriations for HIV-related services for women and children.

Sec. 127. Repeal of requirement for completed Institute of Medicine report.

Sec. 128. Supplement grants for certain States.

Sec. 129. Use of treatment funds.

Sec. 130. Increase in minimum allotment.

Sec. 131. Set-aside for infants, children, and women.

##### Subtitle C—Amendments to Part C (Early Intervention Services)

Sec. 141. Amendment of heading; repeal of formula grant program.

Sec. 142. Planning and development grants.

Sec. 143. Authorization of appropriations for categorical grants.

Sec. 144. Administrative expenses ceiling; quality management program.

Sec. 145. Preference for certain areas.

Sec. 146. Technical amendment.

##### Subtitle D—Amendments to Part D (General Provisions)

Sec. 151. Research involving women, infants, children, and youth.

Sec. 152. Limitation on administrative expenses.

Sec. 153. Evaluations and reports.

Sec. 154. Authorization of appropriations for grants under parts A and B.

##### Subtitle E—Amendments to Part F (Demonstration and Training)

Sec. 161. Authorization of appropriations.

#### TITLE II—MISCELLANEOUS PROVISIONS

Sec. 201. Institute of Medicine study.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

#### SEC. 101. DUTIES OF PLANNING COUNCIL, FUNDING PRIORITIES, QUALITY ASSESSMENT.

Section 2602 (42 U.S.C. 300ff-12) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(C), by inserting before the semicolon the following: “, including providers of housing and homeless services”; and

(B) in paragraph (4), by striking “shall—” and all that follows and inserting “shall have the responsibilities specified in subsection (d).”; and

(2) by adding at the end the following:

“(d) **DUTIES OF PLANNING COUNCIL.**—The planning council established under subsection (b) shall have the following duties:

“(1) **PRIORITIES FOR ALLOCATION OF FUNDS.**—The council shall establish priorities for the allocation of funds within the eligible area, including how best to meet each

such priority and additional factors that a grantee should consider in allocating funds under a grant, based on the following factors:

“(A) The size and demographic characteristics of the population with HIV disease to be served, including, subject to subsection (e), the needs of individuals living with HIV infection who are not receiving HIV-related health services.

“(B) The documented needs of the population with HIV disease with particular attention being given to disparities in health services among affected subgroups within the eligible area.

“(C) The demonstrated or probable cost and outcome effectiveness of proposed strategies and interventions, to the extent that data are reasonably available.

“(D) Priorities of the communities with HIV disease for whom the services are intended.

“(E) The availability of other governmental and non-governmental resources, including the State Medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease.

“(F) Capacity development needs resulting from gaps in the availability of HIV services in historically underserved low-income communities.

“(2) COMPREHENSIVE SERVICE DELIVERY PLAN.—The council shall develop a comprehensive plan for the organization and delivery of health and support services described in section 2604. Such plan shall be compatible with any existing State or local plans regarding the provision of such services to individuals with HIV disease.

“(3) ASSESSMENT OF FUND ALLOCATION EFFICIENCY.—The council shall assess the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the eligible area.

“(4) STATEWIDE STATEMENT OF NEED.—The council shall participate in the development of the Statewide coordinated statement of need as initiated by the State public health agency responsible for administering grants under part B.

“(5) COORDINATION WITH OTHER FEDERAL GRANTEEES.—The council shall coordinate with Federal grantees providing HIV-related services within the eligible area.

“(6) COMMUNITY PARTICIPATION.—The council shall establish methods for obtaining input on community needs and priorities which may include public meetings, conducting focus groups, and convening ad-hoc panels.

“(e) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—

“(1) IN GENERAL.—Not later than 24 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall—

“(A) consult with eligible metropolitan areas, affected communities, experts, and other appropriate individuals and entities, to develop epidemiologic measures for establishing the number of individuals living with HIV disease who are not receiving HIV-related health services; and

“(B) provide advice and technical assistance to planning councils with respect to the process for establishing priorities for the allocation of funds under subsection (d)(1).

“(2) EXCEPTION.—Grantees under this part shall not be required to establish priorities for individuals not in care until epidemiologic measures are developed under paragraph (1).”.

#### SEC. 102. QUALITY MANAGEMENT.

(a) FUNDS AVAILABLE FOR QUALITY MANAGEMENT.—Section 2604 (42 U.S.C. 300ff-14) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) QUALITY MANAGEMENT.—

“(1) REQUIREMENT.—The chief elected official of an eligible area that receives a grant under this part shall provide for the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection and to develop strategies for improvements in the access to and quality of medical services.

“(2) USE OF FUNDS.—From amounts received under a grant awarded under this part, the chief elected official of an eligible area may use, for activities associated with its quality management program, not more than the lesser of—

“(A) 5 percent of amounts received under the grant; or

“(B) \$3,000,000.”.

(b) QUALITY MANAGEMENT REQUIRED FOR ELIGIBILITY FOR GRANTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) that the chief elected official of the eligible area will satisfy all requirements under section 2604(c);”.

#### SEC. 103. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

(a) USE OF AMOUNTS.—Section 2604(e)(1) (42 U.S.C. 300ff-14(d)(1)) (as so redesignated by section 102(a)) is amended by inserting “and the State Children's Health Insurance Program under title XXI of such Act” after “Social Security Act”.

(b) APPLICATIONS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended by inserting after paragraph (3), as added by section 102(b), the following:

“(4) that funded entities within the eligible area that receive funds under a grant under section 2601(a) shall maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters) and other entities under section 2652(a) for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care;”.

#### SEC. 104. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “HIV-related—” and inserting “HIV-related services, as follows;”;

(2) in subparagraph (A)—

(A) by striking “outpatient” and all that follows through “substance abuse treatment and” and inserting the following: “OUTPATIENT HEALTH SERVICES.—Outpatient and ambulatory health services, including substance abuse treatment;”;

(B) by striking “; and” and inserting a period;

(3) in subparagraph (B), by striking “(B) inpatient case management” and inserting “(C) INPATIENT CASE MANAGEMENT SERVICES.—Inpatient case management;”;

(4) by inserting after subparagraph (A) the following:

“(B) OUTPATIENT SUPPORT SERVICES.—Outpatient and ambulatory support services (including case management), to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.”.

(b) CONFORMING AMENDMENT TO APPLICATION REQUIREMENTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)), as amended by section 102(b), is further amended—

(1) in paragraph (7) (as so redesignated), by striking “and” at the end thereof;

(2) in paragraph (8) (as so redesignated), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(9) that the eligible area has procedures in place to ensure that services provided with funds received under this part meet the criteria specified in section 2604(b)(1).”.

#### SEC. 105. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)), as amended by section 104(a), is further amended by adding at the end the following:

“(D) EARLY INTERVENTION SERVICES.—Early intervention services as described in section 2651(b)(2), with follow-through referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(i)(I) is receiving funds under subparagraph (A) or (C); or

“(II) is an entity constituting a point of access to services, as described in section 2605(a)(4), that maintains a relationship with an entity described in subclause (I) and that is serving individuals at elevated risk of HIV disease;

“(ii) demonstrates to the satisfaction of the chief elected official that Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this subparagraph; and

“(iii) demonstrates to the satisfaction of the chief elected official that funds will be utilized under this subparagraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.

(b) CONFORMING AMENDMENTS TO APPLICATION REQUIREMENTS.—Section 2605(a)(1) (42 U.S.C. 300ff-15(a)(1)) is amended—

(1) in subparagraph (A), by striking “services to individuals with HIV disease” and inserting “services as described in section 2604(b)(1);”;

(2) in subparagraph (B), by striking “services for individuals with HIV disease” and inserting “services as described in section 2604(b)(1).”.

#### SEC. 106. REPLACEMENT OF SPECIFIED FISCAL YEARS REGARDING THE SUNSET ON EXPEDITED DISTRIBUTION REQUIREMENTS.

Section 2603(a)(2) (42 U.S.C. 300ff-13(a)(2)) is amended by striking “for each of the fiscal years 1996 through 2000” and inserting “for a fiscal year”.

#### SEC. 107. HOLD HARMLESS PROVISION.

Section 2603(a)(4) (42 U.S.C. 300ff-13(a)(4)) is amended to read as follows:

“(4) LIMITATION.—With respect to each of fiscal years 2001 through 2005, the Secretary shall ensure that the amount of a grant made to an eligible area under paragraph (2) for such a fiscal year is not less than an

amount equal to 98 percent of the amount the eligible area received for the fiscal year preceding the year for which the determination is being made.”.

#### SEC. 108. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2604(b)(3) (42 U.S.C. 300ff-14(b)(3)) is amended—

(1) by inserting “for each population under this subsection” after “council”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

#### Subtitle B—Amendments to Part B (Care Grant Program)

#### SEC. 121. STATE REQUIREMENTS CONCERNING IDENTIFICATION OF NEED AND ALLOCATION OF RESOURCES.

(a) GENERAL USE OF GRANTS.—Section 2612 (42 U.S.C. 300ff-22) is amended—

(1) by striking “A State” and inserting “(a) IN GENERAL.—A State”; and

(2) in the matter following paragraph (5)—  
(A) by striking “Services” and inserting: “(b) DELIVERY OF SERVICES.—Services”;

(B) by striking “paragraph (1)” and inserting “subsection (a)(1)”; and

(C) by striking “paragraph (2)” and inserting “subsection (a)(2) and section 2613”;

(b) APPLICATION.—Section 2617(b) (42 U.S.C. 300ff-27(b)) is amended—

(1) in paragraph (1)(C)—  
(A) by striking clause (i) and inserting the following:

“(i) the size and demographic characteristics of the population with HIV disease to be served, except that by not later than October 1, 2002, the State shall take into account the needs of individuals not in care, based on epidemiologic measures developed by the Secretary in consultation with the State, affected communities, experts, and other appropriate individuals (such State shall not be required to establish priorities for individuals not in care until such epidemiologic measures are developed);”;

(B) in clause (iii), by striking “and” at the end; and

(C) by adding at the end the following:  
“(v) the availability of other governmental and non-governmental resources;

“(vi) the capacity development needs resulting in gaps in the provision of HIV services in historically underserved low-income and rural low-income communities; and

“(vii) the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the State;”;

and  
(2) in paragraph (2)—  
(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (F); and

(C) by inserting after subparagraph (B), the following:

“(C) an assurance that capacity development needs resulting from gaps in the provision of services in underserved low-income and rural low-income communities will be addressed; and

“(D) with respect to fiscal year 2003 and subsequent fiscal years, assurances that, in the planning and allocation of resources, the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), will make appropriate provision for the HIV-related health and support service needs of individuals who have been diagnosed with HIV disease but who are not currently receiving such services, based on the epidemiologic measures developed under paragraph (1)(C)(i).”.

#### SEC. 122. QUALITY MANAGEMENT.

(a) STATE REQUIREMENT FOR QUALITY MANAGEMENT.—Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)) is amended—

(1) by striking subparagraph (C) and inserting the following:

“(C) the State will provide for—

“(i) the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and to develop strategies for improvements in the access to and quality of medical services; and

“(ii) a periodic review (such as through an independent peer review) to assess the quality and appropriateness of HIV-related health and support services provided by entities that receive funds from the State under this part;”;

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D), the following:

“(E) an assurance that the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), has considered strategies for working with providers to make optimal use of financial assistance under the State medical aid plan under title XIX of the Social Security Act, the State Children’s Health Insurance Program under title XXI of such Act, and other Federal grantees that provide HIV-related services, to maximize access to quality HIV-related health and support services;

(4) in subparagraph (F), as so redesignated, by striking “and” at the end; and

(5) in subparagraph (G), as so redesignated, by striking the period and inserting “; and”.

(b) AVAILABILITY OF FUNDS FOR QUALITY MANAGEMENT.—

(1) AVAILABILITY OF GRANT FUNDS FOR PLANNING AND EVALUATION.—Section 2618(c)(3) (42 U.S.C. 300ff-28(c)(3)) is amended by inserting before the period “, including not more than \$3,000,000 for all activities associated with its quality management program”.

(2) EXCEPTION TO COMBINED CEILING ON PLANNING AND ADMINISTRATION FUNDS FOR STATES WITH SMALL GRANTS.—Paragraph (6) of section 2618(c) (42 U.S.C. 300ff-28(c)(6)) is amended to read as follows:

“(6) EXCEPTION FOR QUALITY MANAGEMENT.—Notwithstanding paragraph (5), a State whose grant under this part for a fiscal year does not exceed \$1,500,000 may use not to exceed 20 percent of the amount of the grant for the purposes described in paragraphs (3) and (4) if—

“(A) that portion of the amount that may be used for such purposes in excess of 15 percent of the grant is used for its quality management program; and

“(B) the State submits and the Secretary approves a plan (in such form and containing such information as the Secretary may prescribe) for use of funds for its quality management program.”.

#### SEC. 123. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)), as amended by section 122(a), is further amended by adding at the end the following:

“(H) that funded entities maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters), and other entities under section 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care.”.

#### SEC. 124. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) TECHNICAL AMENDMENT.—Section 3(c)(2)(A)(iii) of the Ryan White CARE Act Amendments of 1996 (Public Law 104-146) is amended by inserting “before paragraph (2) as so redesignated” after “inserting”.

(b) SERVICES.—Section 2612(a)(1) (42 U.S.C. 300ff-22(a)(1)), as so designated by section 121(a), is amended by striking “for individuals with HIV disease” and inserting “, subject to the conditions and limitations that apply under such section”.

(c) CONFORMING AMENDMENT TO STATE APPLICATION REQUIREMENT.—Section 2617(b)(2) (42 U.S.C. 300ff-27(b)(2)), as amended by section 121(b), is further amended by inserting after subparagraph (D) the following:

“(E) an assurance that the State has procedures in place to ensure that services provided with funds received under this section meet the criteria specified in section 2604(b)(1)(B); and”.

#### SEC. 125. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

Section 2612(a) (42 U.S.C. 300ff-22(a)), as amended by section 121, is further amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(6) to provide, through systems of HIV-related health services provided under paragraphs (1), (2), and (3), early intervention services, as described in section 2651(b)(2), with follow-up referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(A)(i) is receiving funds under section 2612(a)(1); or

“(ii) is an entity constituting a point of access to services, as described in section 2617(b)(4), that maintains a referral relationship with an entity described in clause (i) and that is serving individuals at elevated risk of HIV disease;

“(B) demonstrates to the State’s satisfaction that other Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this paragraph; and

“(C) demonstrates to the satisfaction of the State that funds will be utilized under this paragraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.”.

#### SEC. 126. AUTHORIZATION OF APPROPRIATIONS FOR HIV-RELATED SERVICES FOR WOMEN AND CHILDREN.

Section 2625(c)(2) (42 U.S.C. 300ff-33(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

#### SEC. 127. REPEAL OF REQUIREMENT FOR COMPLETED INSTITUTE OF MEDICINE REPORT.

Section 2628 (42 U.S.C. 300ff-36) is repealed.

#### SEC. 128. SUPPLEMENTAL GRANTS FOR CERTAIN STATES.

Subpart I of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-11 et seq.) is amended by adding at the end the following:

#### “SEC. 2622. SUPPLEMENTAL GRANTS.

“(a) IN GENERAL.—The Secretary shall award supplemental grants to States determined to be eligible under subsection (b) to enable such States to provide comprehensive services of the type described in section 2612(a) to supplement the services otherwise provided by the State under a grant under this subpart in emerging communities within the State that are not eligible to receive grants under part A.

“(b) ELIGIBILITY.—To be eligible to receive a supplemental grant under subsection (a) a State shall—

“(1) be eligible to receive a grant under this subpart;

“(2) demonstrate the existence in the State of an emerging community as defined in subsection (d)(1); and

“(3) submit the information described in subsection (c).

“(c) REPORTING REQUIREMENTS.—A State that desires a grant under this section shall, as part of the State application submitted under section 2617, submit a detailed description of the manner in which the State will use amounts received under the grant and of the severity of need. Such description shall include—

“(1) a report concerning the dissemination of supplemental funds under this section and the plan for the utilization of such funds in the emerging community;

“(2) a demonstration of the existing commitment of local resources, both financial and in-kind;

“(3) a demonstration that the State will maintain HIV-related activities at a level that is equal to not less than the level of such activities in the State for the 1-year period preceding the fiscal year for which the State is applying to receive a grant under this part;

“(4) a demonstration of the ability of the State to utilize such supplemental financial resources in a manner that is immediately responsive and cost effective;

“(5) a demonstration that the resources will be allocated in accordance with the local demographic incidence of AIDS including appropriate allocations for services for infants, children, women, and families with HIV disease;

“(6) a demonstration of the inclusiveness of the planning process, with particular emphasis on affected communities and individuals with HIV disease; and

“(7) a demonstration of the manner in which the proposed services are consistent with local needs assessments and the statewide coordinated statement of need.

“(d) DEFINITION OF EMERGING COMMUNITY.—In this section, the term ‘emerging community’ means a metropolitan area—

“(1) that is not eligible for a grant under part A; and

“(2) for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of between 500 and 1999 cases of acquired immune deficiency syndrome for the most recent period of 5 calendar years for which such data are available.

“(e) FUNDING.—

“(1) IN GENERAL.—Subject to paragraph (2), with respect to each fiscal year beginning with fiscal year 2001, the Secretary, to carry out this section, shall utilize—

“(A) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 1000, but less than 2000, cases of AIDS as reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded; and

“(B) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section

2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 500, but less than 1000, cases of AIDS reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded.

“(2) TRIGGER OF FUNDING.—This section shall be effective only for fiscal years beginning in the first fiscal year in which the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), exceeds by at least \$20,000,000 the amount appropriated under 2677 to carry out part B in fiscal year 2000, excluding the amount appropriated under section 2618(b)(2)(H).

“(3) MINIMUM AMOUNT IN FUTURE YEARS.—Beginning with the first fiscal year in which amounts provided for emerging communities under paragraph (1)(A) equals \$5,000,000 and under paragraph (1)(B) equals \$5,000,000, the Secretary shall ensure that amounts made available under this section for the types of emerging communities described in each such paragraph in subsequent fiscal years is at least \$5,000,000.

“(4) DISTRIBUTION.—The amount of a grant awarded to a State under this section shall be determined by the Secretary based on the formula described in section 2618(b)(2), except that in applying such formula, the Secretary shall—

“(A) substitute ‘1.0’ for ‘.80’ in subparagraph (A)(ii)(I) of such section; and

“(B) not consider the provisions of subparagraphs (A)(ii)(II) and (C) of such section.”

#### SEC. 129. USE OF TREATMENT FUNDS.

(a) STATE DUTIES.—Section 2616(c) (42 U.S.C. 300ff-26(c)) is amended—

(1) in the matter preceding paragraph (1), by striking “shall” and inserting “shall use funds made available under this section to—”;

(2) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively and realigning the margins of such subparagraphs appropriately;

(3) in subparagraph (D) (as so redesignated), by striking “and” at the end;

(4) in subparagraph (E) (as so redesignated), by striking the period and inserting “; and”;

(5) by adding at the end the following:

“(F) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.”;

(6) by striking “In carrying” and inserting the following:

“(1) IN GENERAL.—In carrying”;

(7) by adding at the end the following:

“(2) LIMITATIONS.—

“(A) IN GENERAL.—No State shall use funds under paragraph (1)(F) unless the limitations on access to HIV/AIDS therapeutic regimens as defined in subsection (e)(2) are eliminated.

“(B) AMOUNT OF FUNDING.—No State shall use in excess of 10 percent of the amount set-aside for use under this section in any fiscal year to carry out activities under paragraph (1)(F) unless the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to therapeutics.”

(b) SUPPLEMENT GRANTS.—Section 2616 (42 U.S.C. 300ff-26) is amended by adding at the end the following:

“(e) SUPPLEMENTAL GRANTS FOR THE PROVISION OF TREATMENTS.—

“(1) IN GENERAL.—From amounts made available under paragraph (5), the Secretary

shall award supplemental grants to States determined to be eligible under paragraph (2) to enable such States to increase access to therapeutics to treat HIV disease as provided by the State under subsection (c)(1)(B) for individuals at or below 200 percent of the Federal poverty line.

“(2) CRITERIA.—The Secretary shall develop criteria for the awarding of grants under paragraph (1) to States that demonstrate a severe need. In determining the criteria for demonstrating State severity of need, the Secretary shall consider eligibility standards and formulary composition.

“(3) STATE REQUIREMENT.—The Secretary may not make a grant to a State under this subsection unless the State agrees that—

“(A) the State will make available (directly or through donations from public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to \$1 for each \$4 of Federal funds provided in the grant; and

“(B) the State will not impose eligibility requirements for services or scope of benefits limitations under subsection (a) that are more restrictive than such requirements in effect as of January 1, 2000.

“(4) USE AND COORDINATION.—Amounts made available under a grant under this subsection shall only be used by the State to provide HIV/AIDS-related medications. The State shall coordinate the use of such amounts with the amounts otherwise provided under this section in order to maximize drug coverage.

“(5) FUNDING.—

“(A) RESERVATION OF AMOUNT.—The Secretary shall reserve 3 percent of any amount referred to in section 2618(b)(2)(H) that is appropriated for a fiscal year, to carry out this subsection.

“(B) MINIMUM AMOUNT.—In providing grants under this subsection, the Secretary shall ensure that the amount of a grant to a State under this part is not less than the amount the State received under this part in the previous fiscal year, as a result of grants provided under this subsection.”

(c) SUPPLEMENT AND NOT SUPPLANT.—Section 2616 (42 U.S.C. 300ff-26(c)), as amended by subsection (b), is further amended by adding at the end the following:

“(f) SUPPLEMENT NOT SUPPLANT.—Notwithstanding any other provision of law, amounts made available under this section shall be used to supplement and not supplant other funding available to provide treatments of the type that may be provided under this section.”

#### SEC. 130. INCREASE IN MINIMUM ALLOTMENT.

(a) IN GENERAL.—Section 2618(b)(1)(A)(i) (42 U.S.C. 300ff-28(b)(1)(A)(i)) is amended—

(1) in subclause (I), by striking “\$100,000” and inserting “\$200,000”; and

(2) in subclause (II), by striking “\$250,000” and inserting “\$500,000”.

(b) TERRITORIES.—Section 2618(b)(1)(B) (42 U.S.C. 300ff-28(b)(1)(B)) is amended by inserting “the greater of \$50,000 or” after “shall be”.

(c) TECHNICAL AMENDMENT.—Section 2618(b)(3)(B) (42 U.S.C. 300ff-28(b)(3)(B)) is amended by striking “and the Republic of the Marshall Islands” and inserting “, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, and only for purposes of paragraph (1) the Commonwealth of Puerto Rico”.

#### SEC. 131. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2611(b) (42 U.S.C. 300ff-21(b)) is amended—

(1) by inserting “for each population under this subsection” after “State shall use”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

**Subtitle C—Amendments to Part C (Early Intervention Services)**

**SEC. 141. AMENDMENT OF HEADING; REPEAL OF FORMULA GRANT PROGRAM.**

(a) AMENDMENT OF HEADING.—The heading of part C of title XXVI is amended to read as follows:

“PART C—EARLY INTERVENTION AND PRIMARY CARE SERVICES”.

(b) REPEAL.—Part C of title XXVI (42 U.S.C. 300ff-41 et seq.) is amended—

(1) by repealing subpart I; and  
(2) by redesignating subparts II and III as subparts I and II.

(c) CONFORMING AMENDMENTS.—

(1) INFORMATION REGARDING RECEIPT OF SERVICES.—Section 2661(a) (42 U.S.C. 300ff-61(a)) is amended by striking “unless—” and all that follows through “(2) in the case of” and inserting “unless, in the case of”.

(2) ADDITIONAL AGREEMENTS.—Section 2664 (42 U.S.C. 300ff-64) is amended—

(A) in subsection (e)(5), by striking “2642(b) or”;

(B) in subsection (f)(2), by striking “2642(b) or”;

(C) by striking subsection (h).

**SEC. 142. PLANNING AND DEVELOPMENT GRANTS.**

(a) ALLOWING PLANNING AND DEVELOPMENT GRANT TO EXPAND ABILITY TO PROVIDE PRIMARY CARE SERVICES.—Section 2654(c) (42 U.S.C. 300ff-54(c)) is amended—

(1) in paragraph (1), to read as follows:

“(1) IN GENERAL.—The Secretary may provide planning and development grants to public and nonprofit private entities for the purpose of—

“(A) enabling such entities to provide HIV early intervention services; or

“(B) assisting such entities to expand the capacity, preparedness, and expertise to deliver primary care services to individuals with HIV disease in underserved low-income communities on the condition that the funds are not used to purchase or improve land or to purchase, construct, or permanently improve (other than minor remodeling) any building or other facility.”; and

(2) in paragraphs (2) and (3) by striking “paragraph (1)” each place that such appears and inserting “paragraph (1)(A)”.

(b) AMOUNT; DURATION.—Section 2654(c) (42 U.S.C. 300ff-54(c)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

“(4) AMOUNT AND DURATION OF GRANTS.—

“(A) EARLY INTERVENTION SERVICES.—A grant under paragraph (1)(A) may be made in an amount not to exceed \$50,000.

“(B) CAPACITY DEVELOPMENT.—

“(i) AMOUNT.—A grant under paragraph (1)(B) may be made in an amount not to exceed \$150,000.

“(ii) DURATION.—The total duration of a grant under paragraph (1)(B), including any renewal, may not exceed 3 years.”.

(c) INCREASE IN LIMITATION.—Section 2654(c)(5) (42 U.S.C. 300ff-54(c)(5)), as so redesignated by subsection (b), is amended by striking “1 percent” and inserting “5 percent”.

**SEC. 143. AUTHORIZATION OF APPROPRIATIONS FOR CATEGORICAL GRANTS.**

Section 2655 (42 U.S.C. 300ff-55) is amended by striking “1996” and all that follows through “2000” and inserting “2001 through 2005”.

**SEC. 144. ADMINISTRATIVE EXPENSES CEILING; QUALITY MANAGEMENT PROGRAM.**

Section 2664(g) (42 U.S.C. 300ff-64(g)) is amended—

(1) in paragraph (3), to read as follows:

“(3) the applicant will not expend more than 10 percent of the grant for costs of ad-

ministrative activities with respect to the grant.”;

(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(5) the applicant will provide for the establishment of a quality management program to assess the extent to which medical services funded under this title that are provided to patients are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and that improvements in the access to and quality of medical services are addressed.”.

**SEC. 145. PREFERENCE FOR CERTAIN AREAS.**

Section 2651 (42 U.S.C. 300ff-51) is amended by adding at the end the following:

“(d) PREFERENCE IN AWARDING GRANTS.—In awarding new grants under this section, the Secretary shall give preference to applicants that will use amounts received under the grant to serve areas that are determined to be rural and underserved for the purposes of providing health care to individuals infected with HIV or diagnosed with AIDS.”.

**SEC. 146. TECHNICAL AMENDMENT.**

Section 2652(a) (42 U.S.C. 300ff-52(a)) is amended—

(1) striking paragraphs (1) and (2) and inserting the following:

“(1) health centers under section 330;”;

(2) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

**Subtitle D—Amendments to Part D (General Provisions)**

**SEC. 151. RESEARCH INVOLVING WOMEN, INFANTS, CHILDREN, AND YOUTH.**

(a) ELIMINATION OF REQUIREMENT TO ENROLL SIGNIFICANT NUMBERS OF WOMEN AND CHILDREN.—Section 2671(b) (42 U.S.C. 300ff-71(b)) is amended—

(1) in paragraph (1), by striking subparagraphs (C) and (D); and

(2) by striking paragraphs (3) and (4).

(b) INFORMATION AND EDUCATION.—Section 2671(d) (42 U.S.C. 300ff-71(d)) is amended by adding at the end the following:

“(4) The applicant will provide individuals with information and education on opportunities to participate in HIV/AIDS-related clinical research.”.

(c) QUALITY MANAGEMENT; ADMINISTRATIVE EXPENSES CEILING.—Section 2671(f) (42 U.S.C. 300ff-71(f)) is amended—

(1) by striking the subsection heading and designation and inserting the following:

“(f) ADMINISTRATION.—

“(1) APPLICATION.—”;

(2) by adding at the end the following:

“(2) QUALITY MANAGEMENT PROGRAM.—A grantee under this section shall implement a quality management program.”.

(d) COORDINATION.—Section 2671(g) (42 U.S.C. 300ff-71(g)) is amended by adding at the end the following: “The Secretary acting through the Director of NIH, shall examine the distribution and availability of ongoing and appropriate HIV/AIDS-related research projects to existing sites under this section for purposes of enhancing and expanding voluntary access to HIV-related research, especially within communities that are not reasonably served by such projects. Not later than 12 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall prepare and submit to the appropriate committees of Congress a report that describes the findings made by the Director and the manner in which the conclusions based on those findings can be addressed.”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 2671(j) (42 U.S.C. 300ff-71(j)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

**SEC. 152. LIMITATION ON ADMINISTRATIVE EXPENSES.**

Section 2671 (42 U.S.C. 300ff-71) is amended—

(1) by redesignating subsections (i) and (j), as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h), the following:

“(i) LIMITATION ON ADMINISTRATIVE EXPENSES.—

“(1) DETERMINATION BY SECRETARY.—Not later than 12 months after the date of enactment of the Ryan White Care Act Amendments of 2000, the Secretary, in consultation with grantees under this part, shall conduct a review of the administrative, program support, and direct service-related activities that are carried out under this part to ensure that eligible individuals have access to quality, HIV-related health and support services and research opportunities under this part, and to support the provision of such services.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 180 days after the expiration of the 12-month period referred to in paragraph (1) the Secretary, in consultation with grantees under this part, shall determine the relationship between the costs of the activities referred to in paragraph (1) and the access of eligible individuals to the services and research opportunities described in such paragraph.

“(B) LIMITATION.—After a final determination under subparagraph (A), the Secretary may not make a grant under this part unless the grantee complies with such requirements as may be included in such determination.”.

**SEC. 153. EVALUATIONS AND REPORTS.**

Section 2674(c) (42 U.S.C. 399ff-74(c)) is amended by striking “1991 through 1995” and inserting “2001 through 2005”.

**SEC. 154. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS UNDER PARTS A AND B.**

Section 2677 (42 U.S.C. 300ff-77) is amended to read as follows:

**“SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated—

“(1) such sums as may be necessary to carry out part A for each of the fiscal years 2001 through 2005; and

“(2) such sums as may be necessary to carry out part B for each of the fiscal years 2001 through 2005.”.

**Subtitle E—Amendments to Part F (Demonstration and Training)**

**SEC. 161. AUTHORIZATION OF APPROPRIATIONS.**

(a) SCHOOLS; CENTERS.—Section 2692(c)(1) (42 U.S.C. 300ff-111(c)(1)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(b) DENTAL SCHOOLS.—Section 2692(c)(2) (42 U.S.C. 300ff-111(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(c) DENTAL SCHOOLS AND PROGRAMS.—Section 2692(b) of the Public Health Service Act (42 U.S.C. 300ff-111(b)) is amended—

(1) in paragraph (1), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392)) and dental hygiene programs that are accredited by the Commission on Dental Accreditation”; and

(2) in paragraph (2), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392))”.

**TITLE II—MISCELLANEOUS PROVISIONS**

**SEC. 201. INSTITUTE OF MEDICINE STUDY.**

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the

Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning the appropriate epidemiological measures and their relationship to the financing and delivery of primary care and health-related support services for low-income, uninsured, and under-insured individuals with HIV disease.

(b) REQUIREMENTS.—

(1) COMPLETION.—The study under subsection (a) shall be completed not later than 21 months after the date on which the contract referred to in such subsection is entered into.

(2) ISSUES TO BE CONSIDERED.—The study conducted under subsection (a) shall consider—

(A) the availability and utility of health outcomes measures and data for HIV primary care and support services and the extent to which those measures and data could be used to measure the quality of such funded services;

(B) the effectiveness and efficiency of service delivery (including the quality of services, health outcomes, and resource use) within the context of a changing health care and therapeutic environment as well as the changing epidemiology of the epidemic;

(C) existing and needed epidemiological data and other analytic tools for resource planning and allocation decisions, specifically for estimating severity of need of a community and the relationship to the allocations process; and

(D) other factors determined to be relevant to assessing an individual's or community's ability to gain and sustain access to quality HIV services.

(c) REPORT.—Not later than 90 days after the date on which the study is completed under subsection (a), the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report describing the manner in which the conclusions and recommendations of the Institute of Medicine can be addressed and implemented.

## NOTICES OF HEARINGS

### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, June 7, 2000 at 2:30 p.m. to conduct a hearing on S. 2508, the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000. The hearing will be held in room 485, Russell Senate Building.

### SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management.

The hearing will take place on Saturday, June 17, 2000, at 9:00 a.m. on the campus of the College of Southern Idaho, Twin Falls, Idaho.

The purpose of this hearing is to conduct oversight on the proposed expansion of the Craters of the Moon National Monument.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mike Menge (202) 224-6170.

### SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the information of the Senate and the public that a joint legislative hearing has been scheduled before the Subcommittee on Water and Power, and the Committee on Indian Affairs. The purpose of the hearing is to receive testimony on S. 2508, the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000.

The hearing will take place on Wednesday, June 7, 2000 at 2:30 p.m. in room SR-485 of the Russell Senate Office Building in Washington, D.C.

### SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearing regarding the National Marine Fisheries Service's draft Biological Opinion and its potential impact on the Columbia River operations, which has been previously scheduled for Wednesday, June 14, 2000 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C. has been indefinitely postponed.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Tuesday, June 6, at 10:00 a.m., to conduct a hearing to receive testimony on S. 1311, to establish Region XI of the Environmental Protection Agency.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet on Tuesday, June 6, 2000, at 11:00 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Tuesday, June 6, 2000, at 11:00 a.m., in 226 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that the staff members of the Committee on Armed Services appearing on the list I send to the desk be extended the privilege of the floor during consideration of S. 2549, and further, that David Hahn, a military fellow serving in my Senate office be granted floor privileges for the duration of S. 2549.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

Charles S. Abell, Charles W. Alsup, Judith A. Ansley, John R. Barnes, Beth Ann Barozie, Romie L. Brownlee, Courtney A. Burke, Christine E. Cowart, Daniel J. Cox, Jr., Madelyn R. Creedon, Richard D. DeBobs, Marie Fabrizio Dickinson, Kristin A. Dowley, Edward E. Edens IV, Pamela L. Farrell, Richard W. Fieldhouse.

Mickie Jan Gordon, Creighton Greene, William C. Greenwalt, Gary M. Hall, Mary Alice A. Hayward, Shekinah Z. Hill, Larry J. Hoag, Lawrence J. Lanzillotta, George W. Laufer, Gerald J. Leeling, Peter K. Levine, Patricia L. Lewis, Paul M. Longworth, David S. Lyles, Thomas L. MacKenzie.

Michael J. McCord, Ann M. Mittermeyer, Thomas C. Moore, Jennifer L. Naccari, David P. Nunley, Cindy Pearson, Sharen E. Reaves, Suzanne K.L. Ross, Anita H. Rouse, Joseph T. Sixeas, Cord A. Sterling, Madeline N. Stewart, Scott W. Stucky, Eric H. Thoemmes, Michele A. Traficante, Roslyne D. Turner.

Mr. WARNER. Mr. President, I ask unanimous consent that Senator McCain's legislative fellow, Navy Comdr. Douglas J. Denny, be granted floor privileges during consideration of S. 2549.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that Mike Daly, a fellow in the office of Senator ABRAHAM, be granted floor privileges during consideration of S. 2549.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I ask unanimous consent that Doug Flanders of my staff have floor privileges during the entire debate of S. 2549.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERREY. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following member of Senator EDWARDS' staff: Bob Morgan.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I ask unanimous consent Martha McSally, a fellow in my office, be granted floor privileges during the Defense authorization bill, S. 2549.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MEASURE INDEFINITELY POSTPONED—S. 1650

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate passage of S. 1650 be vitiated; further, the bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JOINT REFERRAL

Mr. WARNER. Mr. President, as if in executive session, I ask unanimous consent that the nomination of Robert S. Larussa, of Maryland, to be Under Secretary of Commerce for International Trade, received on May 25, 2000, be jointly referred to the Committee on Finance and the Committee



on Banking, Housing, and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

### NATIONAL MILITARY APPRECIATION MONTH

Mr. WARNER. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1419, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1419) to amend title 36, United States Code, to designate May as "National Military Appreciation Month."

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1419) was read a third time and passed, as follows:

S. 1419

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

#### SECTION 1. NATIONAL MILITARY APPRECIATION MONTH.

(a) FINDINGS.—Congress makes the following findings:

(1) The freedom and security that citizens of the United States enjoy today are direct results of the vigilance of the United States Armed Forces.

(2) Recognizing contributions made by members of the United States Armed Forces will increase national awareness of the sacrifices that such members have made to preserve the freedoms and liberties that enrich this Nation.

(3) It is important to preserve and foster admiration and respect for the service provided by members of the United States Armed Forces.

(4) It is vital for youth in the United States to understand that the service provided by members of the United States Armed Forces has secured and protected the freedoms that United States citizens enjoy today.

(5) Recognizing the unfailing support that families of members of the United States Armed Forces have provided to such members during their service and how such support strengthens the vitality of our Nation is important.

(6) Recognizing the role that the United States Armed Forces plays in maintaining the superiority of the United States as a nation and in contributing to world peace will increase awareness of all contributions made by such Forces.

(7) It is appropriate to recognize the importance of maintaining a strong, equipped, well-educated, well-trained military for the United States to safeguard freedoms, humanitarianism, and peacekeeping efforts around the world.

(8) It is proper to foster and cultivate the honor and pride that citizens of the United States feel towards members of the United

States Armed Forces for the protection and service that such members provide.

(9) Recognizing the many sacrifices made by members of the United States Armed Forces is important.

(10) It is proper to recognize and honor the dedication and commitment of members of the United States Armed Forces, and to show appreciation for all contributions made by such members since the inception of such Forces.

(b) NATIONAL MILITARY APPRECIATION MONTH.—Chapter 1 of part A of subtitle I of title 36, United States Code, is amended by adding at the end the following:

#### "§ 144. National Military Appreciation Month

"The President shall issue each year a proclamation—

"(1) designating May as 'National Military Appreciation Month'; and

"(2) calling on the people of the United States to honor the dedicated service provided by the members of the United States Armed Forces and to observe the month with appropriate ceremonies and activities."

(c) TABLE OF CONTENTS.—The table of contents in chapter 1 of part A of subtitle I of title 36, United States Code, is amended by inserting after the item relating to section 143 the following new item:

"144. National Military Appreciation Month."

### RYAN WHITE CARE ACT AMENDMENTS OF 2000

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar 548, S. 2311.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill (S. 2311) to amend the Ryan White CARE Act to improve access to health care and the quality of care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for related purposes, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Ryan White CARE Act Amendments of 2000".*

#### SEC. 2. REFERENCES; TABLE OF CONTENTS.

(a) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. References; table of contents.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

Sec. 101. Duties of planning council, funding priorities, quality assessment.

Sec. 102. Quality management.

Sec. 103. Funded entities required to have health care relationships.

Sec. 104. Support services required to be health care-related.

Sec. 105. Use of grant funds for early intervention services.

Sec. 106. Replacement of specified fiscal years regarding the sunset on expedited distribution requirements.

Sec. 107. Hold harmless provision.

Sec. 108. Set-aside for infants, children, and women.

##### Subtitle B—Amendments to Part B (Care Grant Program)

Sec. 121. State requirements concerning identification of need and allocation of resources.

Sec. 122. Quality management.

Sec. 123. Funded entities required to have health care relationships.

Sec. 124. Support services required to be health care-related.

Sec. 125. Use of grant funds for early intervention services.

Sec. 126. Authorization of appropriations for HIV-related services for women and children.

Sec. 127. Repeal of requirement for completed Institute of Medicine report.

Sec. 128. Supplement grants for certain States.

Sec. 129. Use of treatment funds.

Sec. 130. Increase in minimum allotment.

Sec. 131. Set-aside for infants, children, and women.

##### Subtitle C—Amendments to Part C (Early Intervention Services)

Sec. 141. Amendment of heading; repeal of formula grant program.

Sec. 142. Planning and development grants.

Sec. 143. Authorization of appropriations for categorical grants.

Sec. 144. Administrative expenses ceiling; quality management program.

Sec. 145. Preference for certain areas.

Sec. 146. Technical amendment.

##### Subtitle D—Amendments to Part D (General Provisions)

Sec. 151. Research involving women, infants, children, and youth.

Sec. 152. Limitation on administrative expenses.

Sec. 153. Evaluations and reports.

Sec. 154. Authorization of appropriations for grants under parts A and B.

##### Subtitle E—Amendments to Part F (Demonstration and Training)

Sec. 161. Authorization of appropriations.

#### TITLE II—MISCELLANEOUS PROVISIONS

Sec. 201. Institute of Medicine study.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

#### SEC. 101. DUTIES OF PLANNING COUNCIL, FUNDING PRIORITIES, QUALITY ASSESSMENT.

Section 2602 (42 U.S.C. 300ff-12) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(C), by inserting before the semicolon the following: "including providers of housing and homeless services"; and

(B) in paragraph (4), by striking "shall—" and all that follows and inserting "shall have the responsibilities specified in subsection (d)."; and

(2) by adding at the end the following:

"(d) DUTIES OF PLANNING COUNCIL.—The planning council established under subsection (b) shall have the following duties:

"(1) PRIORITIES FOR ALLOCATION OF FUNDS.—The council shall establish priorities for the allocation of funds within the eligible area, including how best to meet each such priority and additional factors that a grantee should consider in allocating funds under a grant, based on the following factors:

“(A) The size and demographic characteristics of the population with HIV disease to be served, including, subject to subsection (e), the needs of individuals living with HIV infection who are not receiving HIV-related health services.

“(B) The documented needs of the population with HIV disease with particular attention being given to disparities in health services among affected subgroups within the eligible area.

“(C) The demonstrated or probable cost and outcome effectiveness of proposed strategies and interventions, to the extent that data are reasonably available.

“(D) Priorities of the communities with HIV disease for whom the services are intended.

“(E) The availability of other governmental and non-governmental resources, including the State Medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease.

“(F) Capacity development needs resulting from gaps in the availability of HIV services in historically underserved low-income communities.

“(2) COMPREHENSIVE SERVICE DELIVERY PLAN.—The council shall develop a comprehensive plan for the organization and delivery of health and support services described in section 2604. Such plan shall be compatible with any existing State or local plans regarding the provision of such services to individuals with HIV disease.

“(3) ASSESSMENT OF FUND ALLOCATION EFFICIENCY.—The council shall assess the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the eligible area.

“(4) STATEWIDE STATEMENT OF NEED.—The council shall participate in the development of the Statewide coordinated statement of need as initiated by the State public health agency responsible for administering grants under part B.

“(5) COORDINATION WITH OTHER FEDERAL GRANTEEES.—The council shall coordinate with Federal grantees providing HIV-related services within the eligible area.

“(6) COMMUNITY PARTICIPATION.—The council shall establish methods for obtaining input on community needs and priorities which may include public meetings, conducting focus groups, and convening ad-hoc panels.

“(e) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—

“(1) IN GENERAL.—Not later than 24 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall—

“(A) consult with eligible metropolitan areas, affected communities, experts, and other appropriate individuals and entities, to develop epidemiologic measures for establishing the number of individuals living with HIV disease who are not receiving HIV-related health services; and

“(B) provide advice and technical assistance to planning councils with respect to the process for establishing priorities for the allocation of funds under subsection (d)(1).

“(2) EXCEPTION.—Grantees under this part shall not be required to establish priorities for individuals not in care until epidemiologic measures are developed under paragraph (1).”.

#### SEC. 102. QUALITY MANAGEMENT.

(a) FUNDS AVAILABLE FOR QUALITY MANAGEMENT.—Section 2604 (42 U.S.C. 300ff-14) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) QUALITY MANAGEMENT.—

“(1) REQUIREMENT.—The chief elected official of an eligible area that receives a grant under this part shall provide for the establishment of

a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection and to develop strategies for improvements in the access to and quality of medical services.

“(2) USE OF FUNDS.—From amounts received under a grant awarded under this part, the chief elected official of an eligible area may use, for activities associated with its quality management program, not more than the lesser of—

“(A) 5 percent of amounts received under the grant; or

“(B) \$3,000,000.”.

(b) QUALITY MANAGEMENT REQUIRED FOR ELIGIBILITY FOR GRANTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) that the chief elected official of the eligible area will satisfy all requirements under section 2604(c);”.

#### SEC. 103. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

(a) USE OF AMOUNTS.—Section 2604(e)(1) (42 U.S.C. 300ff-14(d)(1)) (as so redesignated by section 102(a)) is amended by inserting “and the State Children's Health Insurance Program under title XXI of such Act” after “Social Security Act”.

(b) APPLICATIONS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended by inserting after paragraph (3), as added by section 102(b), the following:

“(4) that funded entities within the eligible area that receive funds under a grant under section 2601(a) shall maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters) and other entities under section 2652(a) for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care;”.

#### SEC. 104. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “HIV-related—” and inserting “HIV-related services, as follows;”;

(2) in subparagraph (A)—

(A) by striking “outpatient” and all that follows through “substance abuse treatment and” and inserting the following: “OUTPATIENT HEALTH SERVICES.—Outpatient and ambulatory health services, including substance abuse treatment;”;

(B) by striking “; and” and inserting a period;

(3) in subparagraph (B), by striking “(B) inpatient case management” and inserting “(C) INPATIENT CASE MANAGEMENT SERVICES.—Inpatient case management;”;

(4) by inserting after subparagraph (A) the following:

“(B) OUTPATIENT SUPPORT SERVICES.—Outpatient and ambulatory support services (including case management), to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.”.

(b) CONFORMING AMENDMENT TO APPLICATION REQUIREMENTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)), as amended by section 102(b), is further amended—

(1) in paragraph (7) (as so redesignated), by striking “and” at the end thereof;

(2) in paragraph (8) (as so redesignated), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(9) that the eligible area has procedures in place to ensure that services provided with funds received under this part meet the criteria specified in section 2604(b)(1).”.

#### SEC. 105. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)), as amended by section 104(a), is further amended by adding at the end the following:

“(D) EARLY INTERVENTION SERVICES.—Early intervention services as described in section 2651(b)(2), with follow-through referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(i)(I) is receiving funds under subparagraph (A) or (C); or

“(II) is an entity constituting a point of access to services, as described in section 2605(a)(4), that maintains a relationship with an entity described in subclause (I) and that is serving individuals at elevated risk of HIV disease; and

“(ii) demonstrates to the satisfaction of the chief elected official that Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this subparagraph; and

“(iii) demonstrates to the satisfaction of the chief elected official that funds will be utilized under this subparagraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.”.

(b) CONFORMING AMENDMENTS TO APPLICATION REQUIREMENTS.—Section 2605(a)(1) (42 U.S.C. 300ff-15(a)(1)) is amended—

(1) in subparagraph (A), by striking “services to individuals with HIV disease” and inserting “services as described in section 2604(b)(1);”;

(2) in subparagraph (B), by striking “services for individuals with HIV disease” and inserting “services as described in section 2604(b)(1).”.

#### SEC. 106. REPLACEMENT OF SPECIFIED FISCAL YEARS REGARDING THE SUNSET ON EXPEDITED DISTRIBUTION REQUIREMENTS.

Section 2603(a)(2) (42 U.S.C. 300ff-13(a)(2)) is amended by striking “for each of the fiscal years 1996 through 2000” and inserting “for a fiscal year”.

#### SEC. 107. HOLD HARMLESS PROVISION.

Section 2603(a)(4) (42 U.S.C. 300ff-13(a)(4)) is amended to read as follows:

“(4) LIMITATION.—With respect to each of fiscal years 2001 through 2005, the Secretary shall ensure that the amount of a grant made to an eligible area under paragraph (2) for such a fiscal year is not less than an amount equal to 98 percent of the amount the eligible area received for the fiscal year preceding the year for which the determination is being made.”.

#### SEC. 108. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2604(b)(3) (42 U.S.C. 300ff-14(b)(3)) is amended—

(1) by inserting “for each population under this subsection” after “council”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

#### Subtitle B—Amendments to Part B (Care Grant Program)

#### SEC. 121. STATE REQUIREMENTS CONCERNING IDENTIFICATION OF NEED AND ALLOCATION OF RESOURCES.

(a) GENERAL USE OF GRANTS.—Section 2612 (42 U.S.C. 300ff-22) is amended—

(1) by striking “A State” and inserting “(a) IN GENERAL.—A State”; and

(2) in the matter following paragraph (5)—

(A) by striking "Services" and inserting:

"(b) DELIVERY OF SERVICES.—Services";

(B) by striking "paragraph (1)" and inserting "subsection (a)(1)"; and

(C) by striking "paragraph (2)" and inserting "subsection (a)(2) and section 2613";

(b) APPLICATION.—Section 2617(b) (42 U.S.C. 300ff-27(b)) is amended—

(1) in paragraph (1)(C)—

(A) by striking clause (i) and inserting the following:

"(i) the size and demographic characteristics of the population with HIV disease to be served, except that by not later than October 1, 2002, the State shall take into account the needs of individuals not in care, based on epidemiologic measures developed by the Secretary in consultation with the State, affected communities, experts, and other appropriate individuals (such State shall not be required to establish priorities for individuals not in care until such epidemiologic measures are developed);";

(B) in clause (iii), by striking "and" at the end; and

(C) by adding at the end the following:

"(v) the availability of other governmental and non-governmental resources;

"(vi) the capacity development needs resulting in gaps in the provision of HIV services in historically underserved low-income and rural low-income communities; and

"(vii) the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the State;"; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking "and" at the end;

(B) by redesignating subparagraph (C) as subparagraph (F); and

(C) by inserting after subparagraph (B), the following:

"(C) an assurance that capacity development needs resulting from gaps in the provision of services in underserved low-income and rural low-income communities will be addressed; and

"(D) with respect to fiscal year 2003 and subsequent fiscal years, assurances that, in the planning and allocation of resources, the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), will make appropriate provision for the HIV-related health and support service needs of individuals who have been diagnosed with HIV disease but who are not currently receiving such services, based on the epidemiologic measures developed under paragraph (1)(C)(i);".

#### SEC. 122. QUALITY MANAGEMENT.

(a) STATE REQUIREMENT FOR QUALITY MANAGEMENT.—Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)) is amended—

(1) by striking subparagraph (C) and inserting the following:

"(C) the State will provide for—

"(i) the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and to develop strategies for improvements in the access to and quality of medical services; and

"(ii) a periodic review (such as through an independent peer review) to assess the quality and appropriateness of HIV-related health and support services provided by entities that receive funds from the State under this part;";

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D), the following:

"(E) an assurance that the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), has considered strategies for working with providers to make optimal use of financial assistance under the State medicaid plan under

title XIX of the Social Security Act, the State Children's Health Insurance Program under title XXI of such Act, and other Federal grantees that provide HIV-related services, to maximize access to quality HIV-related health and support services;";

(4) in subparagraph (F), as so redesignated, by striking "and" at the end; and

(5) in subparagraph (G), as so redesignated, by striking the period and inserting "; and".

(b) AVAILABILITY OF FUNDS FOR QUALITY MANAGEMENT.—

(1) AVAILABILITY OF GRANT FUNDS FOR PLANNING AND EVALUATION.—Section 2618(c)(3) (42 U.S.C. 300ff-28(c)(3)) is amended by inserting before the period "including not more than \$3,000,000 for all activities associated with its quality management program".

(2) EXCEPTION TO COMBINED CEILING ON PLANNING AND ADMINISTRATION FUNDS FOR STATES WITH SMALL GRANTS.—Paragraph (6) of section 2618(c) (42 U.S.C. 300ff-28(c)(6)) is amended to read as follows:

"(6) EXCEPTION FOR QUALITY MANAGEMENT.—Notwithstanding paragraph (5), a State whose grant under this part for a fiscal year does not exceed \$1,500,000 may use not to exceed 20 percent of the amount of the grant for the purposes described in paragraphs (3) and (4) if—

"(A) that portion of the amount that may be used for such purposes in excess of 15 percent of the grant is used for its quality management program; and

"(B) the State submits and the Secretary approves a plan (in such form and containing such information as the Secretary may prescribe) for use of funds for its quality management program.".

#### SEC. 123. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)), as amended by section 122(a), is further amended by adding at the end the following:

"(H) that funded entities maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters), and other entities under section 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care.".

#### SEC. 124. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) TECHNICAL AMENDMENT.—Section 3(c)(2)(A)(iii) of the Ryan White CARE Act Amendments of 1996 (Public Law 104-146) is amended by inserting "before paragraph (2) as so redesignated" after "inserting".

(b) SERVICES.—Section 2612(a)(1) (42 U.S.C. 300ff-22(a)(1)), as so designated by section 121(a), is amended by striking "for individuals with HIV disease" and inserting "subject to the conditions and limitations that apply under such section".

(c) CONFORMING AMENDMENT TO STATE APPLICATION REQUIREMENT.—Section 2617(b)(2) (42 U.S.C. 300ff-27(b)(2)), as amended by section 121(b), is further amended by inserting after subparagraph (D) the following:

"(E) an assurance that the State has procedures in place to ensure that services provided with funds received under this section meet the criteria specified in section 2604(b)(1)(B); and".

#### SEC. 125. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

Section 2612(a) (42 U.S.C. 300ff-22(a)), as amended by section 121, is further amended—

(1) in paragraph (4), by striking "and" at the end;

(2) in paragraph (5), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(6) to provide, through systems of HIV-related health services provided under paragraphs (1), (2), and (3), early intervention services, as described in section 2651(b)(2), with follow-up referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

"(A)(i) is receiving funds under section 2612(a)(1); or

"(ii) is an entity constituting a point of access to services, as described in section 2617(b)(4), that maintains a referral relationship with an entity described in clause (i) and that is serving individuals at elevated risk of HIV disease;

"(B) demonstrates to the State's satisfaction that other Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this paragraph; and

"(C) demonstrates to the satisfaction of the State that funds will be utilized under this paragraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.".

#### SEC. 126. AUTHORIZATION OF APPROPRIATIONS FOR HIV-RELATED SERVICES FOR WOMEN AND CHILDREN.

Section 2625(c)(2) (42 U.S.C. 300ff-33(c)(2)) is amended by striking "fiscal years 1996 through 2000" and inserting "fiscal years 2001 through 2005".

#### SEC. 127. REPEAL OF REQUIREMENT FOR COMPLETED INSTITUTE OF MEDICINE REPORT.

Section 2628 (42 U.S.C. 300ff-36) is repealed.

#### SEC. 128. SUPPLEMENTAL GRANTS FOR CERTAIN STATES.

Subpart I of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-11 et seq.) is amended by adding at the end the following:

##### "SEC. 2622. SUPPLEMENTAL GRANTS.

"(a) IN GENERAL.—The Secretary shall award supplemental grants to States determined to be eligible under subsection (b) to enable such States to provide comprehensive services of the type described in section 2612(a) to supplement the services otherwise provided by the State under a grant under this subpart in emerging communities within the State that are not eligible to receive grants under part A.

"(b) ELIGIBILITY.—To be eligible to receive a supplemental grant under subsection (a) a State shall—

"(1) be eligible to receive a grant under this subpart;

"(2) demonstrate the existence in the State of an emerging community as defined in subsection (d)(1); and

"(3) submit the information described in subsection (c).

"(c) REPORTING REQUIREMENTS.—A State that desires a grant under this section shall, as part of the State application submitted under section 2617, submit a detailed description of the manner in which the State will use amounts received under the grant and of the severity of need. Such description shall include—

"(1) a report concerning the dissemination of supplemental funds under this section and the plan for the utilization of such funds in the emerging community;

"(2) a demonstration of the existing commitment of local resources, both financial and in-kind;

"(3) a demonstration that the State will maintain HIV-related activities at a level that is equal to not less than the level of such activities in the State for the 1-year period preceding the fiscal year for which the State is applying to receive a grant under this part;

"(4) a demonstration of the ability of the State to utilize such supplemental financial resources in a manner that is immediately responsive and cost effective;

“(5) a demonstration that the resources will be allocated in accordance with the local demographic incidence of AIDS including appropriate allocations for services for infants, children, women, and families with HIV disease;

“(6) a demonstration of the inclusiveness of the planning process, with particular emphasis on affected communities and individuals with HIV disease; and

“(7) a demonstration of the manner in which the proposed services are consistent with local needs assessments and the statewide coordinated statement of need.

“(d) **DEFINITION OF EMERGING COMMUNITY.**—In this section, the term ‘emerging community’ means a metropolitan area—

“(1) that is not eligible for a grant under part A; and

“(2) for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of between 500 and 1999 cases of acquired immune deficiency syndrome for the most recent period of 5 calendar years for which such data are available.

“(e) **FUNDING.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), with respect to each fiscal year beginning with fiscal year 2001, the Secretary, to carry out this section, shall utilize—

“(A) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 1000, but less than 2000, cases of AIDS as reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded; and

“(B) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 500, but less than 1000, cases of AIDS reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded.

“(2) **TRIGGER OF FUNDING.**—This section shall be effective only for fiscal years beginning in the first fiscal year in which the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), exceeds by at least \$20,000,000 the amount appropriated under 2677 to carry out part B in fiscal year 2000, excluding the amount appropriated under section 2618(b)(2)(H).

“(3) **MINIMUM AMOUNT IN FUTURE YEARS.**—Beginning with the first fiscal year in which amounts provided for emerging communities under paragraph (1)(A) equals \$5,000,000 and under paragraph (1)(B) equals \$5,000,000, the Secretary shall ensure that amounts made available under this section for the types of emerging communities described in each such paragraph in subsequent fiscal years is at least \$5,000,000.

“(4) **DISTRIBUTION.**—The amount of a grant awarded to a State under this section shall be determined by the Secretary based on the formula described in section 2618(b)(2), except that in applying such formula, the Secretary shall—

“(A) substitute ‘1.0’ for ‘.80’ in subparagraph (A)(ii)(I) of such section; and

“(B) not consider the provisions of subparagraphs (A)(ii)(II) and (C) of such section.”.

## SEC. 129. USE OF TREATMENT FUNDS.

(a) **STATE DUTIES.**—Section 2616(c) (42 U.S.C. 300ff-26(c)) is amended—

(1) in the matter preceding paragraph (1), by striking “shall—” and inserting “shall use funds made available under this section to—”;

(2) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively and realigning the margins of such subparagraphs appropriately;

(3) in subparagraph (D) (as so redesignated), by striking “and” at the end;

(4) in subparagraph (E) (as so redesignated), by striking the period and inserting “; and”;

and

(5) by adding at the end the following: “(F) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.”;

(6) by striking “In carrying” and inserting the following:

“(1) **IN GENERAL.**—In carrying”;

(7) by adding at the end the following:

“(2) **LIMITATIONS.**—

“(A) **IN GENERAL.**—No State shall use funds under paragraph (1)(F) unless the limitations on access to HIV/AIDS therapeutic regimens as defined in subsection (e)(2) are eliminated.

“(B) **AMOUNT OF FUNDING.**—No State shall use in excess of 10 percent of the amount set-aside for use under this section in any fiscal year to carry out activities under paragraph (1)(F) unless the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to therapeutics.”.

(b) **SUPPLEMENT GRANTS.**—Section 2616 (42 U.S.C. 300ff-26) is amended by adding at the end the following:

“(e) **SUPPLEMENTAL GRANTS FOR THE PROVISION OF TREATMENTS.**—

“(1) **IN GENERAL.**—From amounts made available under paragraph (5), the Secretary shall award supplemental grants to States determined to be eligible under paragraph (2) to enable such States to increase access to therapeutics to treat HIV disease as provided by the State under subsection (c)(1)(B) for individuals at or below 200 percent of the Federal poverty line.

“(2) **CRITERIA.**—The Secretary shall develop criteria for the awarding of grants under paragraph (1) to States that demonstrate a severe need. In determining the criteria for demonstrating State severity of need, the Secretary shall consider eligibility standards and formula composition.

“(3) **STATE REQUIREMENT.**—The Secretary may not make a grant to a State under this subsection unless the State agrees that—

“(A) the State will make available (directly or through donations from public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to \$1 for each \$4 of Federal funds provided in the grant; and

“(B) the State will not impose eligibility requirements for services or scope of benefits limitations under subsection (a) that are more restrictive than such requirements in effect as of January 1, 2000.

“(4) **USE AND COORDINATION.**—Amounts made available under a grant under this subsection shall only be used by the State to provide HIV/AIDS-related medications. The State shall coordinate the use of such amounts with the amounts otherwise provided under this section in order to maximize drug coverage.

“(5) **FUNDING.**—

“(A) **RESERVATION OF AMOUNT.**—The Secretary shall reserve 3 percent of any amount referred to in section 2618(b)(2)(H) that is appropriated for a fiscal year, to carry out this subsection.

“(B) **MINIMUM AMOUNT.**—In providing grants under this subsection, the Secretary shall ensure that the amount of a grant to a State under this part is not less than the amount the State received under this part in the previous fiscal year, as a result of grants provided under this subsection.”.

(c) **SUPPLEMENT AND NOT SUPPLANT.**—Section 2616 (42 U.S.C. 300ff-26(c)), as amended by subsection (b), is further amended by adding at the end the following:

“(f) **SUPPLEMENT NOT SUPPLANT.**—Notwithstanding any other provision of law, amounts made available under this section shall be used to supplement and not supplant other funding available to provide treatments of the type that may be provided under this section.”.

## SEC. 130. INCREASE IN MINIMUM ALLOTMENT.

(a) **IN GENERAL.**—Section 2618(b)(1)(A)(i) (42 U.S.C. 300ff-28(b)(1)(A)(i)) is amended—

(1) in subclause (I), by striking “\$100,000” and inserting “\$200,000”; and

(2) in subclause (II), by striking “\$250,000” and inserting “\$500,000”.

(b) **TERRITORIES.**—Section 2618(b)(1)(B) (42 U.S.C. 300ff-28(b)(1)(B)) is amended by inserting “the greater of \$50,000 or” after “shall be”.

(c) **TECHNICAL AMENDMENT.**—Section 2618(b)(3)(B) (42 U.S.C. 300ff-28(b)(3)(B)) is amended by striking “and the Republic of the Marshall Islands” and inserting “, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, and only for purposes of paragraph (1) the Commonwealth of Puerto Rico”.

## SEC. 131. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2611(b) (42 U.S.C. 300ff-21(b)) is amended—

(1) by inserting “for each population under this subsection” after “State shall use”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

### Subtitle C—Amendments to Part C (Early Intervention Services)

## SEC. 141. AMENDMENT OF HEADING; REPEAL OF FORMULA GRANT PROGRAM.

(a) **AMENDMENT OF HEADING.**—The heading of part C of title XXVI is amended to read as follows:

“PART C—EARLY INTERVENTION AND PRIMARY CARE SERVICES”.

(b) **REPEAL.**—Part C of title XXVI (42 U.S.C. 300ff-41 et seq.) is amended—

(1) by repealing subpart I; and

(2) by redesignating subparts II and III as subparts I and II.

(c) **CONFORMING AMENDMENTS.**—

(1) **INFORMATION REGARDING RECEIPT OF SERVICES.**—Section 2661(a) (42 U.S.C. 300ff-61(a)) is amended by striking “unless—” and all that follows through “(2) in the case of” and inserting “unless, in the case of”.

(2) **ADDITIONAL AGREEMENTS.**—Section 2664 (42 U.S.C. 300ff-64) is amended—

(A) in subsection (e)(5), by striking “2642(b) or”;

(B) in subsection (f)(2), by striking “2642(b) or”;

and

(C) by striking subsection (h).

## SEC. 142. PLANNING AND DEVELOPMENT GRANTS.

(a) **ALLOWING PLANNING AND DEVELOPMENT GRANT TO EXPAND ABILITY TO PROVIDE PRIMARY CARE SERVICES.**—Section 2654(c) (42 U.S.C. 300ff-54(c)) is amended—

(1) in paragraph (1), to read as follows:

“(1) **IN GENERAL.**—The Secretary may provide planning and development grants to public and nonprofit private entities for the purpose of—

“(A) enabling such entities to provide HIV early intervention services; or

“(B) assisting such entities to expand the capacity, preparedness, and expertise to deliver primary care services to individuals with HIV disease in underserved low-income communities on the condition that the funds are not used to purchase or improve land or to purchase, construct, or permanently improve (other than minor remodeling) any building or other facility.”; and

(2) in paragraphs (2) and (3) by striking “paragraph (1)” each place that such appears and inserting “paragraph (1)(A)”.

(b) AMOUNT; DURATION.—Section 2654(c) (42 U.S.C. 300ff-54(c)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

“(4) AMOUNT AND DURATION OF GRANTS.—

“(A) EARLY INTERVENTION SERVICES.—A grant under paragraph (1)(A) may be made in an amount not to exceed \$50,000.

“(B) CAPACITY DEVELOPMENT.—

“(i) AMOUNT.—A grant under paragraph (1)(B) may be made in an amount not to exceed \$150,000.

“(ii) DURATION.—The total duration of a grant under paragraph (1)(B), including any renewal, may not exceed 3 years.”

(c) INCREASE IN LIMITATION.—Section 2654(c)(5) (42 U.S.C. 300ff-54(c)(5)), as so redesignated by subsection (b), is amended by striking “1 percent” and inserting “5 percent”.

#### SEC. 143. AUTHORIZATION OF APPROPRIATIONS FOR CATEGORICAL GRANTS.

Section 2655 (42 U.S.C. 300ff-55) is amended by striking “1996” and all that follows through “2000” and inserting “2001 through 2005”.

#### SEC. 144. ADMINISTRATIVE EXPENSES CEILING; QUALITY MANAGEMENT PROGRAM.

Section 2664(g) (42 U.S.C. 300ff-64(g)) is amended—

(1) in paragraph (3), to read as follows:

“(3) the applicant will not expend more than 10 percent of the grant for costs of administrative activities with respect to the grant;”;

(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(5) the applicant will provide for the establishment of a quality management program to assess the extent to which medical services funded under this title that are provided to patients are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and that improvements in the access to and quality of medical services are addressed.”

#### SEC. 145. PREFERENCE FOR CERTAIN AREAS.

Section 2651 (42 U.S.C. 300ff-51) is amended by adding at the end the following:

“(d) PREFERENCE IN AWARDING GRANTS.—In awarding new grants under this section, the Secretary shall give preference to applicants that will use amounts received under the grant to serve areas that are determined to be rural and underserved for the purposes of providing health care to individuals infected with HIV or diagnosed with AIDS.”

#### SEC. 146. TECHNICAL AMENDMENT.

Section 2652(a) (42 U.S.C. 300ff-52(a)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) health centers under section 330;”;

(2) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

#### Subtitle D—Amendments to Part D (General Provisions)

#### SEC. 151. RESEARCH INVOLVING WOMEN, INFANTS, CHILDREN, AND YOUTH.

(a) ELIMINATION OF REQUIREMENT TO ENROLL SIGNIFICANT NUMBERS OF WOMEN AND CHILDREN.—Section 2671(b) (42 U.S.C. 300ff-71(b)) is amended—

(1) in paragraph (1), by striking subparagraphs (C) and (D); and

(2) by striking paragraphs (3) and (4).

(b) INFORMATION AND EDUCATION.—Section 2671(d) (42 U.S.C. 300ff-71(d)) is amended by adding at the end the following:

“(4) The applicant will provide individuals with information and education on opportunities to participate in HIV/AIDS-related clinical research.”

(c) QUALITY MANAGEMENT; ADMINISTRATIVE EXPENSES CEILING.—Section 2671(f) (42 U.S.C. 300ff-71(f)) is amended—

(1) by striking the subsection heading and designation and inserting the following:

“(f) ADMINISTRATION.—

“(1) APPLICATION.—”; and

(2) by adding at the end the following:

“(2) QUALITY MANAGEMENT PROGRAM.—A grantee under this section shall implement a quality management program.”

(d) COORDINATION.—Section 2671(g) (42 U.S.C. 300ff-71(g)) is amended by adding at the end the following: “The Secretary acting through the Director of NIH, shall examine the distribution and availability of ongoing and appropriate HIV/AIDS-related research projects to existing sites under this section for purposes of enhancing and expanding voluntary access to HIV-related research, especially within communities that are not reasonably served by such projects. Not later than 12 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall prepare and submit to the appropriate committees of Congress a report that describes the findings made by the Director and the manner in which the conclusions based on those findings can be addressed.”

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 2671(j) (42 U.S.C. 300ff-71(j)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

#### SEC. 152. LIMITATION ON ADMINISTRATIVE EXPENSES.

Section 2671 (42 U.S.C. 300ff-71) is amended—

(1) by redesignating subsections (i) and (j), as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h), the following:

“(i) LIMITATION ON ADMINISTRATIVE EXPENSES.—

“(1) DETERMINATION BY SECRETARY.—Not later than 12 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary, in consultation with grantees under this part, shall conduct a review of the administrative, program support, and direct service-related activities that are carried out under this part to ensure that eligible individuals have access to quality, HIV-related health and support services and research opportunities under this part, and to support the provision of such services.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 180 days after the expiration of the 12-month period referred to in paragraph (1) the Secretary, in consultation with grantees under this part, shall determine the relationship between the costs of the activities referred to in paragraph (1) and the access of eligible individuals to the services and research opportunities described in such paragraph.

“(B) LIMITATION.—After a final determination under subparagraph (A), the Secretary may not make a grant under this part unless the grantee complies with such requirements as may be included in such determination.”

#### SEC. 153. EVALUATIONS AND REPORTS.

Section 2674(c) (42 U.S.C. 399ff-74(c)) is amended by striking “1991 through 1995” and inserting “2001 through 2005”.

#### SEC. 154. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS UNDER PARTS A AND B.

Section 2677 (42 U.S.C. 300ff-77) is amended to read as follows:

“SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated—

“(1) such sums as may be necessary to carry out part A for each of the fiscal years 2001 through 2005; and

“(2) such sums as may be necessary to carry out part B for each of the fiscal years 2001 through 2005.”

#### Subtitle E—Amendments to Part F (Demonstration and Training)

#### SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

(a) SCHOOLS; CENTERS.—Section 2692(c)(1) (42 U.S.C. 300ff-111(c)(1)) is amended by striking

“fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(b) DENTAL SCHOOLS.—Section 2692(c)(2) (42 U.S.C. 300ff-111(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(c) DENTAL SCHOOLS AND PROGRAMS.—Section 2692(b) of the Public Health Service Act (42 U.S.C. 300ff-111(b)) is amended—

(1) in paragraph (1), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392)) and dental hygiene programs that are accredited by the Commission on Dental Accreditation”; and

(2) in paragraph (2), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392))”.

#### TITLE II—MISCELLANEOUS PROVISIONS

#### SEC. 201. INSTITUTE OF MEDICINE STUDY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning the appropriate epidemiological measures and their relationship to the financing and delivery of primary care and health-related support services for low-income, uninsured, and under-insured individuals with HIV disease.

(b) REQUIREMENTS.—

(1) COMPLETION.—The study under subsection (a) shall be completed not later than 21 months after the date on which the contract referred to in such subsection is entered into.

(2) ISSUES TO BE CONSIDERED.—The study conducted under subsection (a) shall consider—

(A) the availability and utility of health outcomes measures and data for HIV primary care and support services and the extent to which those measures and data could be used to measure the quality of such funded services;

(B) the effectiveness and efficiency of service delivery (including the quality of services, health outcomes, and resource use) within the context of a changing health care and therapeutic environment as well as the changing epidemiology of the epidemic;

(C) existing and needed epidemiological data and other analytic tools for resource planning and allocation decisions, specifically for estimating severity of need of a community and the relationship to the allocations process; and

(D) other factors determined to be relevant to assessing an individual's or community's ability to gain and sustain access to quality HIV services.

(c) REPORT.—Not later than 90 days after the date on which the study is completed under subsection (a), the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report describing the manner in which the conclusions and recommendations of the Institute of Medicine can be addressed and implemented.

AMENDMENT NO. 3190

Mr. WARNER. Mr. President, Senator JEFFORDS has an amendment at the desk for himself and others.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER), for Mr. JEFFORDS, Mr. KENNEDY and Mr. FRIST, proposes an amendment numbered 3190.

(The text of the amendment is printed in today's RECORD under “Amendments Submitted.”)

Mr. JEFFORDS. Mr. President, it gives me great pleasure today that the Senate is considering the Ryan White Comprehensive AIDS Resources and Emergency Act Amendments of 2000, a measure that will reauthorize a national program providing primary health care services to people living with HIV and AIDS. I especially want to commend Senators HATCH and KENNEDY for the leadership they have provided since the inauguration of the legislation establishing the Ryan White programs over a decade ago. I also want to commend Senator FRIST whose medical expertise played a critical role in key provisions of the bill and continues to be an invaluable resource to our efforts on the range of health issues that come before the Senate. I want to recognize Senator DODD for his unwavering support for this legislation and people living with HIV and AIDS. Finally, I want to acknowledge Senator ENZI's recognition of the growing burden that AIDS and HIV have placed on rural communities throughout the country and the need to address those gaps in services.

Since its inception in 1990, the Ryan White program has enjoyed broad bipartisan support. During the last reauthorization of the Ryan White CARE Act in 1996, the measure garnered a vote of 97 to 3 on its final passage. As evidence that strong bipartisan support continues, I am happy to report that last month this reauthorization bill was passed unanimously out of committee. The bipartisan support for this important legislation underlines the critical need for the assistance this Act provides across the nation.

With this reauthorization, we mark the ten years through which the Ryan White CARE Act has provided needed health care and support services to HIV positive people around the country. Titles I and II have provided much needed relief to cities and states hardest hit by this disease, while Titles III and IV have had a direct role in providing healthcare services to underserved communities. Ryan White program dollars provide the foundation of care so necessary in fighting this epidemic and have allowed States and communities around the country to successfully address the needs of people affected by HIV disease.

In a recently released report, the General Accounting Office found that CARE Act funds are reaching the infected groups that have typically been underserved, including the poor, the uninsured, women, and ethnic minorities. In fact, these groups form a majority of CARE Act clients and are being served by the CARE Act in higher proportions than their representation in the AIDS population. The GAO also found that CARE Act funds support a wide array of primary care and support services, including the provision of powerful therapeutic regimens for people with HIV/AIDS that have dramatically reduced AIDS diagnoses and deaths.

Much has occurred to change the course of the AIDS epidemic since the last reauthorization. During the last reauthorization, Congressman Coburn and our colleague, Senator FRIST, focused our attention on the needs of women living with HIV/AIDS and the problems associated with perinatal transmission of HIV. Since then, the CARE Act has helped to dramatically reduce mother-to-child transmission through more effective outreach, counseling, and voluntary testing of mothers at risk for HIV infection. Between 1993 and 1998, perinatal-acquired AIDS cases declined 74% in the U.S. In this bill, I have continued to support efforts to reach women in need of care for their HIV disease and have included provisions to ensure that women, infants and children receive resources in accordance with the prevalence of the infection among them.

Another key success has been the AIDS Drug Assistance Program. This program has provided people with HIV and AIDS access to newly developed, highly effective therapeutics. Because of these drugs, people are maintaining their health and living longer. The AIDS death rate and the number of new AIDS cases have been dramatically reduced. From 1996 to 1998, deaths from AIDS dropped 54% while new AIDS cases have been reduced by 27%. However, these treatments are very expensive, do not provide a cure, and do not work for everyone.

AIDS, HIV, the people it infects and families that it has affected are not in the news today as often as they have been in the past. But for too many of us, this lack of bad news has created a false sense of complacency. While the rate of decline in new AIDS cases and deaths is leveling off, HIV infection rates continue to rise in many areas; becoming increasingly prevalent in rural and underserved urban areas; and also among women, youth, and minority communities. Local and state healthcare systems face an increasing burden of disease, despite our success in treating and caring for people living with HIV and AIDS. Unfortunately, rural and underserved urban areas are often unable to address the complex medical and support services needs of people with HIV infection. Thus, Ryan White programs remain as vital to the public health of this nation as it was in 1990 and in 1996. As the AIDS epidemic reaches into rural areas and into underserved urban communities across the country, this legislation will allow us to adapt our care systems to meet the most urgent needs in the communities hardest hit by the epidemic.

The bill being considered today was developed on a bipartisan basis, working with other Committee Members, community stakeholders and elected officials at the state and local levels from whom we sought input to ensure that we addressed the most important problems facing communities of people with HIV infection. I held a hearing in March before the Committee on

Health, Education, Labor and Pensions to learn whether the program has been successful and whether it needed to be changed. We received testimony from Ryan White's mother, Jeanne White, from Surgeon General David Satcher, from a person living with AIDS, as well as state and local officials familiar with the importance of this program. I especially want to commend Dr. Chris Grace of Vermont who testified as to the particular challenges of providing care to people living with HIV/AIDS in rural, and sometimes remote, parts of the country. It was clear from our witnesses' statements that, despite the successes, challenges remain.

To address these challenges, we have developed a bill that will improve access to care in underserved urban and rural areas. My bill will double the minimum base funding available to states through the CARE Act to assist them in developing systems of care for people struggling with HIV and AIDS. The bill also includes a new supplemental state grant to target assistance to small and mid-sized metropolitan areas to help them address the increasing number of people with HIV/AIDS living outside of urban areas that receive assistance under Title I of the Act. Rural and underserved areas receive a preference for planning, early intervention, and capacity development grants under title III. In order to assist states in expanding access to appropriate HIV/AIDS therapeutics to low-income people with HIV/AIDS, a supplemental grant has been added to the AIDS Drug Assistance Program.

The bill remains primarily a system of grants to State and local jurisdictions, thereby ensuring that grantees can respond to local needs. States, EMAs, and the affected communities will still decide how to best prioritize and address the healthcare needs of their HIV-positive citizens. This bill reinforces the ability of States and EMAs to identify and meet local needs.

Finally, in recognition of the changing nature of the epidemic, I have asked the Institute of Medicine to complete a study of the financing and delivery of primary care and support services for low income, uninsured, and under-insured individuals with HIV disease, within 21 months after the enactment of this Act. Changes in HIV surveillance and case reporting, and the effects of these changes on program funding, will be included in this study. The recommendations from this study will help Congress and the Secretary of Health and Human Services to ensure the most effective and efficient use of Federal funds for HIV and AIDS care and support.

I intend to see this bill become law this year so that the people struggling to overcome the challenges of HIV and AIDS continue to benefit from high quality medical care and access to life-saving drugs. We have made incredible progress in the fight against HIV/AIDS and I want to be sure that every person in America in need of assistance benefits from our tremendous advances.



Many groups and individuals have contributed significantly to crafting this bill, but I want to acknowledge those at the Health Resources and Services Administration, especially Dr. Joseph O'Neill, Associate Administrator of the HIV/AIDS bureau; John Palenicek, Director of the Office of Policy and Program Development; Doug Morgan, Director of the Division of Service Systems; and Howard Lerner, Principal Adviser for Telehealth and International Collaboration, HIV/AIDS. All of the groups united under the umbrella of the National Organizations Responding to AIDS (NORA) deserve recognition. Representing a diverse community of people with AIDS, CARE Act service providers, and administrative agencies, NORA clearly and effectively communicated to Congress the needs and priorities of their constituents.

I also want to thank several staff members who have worked long and hard to craft this bill and to address the concerns and needs of the affected communities. Sean Donohue and William Oscar Fleming have guided this effort from the beginning, building consensus across the many policy issues, resulting in a bill that meets the pressing needs of people with HIV and AIDS and enjoys broad bipartisan support. Stephanie Robinson and Idalia Sanchez, for Senator KENNEDY, were key to reaching agreement on this bill and have provided invaluable assistance and support throughout the development of this legislation. I would also like to recognize Dave Larson and Mary Sumpter Johnson, of Senator FRIST's office, for their support for the needs of rural and underserved communities throughout the nation. Similarly, Jeannie Ireland with Senator DODD's office, Helen Rhee, working for Senator DEWINE, Libby Rolfe, for Mr. SESSIONS, and Raissa Geary and Mary Jordan in Senator ENZI's office, provided valuable input. Without the efforts of these staff members, we would not have such a strong, well-balanced, and targeted reauthorization bill before us today.

Mr. WARNER. Mr. President, I ask unanimous consent that the amendment be agreed to, the committee substitute be agreed to, as amended, the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3190) was agreed to.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 2311), as amended, was passed, as follows:

S. 2311

*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 "Ryan White CARE Act Amendments of 2000".

#### SEC. 2. REFERENCES; TABLE OF CONTENTS.

(a) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. References; table of contents.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

Sec. 101. Duties of planning council, funding priorities, quality assessment.

Sec. 102. Quality management.

Sec. 103. Funded entities required to have health care relationships.

Sec. 104. Support services required to be health care-related.

Sec. 105. Use of grant funds for early intervention services.

Sec. 106. Replacement of specified fiscal years regarding the sunset on expedited distribution requirements.

Sec. 107. Hold harmless provision.

Sec. 108. Set-aside for infants, children, and women.

##### Subtitle B—Amendments to Part B (Care Grant Program)

Sec. 121. State requirements concerning identification of need and allocation of resources.

Sec. 122. Quality management.

Sec. 123. Funded entities required to have health care relationships.

Sec. 124. Support services required to be health care-related.

Sec. 125. Use of grant funds for early intervention services.

Sec. 126. Authorization of appropriations for HIV-related services for women and children.

Sec. 127. Repeal of requirement for completed Institute of Medicine report.

Sec. 128. Supplement grants for certain States.

Sec. 129. Use of treatment funds.

Sec. 130. Increase in minimum allotment.

Sec. 131. Set-aside for infants, children, and women.

##### Subtitle C—Amendments to Part C (Early Intervention Services)

Sec. 141. Amendment of heading; repeal of formula grant program.

Sec. 142. Planning and development grants.

Sec. 143. Authorization of appropriations for categorical grants.

Sec. 144. Administrative expenses ceiling; quality management program.

Sec. 145. Preference for certain areas.

Sec. 146. Technical amendment.

##### Subtitle D—Amendments to Part D (General Provisions)

Sec. 151. Research involving women, infants, children, and youth.

Sec. 152. Limitation on administrative expenses.

Sec. 153. Evaluations and reports.

Sec. 154. Authorization of appropriations for grants under parts A and B.

##### Subtitle E—Amendments to Part F (Demonstration and Training)

Sec. 161. Authorization of appropriations.

#### TITLE II—MISCELLANEOUS PROVISIONS

Sec. 201. Institute of Medicine study.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

#### SEC. 101. DUTIES OF PLANNING COUNCIL, FUNDING PRIORITIES, QUALITY ASSESSMENT.

Section 2602 (42 U.S.C. 300ff-12) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(C), by inserting before the semicolon the following: “, including providers of housing and homeless services”; and

(B) in paragraph (4), by striking “shall—” and all that follows and inserting “shall have the responsibilities specified in subsection (d).”; and

(2) by adding at the end the following:

“(d) DUTIES OF PLANNING COUNCIL.—The planning council established under subsection (b) shall have the following duties:

“(1) PRIORITIES FOR ALLOCATION OF FUNDS.—The council shall establish priorities for the allocation of funds within the eligible area, including how best to meet each such priority and additional factors that a grantee should consider in allocating funds under a grant, based on the following factors:

“(A) The size and demographic characteristics of the population with HIV disease to be served, including, subject to subsection (e), the needs of individuals living with HIV infection who are not receiving HIV-related health services.

“(B) The documented needs of the population with HIV disease with particular attention being given to disparities in health services among affected subgroups within the eligible area.

“(C) The demonstrated or probable cost and outcome effectiveness of proposed strategies and interventions, to the extent that data are reasonably available.

“(D) Priorities of the communities with HIV disease for whom the services are intended.

“(E) The availability of other governmental and non-governmental resources, including the State medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease.

“(F) Capacity development needs resulting from gaps in the availability of HIV services in historically underserved low-income communities.

“(2) COMPREHENSIVE SERVICE DELIVERY PLAN.—The council shall develop a comprehensive plan for the organization and delivery of health and support services described in section 2604. Such plan shall be compatible with any existing State or local plans regarding the provision of such services to individuals with HIV disease.

“(3) ASSESSMENT OF FUND ALLOCATION EFFICIENCY.—The council shall assess the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the eligible area.

“(4) STATEWIDE STATEMENT OF NEED.—The council shall participate in the development of the Statewide coordinated statement of need as initiated by the State public health agency responsible for administering grants under part B.

“(5) COORDINATION WITH OTHER FEDERAL GRANTEEES.—The council shall coordinate with Federal grantees providing HIV-related services within the eligible area.

“(6) COMMUNITY PARTICIPATION.—The council shall establish methods for obtaining input on community needs and priorities

which may include public meetings, conducting focus groups, and convening ad-hoc panels.

“(e) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—

“(1) IN GENERAL.—Not later than 24 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall—

“(A) consult with eligible metropolitan areas, affected communities, experts, and other appropriate individuals and entities, to develop epidemiologic measures for establishing the number of individuals living with HIV disease who are not receiving HIV-related health services; and

“(B) provide advice and technical assistance to planning councils with respect to the process for establishing priorities for the allocation of funds under subsection (d)(1).

“(2) EXCEPTION.—Grantees under this part shall not be required to establish priorities for individuals not in care until epidemiologic measures are developed under paragraph (1).”.

#### SEC. 102. QUALITY MANAGEMENT.

(a) FUNDS AVAILABLE FOR QUALITY MANAGEMENT.—Section 2604 (42 U.S.C. 300ff-14) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) QUALITY MANAGEMENT.—

“(1) REQUIREMENT.—The chief elected official of an eligible area that receives a grant under this part shall provide for the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection and to develop strategies for improvements in the access to and quality of medical services.

“(2) USE OF FUNDS.—From amounts received under a grant awarded under this part, the chief elected official of an eligible area may use, for activities associated with its quality management program, not more than the lesser of—

“(A) 5 percent of amounts received under the grant; or

“(B) \$3,000,000.”.

(b) QUALITY MANAGEMENT REQUIRED FOR ELIGIBILITY FOR GRANTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) that the chief elected official of the eligible area will satisfy all requirements under section 2604(c).”.

#### SEC. 103. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

(a) USE OF AMOUNTS.—Section 2604(e)(1) (42 U.S.C. 300ff-14(d)(1)) (as so redesignated by section 102(a)) is amended by inserting “and the State Children’s Health Insurance Program under title XXI of such Act” after “Social Security Act”.

(b) APPLICATIONS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended by inserting after paragraph (3), as added by section 102(b), the following:

“(4) that funded entities within the eligible area that receive funds under a grant under section 2601(a) shall maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxi-

fication centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters) and other entities under section 2652(a) for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care.”.

#### SEC. 104. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “HIV-related—” and inserting “HIV-related services, as follows:”;

(2) in subparagraph (A)—

(A) by striking “outpatient” and all that follows through “substance abuse treatment and” and inserting the following: “OUTPATIENT HEALTH SERVICES.—Outpatient and ambulatory health services, including substance abuse treatment,”; and

(B) by striking “; and” and inserting a period;

(3) in subparagraph (B), by striking “(B) inpatient case management” and inserting “(C) INPATIENT CASE MANAGEMENT SERVICES.—Inpatient case management”; and

(4) by inserting after subparagraph (A) the following:

“(B) OUTPATIENT SUPPORT SERVICES.—Outpatient and ambulatory support services (including case management), to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.”.

(b) CONFORMING AMENDMENT TO APPLICATION REQUIREMENTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)), as amended by section 102(b), is further amended—

(1) in paragraph (7) (as so redesignated), by striking “and” at the end thereof;

(2) in paragraph (8) (as so redesignated), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(9) that the eligible area has procedures in place to ensure that services provided with funds received under this part meet the criteria specified in section 2604(b)(1).”.

#### SEC. 105. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)), as amended by section 104(a), is further amended by adding at the end the following:

“(D) EARLY INTERVENTION SERVICES.—Early intervention services as described in section 2651(b)(2), with follow-through referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(i) (I) is receiving funds under subparagraph (A) or (C); or

“(II) is an entity constituting a point of access to services, as described in section 2605(a)(4), that maintains a relationship with an entity described in subclause (I) and that is serving individuals at elevated risk of HIV disease;

“(ii) demonstrates to the satisfaction of the chief elected official that Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this subparagraph; and

“(iii) demonstrates to the satisfaction of the chief elected official that funds will be utilized under this subparagraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.

(b) CONFORMING AMENDMENTS TO APPLICATION REQUIREMENTS.—Section 2605(a)(1) (42 U.S.C. 300ff-15(a)(1)) is amended—

(1) in subparagraph (A), by striking “services to individuals with HIV disease” and inserting “services as described in section 2604(b)(1)”;

(2) in subparagraph (B), by striking “services for individuals with HIV disease” and inserting “services as described in section 2604(b)(1)”.

#### SEC. 106. REPLACEMENT OF SPECIFIED FISCAL YEARS REGARDING THE SUNSET ON EXPEDITED DISTRIBUTION REQUIREMENTS.

Section 2603(a)(2) (42 U.S.C. 300ff-13(a)(2)) is amended by striking “for each of the fiscal years 1996 through 2000” and inserting “for a fiscal year”.

#### SEC. 107. HOLD HARMLESS PROVISION.

Section 2603(a)(4) (42 U.S.C. 300ff-13(a)(4)) is amended to read as follows:

“(4) LIMITATION.—With respect to each of fiscal years 2001 through 2005, the Secretary shall ensure that the amount of a grant made to an eligible area under paragraph (2) for such a fiscal year is not less than an amount equal to 98 percent of the amount the eligible area received for the fiscal year preceding the year for which the determination is being made.”.

#### SEC. 108. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2604(b)(3) (42 U.S.C. 300ff-14(b)(3)) is amended—

(1) by inserting “for each population under this subsection” after “council”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

#### Subtitle B—Amendments to Part B (Care Grant Program)

#### SEC. 121. STATE REQUIREMENTS CONCERNING IDENTIFICATION OF NEED AND ALLOCATION OF RESOURCES.

(a) GENERAL USE OF GRANTS.—Section 2612 (42 U.S.C. 300ff-22) is amended—

(1) by striking “A State” and inserting “(a) IN GENERAL.—A State”; and

(2) in the matter following paragraph (5)—

(A) by striking “Services” and inserting:

“(b) DELIVERY OF SERVICES.—Services”; and

(B) by striking “paragraph (1)” and inserting:

“subsection (a)(1)”;

(C) by striking “paragraph (2)” and inserting:

“subsection (a)(2) and section 2613”;

(b) APPLICATION.—Section 2617(b) (42 U.S.C. 300ff-27(b)) is amended—

(1) in paragraph (1)(C)—

(A) by striking clause (i) and inserting the following:

“(i) the size and demographic characteristics of the population with HIV disease to be served, except that by not later than October 1, 2002, the State shall take into account the needs of individuals not in care, based on epidemiologic measures developed by the Secretary in consultation with the State, affected communities, experts, and other appropriate individuals (such State shall not be required to establish priorities for individuals not in care until such epidemiologic measures are developed);”;

(B) in clause (iii), by striking “and” at the end; and

(C) by adding at the end the following:

“(v) the availability of other governmental and non-governmental resources;

“(vi) the capacity development needs resulting in gaps in the provision of HIV services in historically underserved low-income and rural low-income communities; and

“(vii) the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the State;”;

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (F); and

(C) by inserting after subparagraph (B), the following:

“(C) an assurance that capacity development needs resulting from gaps in the provision of services in underserved low-income and rural low-income communities will be addressed; and

“(D) with respect to fiscal year 2003 and subsequent fiscal years, assurances that, in the planning and allocation of resources, the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), will make appropriate provision for the HIV-related health and support service needs of individuals who have been diagnosed with HIV disease but who are not currently receiving such services, based on the epidemiologic measures developed under paragraph (1)(C)(i);”.

#### SEC. 122. QUALITY MANAGEMENT.

(a) STATE REQUIREMENT FOR QUALITY MANAGEMENT.—Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)) is amended—

(1) by striking subparagraph (C) and inserting the following:

“(C) the State will provide for—

“(i) the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and to develop strategies for improvements in the access to and quality of medical services; and

“(ii) a periodic review (such as through an independent peer review) to assess the quality and appropriateness of HIV-related health and support services provided by entities that receive funds from the State under this part;”;

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D), the following:

“(E) an assurance that the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), has considered strategies for working with providers to make optimal use of financial assistance under the State Medicaid plan under title XIX of the Social Security Act, the State Children's Health Insurance Program under title XXI of such Act, and other Federal grantees that provide HIV-related services, to maximize access to quality HIV-related health and support services;

(4) in subparagraph (F), as so redesignated, by striking “and” at the end; and

(5) in subparagraph (G), as so redesignated, by striking the period and inserting “; and”.

(b) AVAILABILITY OF FUNDS FOR QUALITY MANAGEMENT.—

(1) AVAILABILITY OF GRANT FUNDS FOR PLANNING AND EVALUATION.—Section 2618(c)(3) (42 U.S.C. 300ff-28(c)(3)) is amended by inserting before the period “, including not more than \$3,000,000 for all activities associated with its quality management program”.

(2) EXCEPTION TO COMBINED CEILING ON PLANNING AND ADMINISTRATION FUNDS FOR STATES WITH SMALL GRANTS.—Paragraph (6) of section 2618(c) (42 U.S.C. 300ff-28(c)(6)) is amended to read as follows:

“(6) EXCEPTION FOR QUALITY MANAGEMENT.—Notwithstanding paragraph (5), a State whose grant under this part for a fiscal year does not exceed \$1,500,000 may use not to exceed 20 percent of the amount of the grant for the purposes described in paragraphs (3) and (4) if—

“(A) that portion of the amount that may be used for such purposes in excess of 15 percent of the grant is used for its quality management program; and

“(B) the State submits and the Secretary approves a plan (in such form and containing such information as the Secretary may prescribe) for use of funds for its quality management program.”.

#### SEC. 123. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)), as amended by section 122(a), is further amended by adding at the end the following:

“(H) that funded entities maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters), and other entities under section 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care.”.

#### SEC. 124. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) TECHNICAL AMENDMENT.—Section 3(c)(2)(A)(iii) of the Ryan White CARE Act Amendments of 1996 (Public Law 104-146) is amended by inserting “before paragraph (2) as so redesignated” after “inserting”.

(b) SERVICES.—Section 2612(a)(1) (42 U.S.C. 300ff-22(a)(1)), as so designated by section 121(a), is amended by striking “for individuals with HIV disease” and inserting “, subject to the conditions and limitations that apply under such section”.

(c) CONFORMING AMENDMENT TO STATE APPLICATION REQUIREMENT.—Section 2617(b)(2) (42 U.S.C. 300ff-27(b)(2)), as amended by section 121(b), is further amended by inserting after subparagraph (D) the following:

“(E) an assurance that the State has procedures in place to ensure that services provided with funds received under this section meet the criteria specified in section 2604(b)(1)(B); and”.

#### SEC. 125. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

Section 2612(a) (42 U.S.C. 300ff-22(a)), as amended by section 121, is further amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(6) to provide, through systems of HIV-related health services provided under paragraphs (1), (2), and (3), early intervention services, as described in section 2651(b)(2), with follow-up referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(A)(i) is receiving funds under section 2612(a)(1); or

“(ii) is an entity constituting a point of access to services, as described in section 2617(b)(4), that maintains a referral relationship with an entity described in clause (i) and that is serving individuals at elevated risk of HIV disease;

“(B) demonstrates to the State's satisfaction that other Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this paragraph; and

“(C) demonstrates to the satisfaction of the State that funds will be utilized under this paragraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.”.

#### SEC. 126. AUTHORIZATION OF APPROPRIATIONS FOR HIV-RELATED SERVICES FOR WOMEN AND CHILDREN.

Section 2625(c)(2) (42 U.S.C. 300ff-33(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

#### SEC. 127. REPEAL OF REQUIREMENT FOR COMPLETED INSTITUTE OF MEDICINE REPORT.

Section 2628 (42 U.S.C. 300ff-36) is repealed.

#### SEC. 128. SUPPLEMENTAL GRANTS FOR CERTAIN STATES.

Subpart I of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-11 et seq.) is amended by adding at the end the following:

##### “SEC. 2622. SUPPLEMENTAL GRANTS.

“(a) IN GENERAL.—The Secretary shall award supplemental grants to States determined to be eligible under subsection (b) to enable such States to provide comprehensive services of the type described in section 2612(a) to supplement the services otherwise provided by the State under a grant under this subpart in emerging communities within the State that are not eligible to receive grants under part A.

“(b) ELIGIBILITY.—To be eligible to receive a supplemental grant under subsection (a) a State shall—

“(1) be eligible to receive a grant under this subpart;

“(2) demonstrate the existence in the State of an emerging community as defined in subsection (d)(1); and

“(3) submit the information described in subsection (c).

“(c) REPORTING REQUIREMENTS.—A State that desires a grant under this section shall, as part of the State application submitted under section 2617, submit a detailed description of the manner in which the State will use amounts received under the grant and of the severity of need. Such description shall include—

“(1) a report concerning the dissemination of supplemental funds under this section and the plan for the utilization of such funds in the emerging community;

“(2) a demonstration of the existing commitment of local resources, both financial and in-kind;

“(3) a demonstration that the State will maintain HIV-related activities at a level that is equal to not less than the level of such activities in the State for the 1-year period preceding the fiscal year for which the State is applying to receive a grant under this part;

“(4) a demonstration of the ability of the State to utilize such supplemental financial resources in a manner that is immediately responsive and cost effective;

“(5) a demonstration that the resources will be allocated in accordance with the local demographic incidence of AIDS including appropriate allocations for services for infants, children, women, and families with HIV disease;

“(6) a demonstration of the inclusiveness of the planning process, with particular emphasis on affected communities and individuals with HIV disease; and

“(7) a demonstration of the manner in which the proposed services are consistent with local needs assessments and the statewide coordinated statement of need.

“(d) DEFINITION OF EMERGING COMMUNITY.—In this section, the term ‘emerging community’ means a metropolitan area—

“(1) that is not eligible for a grant under part A; and

“(2) for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of between 500 and 1999 cases of acquired immune

deficiency syndrome for the most recent period of 5 calendar years for which such data are available.

“(e) FUNDING.—

“(1) IN GENERAL.—Subject to paragraph (2), with respect to each fiscal year beginning with fiscal year 2001, the Secretary, to carry out this section, shall utilize—

“(A) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 1000, but less than 2000, cases of AIDS as reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded; and

“(B) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 500, but less than 1000, cases of AIDS reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded.

“(2) TRIGGER OF FUNDING.—This section shall be effective only for fiscal years beginning in the first fiscal year in which the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), exceeds by at least \$20,000,000 the amount appropriated under 2677 to carry out part B in fiscal year 2000, excluding the amount appropriated under section 2618(b)(2)(H).

“(3) MINIMUM AMOUNT IN FUTURE YEARS.—Beginning with the first fiscal year in which amounts provided for emerging communities under paragraph (1)(A) equals \$5,000,000 and under paragraph (1)(B) equals \$5,000,000, the Secretary shall ensure that amounts made available under this section for the types of emerging communities described in each such paragraph in subsequent fiscal years is at least \$5,000,000.

“(4) DISTRIBUTION.—The amount of a grant awarded to a State under this section shall be determined by the Secretary based on the formula described in section 2618(b)(2), except that in applying such formula, the Secretary shall—

“(A) substitute ‘1.0’ for ‘.80’ in subparagraph (A)(ii)(I) of such section; and

“(B) not consider the provisions of subparagraphs (A)(ii)(II) and (C) of such section.”.

#### SEC. 129. USE OF TREATMENT FUNDS.

(a) STATE DUTIES.—Section 2616(c) (42 U.S.C. 300ff-26(c)) is amended—

(1) in the matter preceding paragraph (1), by striking “shall—” and inserting “shall use funds made available under this section to—”;

(2) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively and realigning the margins of such subparagraphs appropriately;

(3) in subparagraph (D) (as so redesignated), by striking “and” at the end;

(4) in subparagraph (E) (as so redesignated), by striking the period and inserting “; and”; and

(5) by adding at the end the following:

“(F) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.”;

(6) by striking “In carrying” and inserting the following:

“(1) IN GENERAL.—In carrying”; and

(7) by adding at the end the following:

“(2) LIMITATIONS.—

“(A) IN GENERAL.—No State shall use funds under paragraph (1)(F) unless the limitations on access to HIV/AIDS therapeutic regimens as defined in subsection (e)(2) are eliminated.

“(B) AMOUNT OF FUNDING.—No State shall use in excess of 10 percent of the amount set-aside for use under this section in any fiscal year to carry out activities under paragraph (1)(F) unless the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to therapeutics.”.

(b) SUPPLEMENT GRANTS.—Section 2616 (42 U.S.C. 300ff-26) is amended by adding at the end the following:

“(e) SUPPLEMENTAL GRANTS FOR THE PROVISION OF TREATMENTS.—

“(1) IN GENERAL.—From amounts made available under paragraph (5), the Secretary shall award supplemental grants to States determined to be eligible under paragraph (2) to enable such States to increase access to therapeutics to treat HIV disease as provided by the State under subsection (c)(1)(B) for individuals at or below 200 percent of the Federal poverty line.

“(2) CRITERIA.—The Secretary shall develop criteria for the awarding of grants under paragraph (1) to States that demonstrate a severe need. In determining the criteria for demonstrating State severity of need, the Secretary shall consider eligibility standards and formulary composition.

“(3) STATE REQUIREMENT.—The Secretary may not make a grant to a State under this subsection unless the State agrees that—

“(A) the State will make available (directly or through donations from public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to \$1 for each \$4 of Federal funds provided in the grant; and

“(B) the State will not impose eligibility requirements for services or scope of benefits limitations under subsection (a) that are more restrictive than such requirements in effect as of January 1, 2000.

“(4) USE AND COORDINATION.—Amounts made available under a grant under this subsection shall only be used by the State to provide HIV/AIDS-related medications. The State shall coordinate the use of such amounts with the amounts otherwise provided under this section in order to maximize drug coverage.

“(5) FUNDING.—

“(A) RESERVATION OF AMOUNT.—The Secretary shall reserve 3 percent of any amount referred to in section 2618(b)(2)(H) that is appropriated for a fiscal year, to carry out this subsection.

“(B) MINIMUM AMOUNT.—In providing grants under this subsection, the Secretary shall ensure that the amount of a grant to a State under this part is not less than the amount the State received under this part in the previous fiscal year, as a result of grants provided under this subsection.”.

(c) SUPPLEMENT AND NOT SUPPLANT.—Section 2616 (42 U.S.C. 300ff-26(c)), as amended by subsection (b), is further amended by adding at the end the following:

“(f) SUPPLEMENT NOT SUPPLANT.—Notwithstanding any other provision of law, amounts made available under this section shall be used to supplement and not supplant other funding available to provide treat-

ments of the type that may be provided under this section.”.

#### SEC. 130. INCREASE IN MINIMUM ALLOTMENT.

(a) IN GENERAL.—Section 2618(b)(1)(A)(i) (42 U.S.C. 300ff-28(b)(1)(A)(i)) is amended—

(1) in subclause (I), by striking “\$100,000” and inserting “\$200,000”; and

(2) in subclause (II), by striking “\$250,000” and inserting “\$500,000”.

(b) TERRITORIES.—Section 2618(b)(1)(B) (42 U.S.C. 300ff-28(b)(1)(B)) is amended by inserting “the greater of \$50,000 or” after “shall be”.

(c) TECHNICAL AMENDMENT.—Section 2618(b)(3)(B) (42 U.S.C. 300ff-28(b)(3)(B)) is amended by striking “and the Republic of the Marshall Islands” and inserting “, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, and only for purposes of paragraph (1) the Commonwealth of Puerto Rico”.

#### SEC. 131. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2611(b) (42 U.S.C. 300ff-21(b)) is amended—

(1) by inserting “for each population under this subsection” after “State shall use”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

#### Subtitle C—Amendments to Part C (Early Intervention Services)

#### SEC. 141. AMENDMENT OF HEADING; REPEAL OF FORMULA GRANT PROGRAM.

(a) AMENDMENT OF HEADING.—The heading of part C of title XXVI is amended to read as follows:

“PART C—EARLY INTERVENTION AND PRIMARY CARE SERVICES”.

(b) REPEAL.—Part C of title XXVI (42 U.S.C. 300ff-41 et seq.) is amended—

(1) by repealing subpart I; and

(2) by redesignating subparts II and III as subparts I and II.

(c) CONFORMING AMENDMENTS.—

(1) INFORMATION REGARDING RECEIPT OF SERVICES.—Section 2661(a) (42 U.S.C. 300ff-61(a)) is amended by striking “unless—” and all that follows through “(2) in the case of” and inserting “unless, in the case of”.

(2) ADDITIONAL AGREEMENTS.—Section 2664 (42 U.S.C. 300ff-64) is amended—

(A) in subsection (e)(5), by striking “2642(b) or”;

(B) in subsection (f)(2), by striking “2642(b) or”;

(C) by striking subsection (h).

#### SEC. 142. PLANNING AND DEVELOPMENT GRANTS.

(a) ALLOWING PLANNING AND DEVELOPMENT GRANT TO EXPAND ABILITY TO PROVIDE PRIMARY CARE SERVICES.—Section 2654(c) (42 U.S.C. 300ff-54(c)) is amended—

(1) in paragraph (1), to read as follows:

“(1) IN GENERAL.—The Secretary may provide planning and development grants to public and nonprofit private entities for the purpose of—

“(A) enabling such entities to provide HIV early intervention services; or

“(B) assisting such entities to expand the capacity, preparedness, and expertise to deliver primary care services to individuals with HIV disease in underserved low-income communities on the condition that the funds are not used to purchase or improve land or to purchase, construct, or permanently improve (other than minor remodeling) any building or other facility.”; and

(2) in paragraphs (2) and (3) by striking “paragraph (1)” each place that such appears and inserting “paragraph (1)(A)”.

(b) AMOUNT; DURATION.—Section 2654(c) (42 U.S.C. 300ff-54(c)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

“(4) AMOUNT AND DURATION OF GRANTS.—

“(A) EARLY INTERVENTION SERVICES.—A grant under paragraph (1)(A) may be made in an amount not to exceed \$50,000.

“(B) CAPACITY DEVELOPMENT.—

“(i) AMOUNT.—A grant under paragraph (1)(B) may be made in an amount not to exceed \$150,000.

“(ii) DURATION.—The total duration of a grant under paragraph (1)(B), including any renewal, may not exceed 3 years.”.

(c) INCREASE IN LIMITATION.—Section 2654(c)(5) (42 U.S.C. 300ff-54(c)(5)), as so redesignated by subsection (b), is amended by striking “1 percent” and inserting “5 percent”.

#### SEC. 143. AUTHORIZATION OF APPROPRIATIONS FOR CATEGORICAL GRANTS.

Section 2655 (42 U.S.C. 300ff-55) is amended by striking “1996” and all that follows through “2000” and inserting “2001 through 2005”.

#### SEC. 144. ADMINISTRATIVE EXPENSES CEILING; QUALITY MANAGEMENT PROGRAM.

Section 2664(g) (42 U.S.C. 300ff-64(g)) is amended—

(1) in paragraph (3), to read as follows:

“(3) the applicant will not expend more than 10 percent of the grant for costs of administrative activities with respect to the grant;”;

(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(5) the applicant will provide for the establishment of a quality management program to assess the extent to which medical services funded under this title that are provided to patients are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and that improvements in the access to and quality of medical services are addressed.”.

#### SEC. 145. PREFERENCE FOR CERTAIN AREAS.

Section 2651 (42 U.S.C. 300ff-51) is amended by adding at the end the following:

“(d) PREFERENCE IN AWARING GRANTS.—In awarding new grants under this section, the Secretary shall give preference to applicants that will use amounts received under the grant to serve areas that are determined to be rural and underserved for the purposes of providing health care to individuals infected with HIV or diagnosed with AIDS.”.

#### SEC. 146. TECHNICAL AMENDMENT.

Section 2652(a) (42 U.S.C. 300ff-52(a)) is amended—

(1) striking paragraphs (1) and (2) and inserting the following:

“(1) health centers under section 330;”;

(2) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

#### Subtitle D—Amendments to Part D (General Provisions)

#### SEC. 151. RESEARCH INVOLVING WOMEN, INFANTS, CHILDREN, AND YOUTH.

(a) ELIMINATION OF REQUIREMENT TO ENROLL SIGNIFICANT NUMBERS OF WOMEN AND CHILDREN.—Section 2671(b) (42 U.S.C. 300ff-71(b)) is amended—

(1) in paragraph (1), by striking subparagraphs (C) and (D); and

(2) by striking paragraphs (3) and (4).

(b) INFORMATION AND EDUCATION.—Section 2671(d) (42 U.S.C. 300ff-71(d)) is amended by adding at the end the following:

“(4) The applicant will provide individuals with information and education on opportunities to participate in HIV/AIDS-related clinical research.”.

(c) QUALITY MANAGEMENT; ADMINISTRATIVE EXPENSES CEILING.—Section 2671(f) (42 U.S.C. 300ff-71(f)) is amended—

(1) by striking the subsection heading and designation and inserting the following:

“(f) ADMINISTRATION.—

“(1) APPLICATION.—”; and

(2) by adding at the end the following:

“(2) QUALITY MANAGEMENT PROGRAM.—A grantee under this section shall implement a quality management program.”.

(d) COORDINATION.—Section 2671(g) (42 U.S.C. 300ff-71(g)) is amended by adding at the end the following: “The Secretary acting through the Director of NIH, shall examine the distribution and availability of ongoing and appropriate HIV/AIDS-related research projects to existing sites under this section for purposes of enhancing and expanding voluntary access to HIV-related research, especially within communities that are not reasonably served by such projects. Not later than 12 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall prepare and submit to the appropriate committees of Congress a report that describes the findings made by the Director and the manner in which the conclusions based on those findings can be addressed.”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 2671(j) (42 U.S.C. 300ff-71(j)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

#### SEC. 152. LIMITATION ON ADMINISTRATIVE EXPENSES.

Section 2671 (42 U.S.C. 300ff-71) is amended—

(1) by redesignating subsections (i) and (j), as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h), the following:

“(i) LIMITATION ON ADMINISTRATIVE EXPENSES.—

“(1) DETERMINATION BY SECRETARY.—Not later than 12 months after the date of enactment of the Ryan White Care Act Amendments of 2000, the Secretary, in consultation with grantees under this part, shall conduct a review of the administrative, program support, and direct service-related activities that are carried out under this part to ensure that eligible individuals have access to quality, HIV-related health and support services and research opportunities under this part, and to support the provision of such services.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 180 days after the expiration of the 12-month period referred to in paragraph (1) the Secretary, in consultation with grantees under this part, shall determine the relationship between the costs of the activities referred to in paragraph (1) and the access of eligible individuals to the services and research opportunities described in such paragraph.

“(B) LIMITATION.—After a final determination under subparagraph (A), the Secretary may not make a grant under this part unless the grantee complies with such requirements as may be included in such determination.”.

#### SEC. 153. EVALUATIONS AND REPORTS.

Section 2674(c) (42 U.S.C. 399ff-74(c)) is amended by striking “1991 through 1995” and inserting “2001 through 2005”.

#### SEC. 154. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS UNDER PARTS A AND B.

Section 2677 (42 U.S.C. 300ff-77) is amended to read as follows:

“SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated—

“(1) such sums as may be necessary to carry out part A for each of the fiscal years 2001 through 2005; and

“(2) such sums as may be necessary to carry out part B for each of the fiscal years 2001 through 2005.”.

#### Subtitle E—Amendments to Part F (Demonstration and Training)

#### SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

(a) SCHOOLS; CENTERS.—Section 2692(c)(1) (42 U.S.C. 300ff-111(c)(1)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(b) DENTAL SCHOOLS.—Section 2692(c)(2) (42 U.S.C. 300ff-111(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(c) DENTAL SCHOOLS AND PROGRAMS.—Section 2692(b) of the Public Health Service Act (42 U.S.C. 300ff-111(b)) is amended—

(1) in paragraph (1), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392)) and dental hygiene programs that are accredited by the Commission on Dental Accreditation”; and

(2) in paragraph (2), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392))”.

#### TITLE II—MISCELLANEOUS PROVISIONS

#### SEC. 201. INSTITUTE OF MEDICINE STUDY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning the appropriate epidemiological measures and their relationship to the financing and delivery of primary care and health-related support services for low-income, uninsured, and under-insured individuals with HIV disease.

(b) REQUIREMENTS.—

(1) COMPLETION.—The study under subsection (a) shall be completed not later than 21 months after the date on which the contract referred to in such subsection is entered into.

(2) ISSUES TO BE CONSIDERED.—The study conducted under subsection (a) shall consider—

(A) the availability and utility of health outcomes measures and data for HIV primary care and support services and the extent to which those measures and data could be used to measure the quality of such funded services;

(B) the effectiveness and efficiency of service delivery (including the quality of services, health outcomes, and resource use) within the context of a changing health care and therapeutic environment as well as the changing epidemiology of the epidemic;

(C) existing and needed epidemiological data and other analytic tools for resource planning and allocation decisions, specifically for estimating severity of need of a community and the relationship to the allocations process; and

(D) other factors determined to be relevant to assessing an individual's or community's ability to gain and sustain access to quality HIV services.

(c) REPORT.—Not later than 90 days after the date on which the study is completed under subsection (a), the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report describing the manner in which the conclusions and recommendations of the Institute of Medicine can be addressed and implemented.

## ORDERS FOR WEDNESDAY, JUNE 7, 2000

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Wednesday, June 7. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day. I further ask unanimous consent that the Senate then resume consideration of S. 2549, the Department of Defense authorization bill under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. WARNER. Mr. President, for the information of all Senators, the Senate will convene at 9:30 a.m. tomorrow and resume debate on the Defense authorization bill. Under the order, there are 90 minutes of debate remaining on the Kerrey amendment and the Warner second-degree amendment, both regarding strategic forces. Following the use or yielding back of time, there will be up to 2 hours of debate on the Johnson and Warner amendments regarding CHAMPUS and TRICARE. If all time is used, Senators can expect to cast up to four votes at approximately 1 p.m. Further amendments are expected to be offered and debated throughout the day. Therefore, additional votes could be anticipated.

RECESS UNTIL 9:30 A.M.  
TOMORROW

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in recess under the previous order. And I personally express my appreciation to the Presiding Officer and others who enabled us to go well into the night.

There being no objection, the Senate, at 8:04 p.m., recessed until Wednesday, June 7, 2000, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate June 6, 2000:

## THE JUDICIARY

K. GARY SEBELIUS, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE G. THOMAS VAN BEBBER, RETIRING.

KENNETH O. SIMON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA VICE SAM C. POINTER, JR., RETIRED.

JOHN E. STEELE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA VICE A NEW POSITION CREATED BY PUBLIC LAW 106-113, APPROVED NOVEMBER 29, 1999.

## DEPARTMENT OF THE TREASURY

LISA GAYLE ROSS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE NANCY KILLEFER, RESIGNED.

LISA GAYLE ROSS, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY, VICE NANCY KILLEFER, RESIGNED.

## IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE

OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRUCE S. ASAY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. PAUL W. ESSEX, 0000

## IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. WAYNE D. MARTY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DAN K. MCNEILL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. LLOYD J. AUSTIN III, 0000  
COL. VINCENT E. BOLES, 0000  
COL. GARY L. BORDER, 0000  
COL. THOMAS P. BOSTICK, 0000  
COL. HOWARD B. BROMBERG, 0000  
COL. JAMES A. COGGIN, 0000  
COL. MICHAEL L. COMBEST, 0000  
COL. WILLIAM C. DAVID, 0000  
COL. MARTIN E. DEMPSEY, 0000  
COL. JOSEPH F. FIL, JR., 0000  
COL. BENJAMIN C. FREAKLEY, 0000  
COL. JOHN D. GARDNER, 0000  
COL. BRIAN I. GEEHAN, 0000  
COL. RICHARD V. GERACI, 0000  
COL. GARY L. HARRELL, 0000  
COL. JANET E. A. HICKS, 0000  
COL. JAY W. HOOD, 0000  
COL. KENNETH W. HUNZEKER, 0000  
COL. CHARLES H. JACOBY, JR., 0000  
COL. GARY M. JONES, 0000  
COL. JASON K. KAMIYA, 0000  
COL. JAMES A. KELLEY, 0000  
COL. RICKY LYNCH, 0000  
COL. BERNARDO C. NEGRETE, 0000  
COL. PATRICIA L. NILO, 0000  
COL. F. JOSEPH PRASEK, 0000  
COL. DAVID C. RALSTON, 0000  
COL. DON T. RILEY, 0000  
COL. DAVID M. RODRIGUEZ, 0000  
COL. DONALD F. SCHENK, 0000  
COL. STEVEN P. SCHOOK II, 0000  
COL. GRATTON O. SEALOCK II, 0000  
COL. STEPHEN M. SEAY, 0000  
COL. JEFFREY A. SORENSON, 0000  
COL. GUY C. SWAN III, 0000  
COL. DAVID P. VALCOURT, 0000  
COL. ROBERT M. WILLIAMS, 0000  
COL. W. MONTAGUE WINFIELD, 0000  
COL. RICHARD P. ZAHNER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. LAWRENCE R. ADAIR, 0000  
BRIG. GEN. BUFORD C. BLOUNT III, 0000  
BRIG. GEN. STEVEN W. BOUTELLE, 0000  
BRIG. GEN. JAMES D. BRYAN, 0000  
BRIG. GEN. EDDIE CAIN, 0000  
BRIG. GEN. JOHN P. CAVANAUGH, 0000  
BRIG. GEN. BANTZ J. CRADDOCK, 0000  
BRIG. GEN. KEITH W. DAYTON, 0000  
BRIG. GEN. KATHRYN G. FROST, 0000  
BRIG. GEN. LARRY D. GOTTFARDI, 0000  
BRIG. GEN. NICHOLAS P. GRANT, 0000  
BRIG. GEN. STANLEY E. GREEN, 0000  
BRIG. GEN. CRAIG D. HACKETT, 0000  
BRIG. GEN. FRANKLIN L. HAGENBECK, 0000  
BRIG. GEN. HUBERT L. HARTSELL, 0000  
BRIG. GEN. GEORGE A. HIGGINS, 0000  
BRIG. GEN. WILLIAM J. LESZCZYNSKI, 0000  
BRIG. GEN. MICHAEL D. MAPLES, 0000  
BRIG. GEN. THOMAS F. METZ, 0000  
BRIG. GEN. DANIEL G. MONGEON, 0000  
BRIG. GEN. WILLIAM E. MORTENSEN, 0000  
BRIG. GEN. ERIC T. OLSON, 0000  
BRIG. GEN. RICHARD J. QUIRK III, 0000  
BRIG. GEN. RICARDO S. SANCHEZ, 0000  
BRIG. GEN. GARY D. SPEER, 0000  
BRIG. GEN. MITCHELL H. STEVENSON, 0000  
BRIG. GEN. CHARLES H. SWANNACK, JR., 0000  
BRIG. GEN. TERRY L. TUCKER, 0000  
BRIG. GEN. JOHN R. WOOD, 0000

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. WALTER F. DORAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. JOSEPH W. DYER, 0000

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10 U.S.C., SECTION 12203:

*To be colonel*

CATHERINE T. BACON, 0000  
KARIN G. MURPHY, 0000

## IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

BRENT M. BOYLES, 0000  
EMILE R. DUPERE, 0000  
WILLIAM A. HOSE, 0000  
MEADE G. LONG III, 0000  
JACK T. OGLE, 0000  
FRANK J. TORDERICO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE MEDICAL CORPS OR DENTAL CORPS (IDENTIFIED BY AN ASTERISK(\*)) UNDER TITLE 10, U.S.C. SECTIONS 624, 531 AND 3064:

*To be colonel*

\*ROBERT S. ADAMS, JR, 0000 MC  
YVONNE M. ANDEJESKI, 0000 MC  
VINCENT C. BENTLEY, 0000 MC  
BENJAMIN W. BERG, 0000 MC  
KENNETH A. BERTRAM, 0000 MC  
MARK D. BRISSETTE, 0000 MC  
JAMES E. BRUCKNER, 0000 MC  
RALF P. BRUECKNER, 0000 MC  
CHRISTON S. BURT, 0000 DE  
JOHN J. BUYER, JR, 0000 DE  
KEVIN J. CARLIN, 0000 MC  
JOHN D. CASLER, 0000 MC  
EDWARD CATHRIGHT, JR, 0000 DE  
WILLIAM M. CHAMBERLIN, 0000 MC  
EDWARD E. CHESLA, 0000 DE  
\*RYO S. CHUN, 0000 MC  
ELIZABETH E. CORRENTI, 0000 MC  
MARC G. COTE, 0000 MC  
LEMUEL L. COVINGTON, 0000 DE  
TIMOTHY W. CRAIN, 0000 MC  
STEVEN E. CROSS, 0000 DE  
DAVID F. CRUDO, 0000 MC  
CHARLENE A. CZUSZAK, 0000 DE  
JIMMY R. DANIELS, 0000 DE  
RANDY N. DAVIS, 0000 DE  
MICHAEL G. DORAN, 0000 DE  
JOSEPH J. DRABICK, 0000 MC  
STEVEN L. EKENBERG, 0000 DE  
DAVID C. ELLIOTT, 0000 MC  
ROBERT B. ELLIS, 0000 MC  
WILLIAM C. ELTON, 0000 DE  
WILLIAM S. EVANS, JR, 0000 MC  
\*MICHAEL E. FARAN, 0000 MC  
BRIAN H. FEIGHNER, 0000 MC  
TRENT C. FILLER, 0000 DE  
JOSEPH P. FRENO, JR, 0000 DE  
WILLIAM B. GAMBLE, 0000 MC  
JOHN M. GRIFFIES, 0000 DE  
STEVEN R. GRIMES, 0000 MC  
JEFFREY L. HAIUM, 0000 DE  
KEVIN L. HALL, 0000 MC  
DAVID K. HAYES, 0000 MC  
RICHARD D. HEKIN, 0000 MC  
DAVID R. HILL, 0000 DE  
STEVEN D. HOKETT, 0000 DE  
\*ISMAIL JATOI, 0000 MC  
JOHN A. JOHNSON, 0000 MC  
DAVID L. JONES, 0000 MC  
THOMAS A. JORDAN, 0000 DE  
DANIEL S. JORGENSEN, 0000 MC  
RICHARD W. KRAMP, 0000 MC  
MARGOT R. KRAUSS, 0000 MC  
\*STEVEN G. LANG, 0000 MC  
STEVEN B. LARSON, 0000 MC  
JAMES G. MADISON, III, 0000 DE  
JAMES R. MALCOLM, 0000 MC  
DAVID W. MARTIN, 0000 MC  
ROBERT R. MARTIN, 0000 MC  
MARK E. MCCLARY, 0000 DE  
GEORGE B. MCCLURE, 0000 MC  
PETER L. MC EVOY, 0000 MC  
GEORGE W. MC MILLIAN, 0000 DE  
DALIA R. MERCEDBRUNO, 0000 MC  
GORDON B. MILLER, JR, 0000 MC  
JULIA A. MORGAN, 0000 MC  
DAVID D. MUKAI, 0000 MC  
CRIS P. MYERS, 0000 MC  
STEVEN A. OLDER, 0000 MC  
DAVID T. ORMAN, 0000 MC  
VERNON C. PARMLEY, 0000 MC  
PHILLIP H. PATRIDGE, 0000 DE  
ALAN D. PEARSON, 0000 MC  
RUSSELL C. PECK, 0000 DE  
PATRICIA A. POWERS, 0000 MC  
JON A. PROCTOR, 0000 MC  
THOMAS J. REID III, 0000 MC  
PAUL C. REYNOLDS, 0000 MC



THOMAS A. ROZANSKI, 0000 MC  
ARTHUR C. SCOTT, 0000 DE  
ROBERT L. SHEFFLER, 0000 MC  
KARL C. STAJDUHAR, 0000 MC  
WELLINGTON SUN, 0000 MC  
GEOFFREY A. THOMPSON, 0000 DE  
\*MICHAEL B. TIERNEY, 0000 MC  
ROBERT A. TONEY, 0000 DE  
GEORGE C. TSOKOS, 0000 MC  
DEAN S. UYENO, 0000 DE  
DAVID W. VAUGHN, 0000 MC  
DOUGLAS N. WADE, 0000 DE  
VAN E. WAHLGREN, 0000 MC  
PAUL G. WELCH, 0000 MC  
\*SHARON A. WEST, 0000 MC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE MEDICAL SERVICE CORPS (MS), MEDICAL SPECIALIST CORPS (SP), VETERINARY CORPS (VC) AND NURSE CORPS (AN) (IDENTIFIED BY AN ASTERISK(\*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

*To be major*

\*ROBIN N. ADAMS-MCCALLUM, 0000 AN  
\*WADE K. ALDOUS, 0000 MS  
\*ANTHONY M. ARMSTRONG, 0000 MS  
\*LLOYNETTA H. ARTIS, 0000 AN  
\*DAVID A. AUT, 0000 MS  
\*DARVELLA BAILEY, 0000 AN  
\*DEAN S. BANCROFT, 0000 MS  
\*WILLIAM P. BARRAS, 0000 AN  
\*RICHARD E. BAXTER, 0000 SP  
\*JOHN C. BEACH, 0000 VC  
\*JAMES R. BEAN, 0000 SP  
\*DAVID P. BEAUCHENE, 0000 MS  
\*THOMAS A. BELL, 0000 MS  
\*STEPHEN M. BENTZ, 0000 MS  
\*REX A. BERGGREN, 0000 MS  
\*KENNETH J. BETHARDS, 0000 AN  
\*JAMIE A. BLOW, 0000 MS  
\*WILLA R. BOBBITT, 0000 SP  
\*ROBERT S. BOHAM, 0000 MS  
\*ANTHONY J. BOHLIN, 0000 AN  
\*SCOTT D. BORMANN, 0000 VC  
\*TIMOTHY G. BOSETTI, 0000 MS  
\*SHARON W. BOWERS, 0000 MS  
\*JAMES C. BOXMEYER, 0000 MS  
\*ROBERT E. BOYLES, 0000 SP  
\*TODD J. BRIERE, 0000 MS  
\*MATTHEW S. BROOKS, 0000 MS  
\*MURIEL L. BROWN, 0000 MS  
\*WILLIAM D. BRUNSON, JR., 0000 MS  
\*THOMAS S. BUNDT, 0000 MS  
\*NELSON BURGOSVIERA, 0000 AN  
\*CHARLES L. BURTON, 0000 MS  
\*JOSEPH T. CABELL, 0000 AN  
\*THOMAS G. CHILL, 0000 MS  
\*DEBORAH M. CANADA, 0000 MS  
\*JOHN L. CANADY, II, 0000 AN  
\*REAGON P. CARR, 0000 MS  
\*RENE W. CARRIGAN, 0000 MS  
\*MICHELLE C. CARROLL, 0000 MS  
\*NAOMI S. CHILDRES, 0000 AN  
\*MARY R. CHIZMAR, 0000 MS  
\*STEPHEN A. CIMA, 0000 MS  
\*MICHAEL N. CLEMENSHAW, 0000 MS  
\*EDDRICK B. CLYATT, 0000 MS  
\*CHRISTOPHER COLACICCO, 0000 MS  
\*ROBERT C. CONRAD, 0000 MS  
\*MICHAEL R. COOPER, 0000 AN  
\*NORMANDIA J. COSME, 0000 MS  
\*KATHLEEN E. COUGHIN, 0000 AN  
\*JOEL S. CRADDOCK, 0000 MS  
\*DEBORAH J. CRAWFORD, 0000 AN  
\*DAISY M. DAVIS, 0000 AN  
\*EARL D. DAVIS, 0000 AN  
\*MICHAEL B. DAVIS, 0000 MS  
\*PAUL J. DAVIS, 0000 MS  
\*KENNETH E. DESPAIN, 0000 VC  
\*PAUL R. DICKINSON, 0000 AN  
\*GEORGETTE M. DIGGS, 0000 AN  
\*PAULA DOULAVERIS, 0000 MS  
\*SHANDRA R. DRAYTON, 0000 AN  
\*RICHARD P. DUNCAN, 0000 MS  
\*RAYMOND DURANT, 0000 MS  
\*ROBERT P. DURKEE, 0000 AN  
\*CHRISTINE L. EDWARDS, 0000 SP  
\*SCOTT G. EHRES, 0000 MS  
\*ROBERT A. ELLISON, 0000 AN  
\*SAMUEL L. ELLIS, 0000 MS  
\*BENJAMIN H. ERVIN, 0000 MS  
\*FRANKIE L. EVANS, 0000 AN  
\*ANDREW J. FABRIZIO, 0000 SP  
\*SCOTT H. FISCHER, 0000 MS  
\*WILLIAM S. FLOURNOY, 0000 VC  
\*DARRIN K. FONG, 0000 MS  
\*LISA A. FORSYTH, 0000 MS  
\*ELIZABETH A. FRALEY, 0000 AN  
\*PETER M. FRANCO, 0000 MS  
\*ELLEN H. GALLOWAY, 0000 MS  
\*VIVIAN B. GAMBLES, 0000 AN  
\*DAWN M. GARCIA, 0000 AN  
\*PATRICK M. GARMAN, 0000 MS  
\*ROGER S. GEERTSEMA, 0000 VC  
\*WILLIAM E. GEESSEY, 0000 MS  
\*JOHN P. GERBER, 0000 SP  
\*NORMAN F. GLOVER, 0000 AN  
\*AGUSTIN S. GOGUE, 0000 MS  
\*KERRIE J. GOLDEN, 0000 SP  
\*RAOUL P. GONZALES, 0000 VC  
\*JOSE L. GONZALEZ, 0000 AN  
\*CHAD B. GOODERHAM, 0000 AN  
\*KEVIN H. GOPON, 0000 MS  
\*SONG H. GOTIANGCO, 0000 MS  
\*MARY P. GOVEKAR, 0000 MS

\*PATRICK W. GRADY, 0000 MS  
\*LILLIAN GREEN, 0000 AN  
\*EVERETT W. GREGORY, JR., 0000 MS  
\*SARAH L. HALE, 0000 VC  
\*CAROL F. HALLE, 0000 AN  
\*LAWRENCE W. HALLSTROM, 0000 MS  
\*JAMES P. HANLON, 0000 MS  
\*LARRY G. HARRIS, 0000 SP  
\*MENDALOSE O. HARRIS, 0000 AN  
\*MICHAEL L. HARRIS, 0000 AN  
\*LORI D. HENNESSY, 0000 SP  
\*JEFFREY S. HILLARD, 0000 MS  
\*LARRY W. HOFF, 0000 SP  
\*SUSAN M. HOLLIDAY, 0000 AN  
\*REBECCA K. HOLT, 0000 VC  
\*RICHARD W. HOYT, JR., 0000 MS  
\*VERA L. HUDGENS, 0000 MS  
\*JENNIFER L. HUMPHRIES, 0000 MS  
\*JOHN E. HURLEY III, 0000 SP  
\*JOSELITO S. IGNACIO, 0000 MS  
\*PATRICK M. JENKINS, 0000 AN  
\*LOUISE D. JOHNSON, 0000 AN  
\*JEAN M. JONES, 0000 AN  
\*LAMONT G. KAPEC, 0000 MS  
\*MICHAEL J. KAPP, 0000 AN  
\*JAMES R. KELLEY, 0000 MS  
\*MICHAEL D. KENNEDY, 0000 SP  
\*LYLE D. KEPLINGER, JR., 0000 AN  
\*DENNIS B. KILIAN, 0000 MS  
\*JOHN D. KING, 0000 AN  
\*RICHARD J. KING, 0000 MS  
\*LINDA M. KNAPP, 0000 MS  
\*BRIAN K. KONDRAT, 0000 AN  
\*KAREN M. KOPYDLOWSKI, 0000 MS  
\*STUART R. KOSER, 0000 AN  
\*JOYCE M. KRAIMER, 0000 MS  
\*KATHLEEN M. KRAL, 0000 VC  
\*MARK D. KRUEGER, 0000 MS  
\*RANDY J. LANDRY, 0000 AN  
\*HEIDI M. LANG, 0000 VC  
\*WILLIE H. LATTIMORE, 0000 MS  
\*STEVE R. LAWRENCE, 0000 VC  
\*LISA A. LEHNING, 0000 AN  
\*PETER A. LEHNING, 0000 MS  
\*VINCENT L. LETO, 0000 AN  
\*ANGELIQUE R. LIKELY, 0000 AN  
\*STEPHEN J. LINCK, 0000 AN  
\*DAVID T. LINDBLAD, 0000 SP  
\*BRIDGET E. LITTLE, 0000 AN  
\*MARK B. LITTLE, 0000 MS  
\*JEFFREY LOCKWOOD, 0000 AN  
\*PAULA C. LODI, 0000 MS  
\*JULIE C. LOMAX, 0000 AN  
\*ANTHONY J. LOPICCOLO, JR., 0000 MS  
\*JOHN H. LOREY, 0000 MS  
\*SHANNON M. LYNCH, 0000 SP  
\*JENNY M. MACDONALD, 0000 MS  
\*ROSEMARY A. MACKAY, 0000 AN  
\*PETER J. MARINICH, 0000 AN  
\*RICK L. MARTIN, 0000 AN  
\*STEVEN R. MATSON, 0000 MS  
\*GORDON D. MAYES, 0000 MS  
\*SCOTT D. MCDANNOLD, 0000 AN  
\*TERENCE S. MCDOWELL, 0000 MS  
\*BRUCE G. MCLENNAN, 0000 SP  
\*DANNY J. McMILLAN, 0000 SP  
\*JOHN B. McNALLY, 0000 MS  
\*HECTOR L. MENDOZA, 0000 MS  
\*DONALD W. MILLER, 0000 AN  
\*TINA L. MILSTEAD, 0000 AN  
\*DAVID G. MOATS, 0000 MS  
\*ROBERT D. MON, 0000 MS  
\*WADE D. MORCOM, 0000 AN  
\*HEATHER H. MORIYAMA, 0000 SP  
\*ANDREA K. MORMILE, JR., 0000 VC  
\*LYNNE M. MORRIS, 0000 SP  
\*VENEUE MORTHOLE, I, 0000 VC  
\*ANTHONY F. MORTON, 0000 SP  
\*ARTHUR R. MORTON III, 0000 MS  
\*DANNY J. MORTON, 0000 MS  
\*KELLY C. MOSS, 0000 MS  
\*RICHARD G. MUCKERMAN, 0000 AN  
\*KEVIN J. MULLALLEY, 0000 MS  
\*PETER H. MURDOCK, 0000 AN  
\*DINO L. MURPHY, 0000 MS  
\*NOREEN A. MURPHY, 0000 VC  
\*LAURA E. NEWKIRK, 0000 AN  
\*RHONDA D. NEWSOME, 0000 AN  
\*JOSEPH NOVAK, JR., 0000 VC  
\*ANDREW R. ORBEN, 0000 SP  
\*JOHN C. OSBORN, 0000 MS  
\*TERRY G. OWENS, 0000 MS  
\*JANET D. PAIGE, 0000 AN  
\*SANG J. PAK, 0000 MS  
\*BONNIE L. PAPPASSOLITAIRE, 0000 AN  
\*JACK PERRY, JR., 0000 MS  
\*JENNIFER B. PETERS, 0000 AN  
\*RIVERA L. PETERSEN, 0000 AN  
\*LOYD T. PHINNEY, 0000 VC  
\*RAYMOND L. PHUA, 0000 SP  
\*AMERICA PLANAS, 0000 AN  
\*AZIZ N. QABAR, 0000 MS  
\*TIMOTHY J. RAPF, 0000 MS  
\*JENNI L. READING, 0000 AN  
\*REGINALD J. RICHARDS, 0000 MS  
\*DWIGHT L. RICKARD, 0000 MS  
\*EFREN L. ROSA, 0000 AN  
\*BRADY H. ROSE, 0000 MS  
\*MICHELLE W. ROSECRANS, 0000 AN  
\*ROBERT R. ROUSSEL, 0000 MS  
\*MATTHEW M. RUEST, 0000 AN  
\*PAMELA J. RUGIERO, 0000 MS  
\*JOHN A. RUBAL, 0000 SP  
\*PIETER A. RUTKOWSKI, 0000 AN  
\*BRETT H. SALADINO, 0000 VC  
\*MICHAEL A. SALAMY, 0000 MS  
\*JAMES L. SALL, 0000 AN

PAUL M. SANDER, 0000 MS  
\*JOHN G. SANDERS, 0000 MS  
\*MARTA E. SANDERS, 0000 AN  
\*MICHAEL R. SARDELIS, 0000 MS  
\*SARAH W. SAUER, 0000 AN  
\*JOHN M. SCHWARZ, 0000 SP  
\*CELESTINE A. SECTION, 0000 AN  
\*DAVID W. SEIFFERT, 0000 AN  
\*TERRY L. SHIER, 0000 AN  
\*ANNE M. SILVASY, 0000 AN  
\*AMELIA M. SMITH, 0000 AN  
\*ANDREW J. SMITH, 0000 MS  
\*PHILIP L. SMITH, 0000 MS  
\*ZACHARY D. SMITH, 0000 MS  
\*LISA M. SNYDER, 0000 AN  
\*SHAUNA L. SNYDER, 0000 MS  
\*JAMES W. SOUTH, 0000 SP  
\*DAVID M. SPERO, 0000 MS  
\*SARA J. SPIELMANN, 0000 SP  
\*MARGARET M. STUBNER, 0000 AN  
\*SHANNON A. STUTTLER, 0000 VC  
\*MARIA B. SUMMERS, 0000 AN  
\*SANDRA L. SUMMERS, 0000 AN  
\*KERRY J. SWEET, 0000 MS  
\*LINDA A. SWENSON, 0000 AN  
\*AMY L. SWIECICHOWSKI, 0000 MS  
\*THOMAS A. SYDES, JR., 0000 MS  
\*MICHAEL J. TALLEY, 0000 MS  
\*GARY E. TALSMAN, 0000 MS  
\*SYDNA L. TAYLOR, 0000 MS  
\*MAX L. TEEHEE, 0000 VC  
\*ANGELA D. THIBAUTWOODS, 0000 MS  
\*LISA A. TOVEN, 0000 AN  
\*LORI L. TREGO, 0000 AN  
\*JAMES E. TUTEN, 0000 MS  
\*GARY L. VEGH, 0000 AN  
\*JOSE R. VELEZRODRIGUEZ, 0000 AN  
\*HEIDI K. VIGEANT, 0000 AN  
\*ROBERT J. VOLLMUTH, 0000 MS  
\*ERIC L. WADE, 0000 MS  
\*WANDA C. WADE, 0000 MS  
\*MICHAEL J. WALKER, 0000 SP  
\*CATHY M. WALTER, 0000 AN  
\*ROBIN L. WALTERS, 0000 AN  
\*CHRISTOPHER A. WARING, 0000 SP  
\*NOVELLA C. WASHINGTON, 0000 MS  
\*GREGORY A. WEAVER, 0000 SP  
\*JERALD L. WELLS, 0000 MS  
\*RODERICK S. WHITE, 0000 MS  
\*WAYNE H. WHITE, 0000 MS  
\*WAYNE K. WHITTENBERG, 0000 AN  
\*EVELYN J. WILLIAMS, 0000 AN  
\*KANDACE J. WOLF, 0000 AN  
\*BRIDGET C. WOLFE, 0000 AN  
\*COLLEEN D. WOLFORD, 0000 AN  
\*STEPHEN C. WOOLDRIDGE, 0000 MS  
\*EDWARD E. YACKEL, 0000 AN  
\*TOU T. YANG, 0000 MS  
\*ESMERALDO ZARZABAL, JR., 0000 MS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN THE MEDICAL CORPS (MC) AND DENTAL CORPS (DC) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

KELLY L. ABBRESCIA, 0000 MC  
MICHAEL T. ADAMS, 0000 MC  
TODD S. ALBRIGHT, 0000 MC  
JERRY B. AMMON, 0000 MC  
JOSE P. ANZILOTTI, 0000 MC  
GERALD M. ARNOT, 0000 MC  
AMY J. ASATO, 0000 MC  
RICHARD M. ASTAFAN, 0000 MC  
JANE M. BARKER, 0000 MC  
TRACY J. BARNETT, 0000 MC  
VINCENT J. BARNHART, 0000 MC  
JOHN P. BARNETT, 0000 MC  
TIMOTHY P. BARON, 0000 MC  
JAMES D. BARRY, 0000 MC  
CHRISTY W. BATTS, 0000 MC  
WILLIAM K. BAXTER, 0000 MC  
ANTHONY A. BEARDMORE, 0000 MC  
GARY W. BEAVER, 0000 MC  
PHILIP J. BELL, 0000 MC  
BRIENT J. BELMONT, 0000 MC  
THELMA D. BENDECK, 0000 MC  
PAUL D. BENYE, 0000 MC  
MICHAEL B. BERRY, 0000 MC  
LESLIE A. BORD, 0000 MC  
MARK E. BOSELEY, 0000 MC  
DANIEL J. BOUDREAUX, 0000 MC  
BARBARA L. BOWSER, 0000 MC  
DOUGLAS A. BOYER, 0000 MC  
MELVILLE D. BRADLEY, 0000 MC  
STEVEN M. BRADY, 0000 MC  
ERIC T. BREITER, 0000 MC  
KENT G. BROCKMANN, 0000 MC  
LAWRENCE D. BRODER, 0000 MC  
CHARLES M. BROWN, 0000 MC  
STEPHEN J. BROWN, 0000 MC  
ROGER A. BROWNE, 0000 MC  
PAUL C. BURNEY, 0000 MC  
DARLENE M. BURNS, 0000 MC  
THOMAS E. BYRNE, 0000 MC  
TIMOTHY J. CAFFREY, 0000 MC  
ARTHUR B. CAJIGAL, 0000 MC  
WALTER CANNON, JR., 0000 MC  
MICHAEL F. CARNUCCIO, 0000 MC  
SEAN T. CARROLL, 0000 MC  
VICTORIA W. CARTWRIGHT, 0000 MC  
JEFFERSON P. CASTO, 0000 MC  
VIOLA CHEN, 0000 MC  
MARK A. CHISHOM, 0000 DE  
KAO B. CHOU, 0000 MC  
PAUL CHUPKA, 0000 MC  
DAVID S. COBB, 0000 MC

HENRY B. COHEN, 0000 MC  
TAMMY L. COLES, 0000 MC  
JOHN R. COLLINGHAM, 0000 MC  
JOHN J. COMBS, 0000 MC  
AMY B. CONNORS, 0000 MC  
ELLIS O. COOPER III, 0000 MC  
GEORGE L. COPPIT III, 0000 MC  
MARCO A. CORCHADOBARRETO, 0000 MC  
CORINNE F. COYNER, 0000 MC  
DONALD M. CRAWFORD, 0000 MC  
SCOTT M. CROLL, 0000 MC  
PEDRO J. CRUZTORRES, 0000 MC  
JUAN E. CUEBAS, 0000 MC  
GEORGE H. CUMMINGS, JR., 0000 MC  
TIMOTHY M. CUPERO, 0000 MC  
DONA C. DAHL, 0000 MC  
ERIK A. DAHL, 0000 MC  
JULIET M. DANIEL, 0000 MC  
RUSSELL A. DAVIDSON, 0000 MC  
SHELTON A. DAVIS, 0000 MC  
DOUGLAS A. DEGLER, 0000 MC  
MICHAEL J. DELGADO, 0000 DE  
PAULA M. DENNERLEIN, 0000 MC  
JUDITH K. DENTON, 0000 MC  
TROY M. DENUNZIO, 0000 MC  
JOHN P. DEUEL, 0000 MC  
PETER G. DEVEAUX, 0000 MC  
JEANNE C. DILLON, 0000 MC  
MICHAEL E. DINOS, 0000 DE  
JAMES T. DODGE, 0000 MC  
STEPHANIE R. EARHART, 0000 MC  
JOHN S. EARWOOD, 0000 MC  
MARY E. EARWOOD, 0000 MC  
DAVID M. EASTY, 0000 MC  
MARSHALL E. EIDENBERG, 0000 MC  
VESNA ELE, 0000 DE  
JIMMY S. ELLIS, 0000 MC  
STEPHEN R. ELLISON, 0000 MC  
JAY C. ERICKSON, 0000 MC  
KAREN C. EVANS, 0000 MC  
ANDRE FALLOT, 0000 MC  
JOHN W. FAUGHT, 0000 MC  
FREDERICK A. FENDERSON, 0000 DE  
TOMAS M. FERGUSON, 0000 MC  
DOUGLAS S. FILES, 0000 MC  
ROGER K. FINCHER, 0000 MC  
LOUIS N. FINELLI, 0000 MC  
WALTER A. FINK, JR., 0000 MC  
ERIC J. FISHER, 0000 MC  
THOMAS R. FITZSIMMONS, 0000 MC  
CHRISTIAN M. FLYNN, 0000 MC  
DAVID A. FOHRMAN, 0000 MC  
KAMALA P. FOSTER, 0000 MC  
CHARLES J. FOX, 0000 MC  
STEPHANIE R. FUGATE, 0000 MC  
DOMINIC R. GALLO, 0000 MC  
KEVIN J. GANCARCZYK, 0000 MC  
TIMOTHY A. GARDNER, 0000 MC  
MITCHELL A. GARRISON, 0000 MC  
ALAN GATLIN, 0000 MC  
ROGER L. GELPERIN, 0000 MC  
BARNETT T. GIBBS, 0000 MC  
NEIL C. GILLESPIE, 0000 MC  
THEODORE E. GLYNN, 0000 MC  
BENJAMIN S. GONZALEZ, 0000 MC  
CHARLES M. GOODEN, 0000 MC  
KIM E. GOODSSELL, 0000 MC  
CHRISTOPHER C. GOING, 0000 MC  
ANDREW C. GORSKE, 0000 MC  
LEONARD J. GRADO, 0000 MC  
JAMES D. GRADY, 0000 MC  
STEVE A. GRANADA, 0000 MC  
BARRY L. GREEN, 0000 MC  
MARK E. GREEN, 0000 MC  
SCOTT D. GREENWALD, 0000 MC  
MELANIE L. GUERRERO, 0000 MC  
KATHRYN A. HACKMAN, 0000 MC  
MARK I. HAINER, 0000 MC  
ERIC A. HALL, 0000 DE  
MICHAEL C. HARNISCH, 0000 MC  
STEPHEN A. HARRISON, 0000 MC  
JOHN P. HARVEY, 0000 MC  
PETER W. HEETDERKS, 0000 MC  
MICHAEL W. HENRY, 0000 DE  
STEPHEN M. HENRY, 0000 MC  
THOMAS M. HERNDON, 0000 MC  
MARK L. HIGDON, 0000 MC  
DEMETRICE L. HILL, 0000 MC  
KEITH J. HILL, 0000 MC  
HOWARD R. HOLBROOKS, 0000 MC  
MICHAEL R. HOLMAN, 0000 MC  
PHILLIP S. HOLMES, 0000 MC  
KURTIS R. HOLT, 0000 MC  
ANTHONY L. HORALEK, 0000 DE  
EDWARD E. HORVATH, 0000 MC  
MICHAEL D. HUBER, 0000 MC  
ROBERT W. HUNTER, 0000 MC  
FAHEEM HUSSAIN, 0000 MC  
JAE I. HWANG, 0000 DE  
MARK R. JACKSON, 0000 MC  
AARON L. JACOB, 0000 MC  
JEFFREY A. JACOBY, 0000 MC  
RICHARD K. JANSEN, 0000 MC  
DEREK K. JOHNSON, 0000 MC  
JEFFREY A. JOHNSON, 0000 MC  
PATRICIA P. JONAS, 0000 MC  
BRIAN P. JONES, 0000 MC  
HEKYUNG L. JUNG, 0000 DE  
JENNIFER S. JURGENS, 0000 MC  
SHAWN F. KANE, 0000 MC  
DEAN E. KARAS, 0000 MC  
SANJIV M. KAUL, 0000 MC  
SEAN KEENAN, 0000 MC  
STEVEN M. KENT, 0000 MC  
LLOYD H. KETCHUM, 0000 MC  
JESSICA H. KIM, 0000 MC  
RICHARD J. KING, 0000 MC

SCOTT E. KINKADE, 0000 MC  
ELIZABETH T. KINZIE, 0000 MC  
HOMER E. KIRBY III, 0000 MC  
PETER F. KIRKHAM, 0000 MC  
CHRISTOPHER KLEM, 0000 MC  
JOHN E. KOBERT, 0000 MC  
STACEY G. KOFF, 0000 MC  
SEAN C. KOSKINEN, 0000 MC  
CHRISTINE M. KOVAC, 0000 MC  
DANIEL L. KRASHIN, 0000 MC  
MARY V. KRUEGER, 0000 MC  
GEORGE M. KYLE, 0000 MC  
JAVIER E. LAGUNARAMOS, 0000 MC  
NEIL J. LAHURD, JR., 0000 MC  
DZUNG V. LE, 0000 MC  
TIMOTHY C. LEE, 0000 MC  
RICHARD T. LEI, 0000 DE  
COLLEEN M. LENNARD, 0000 MC  
JACK E. LEWI, 0000 MC  
TO S. LI, 0000 MC  
ANTHONY C. LITTELL, 0000 MC  
JOHN D. LIVERINGHOUSE, 0000 MC  
JOHN J. LLOYD, 0000 MC  
CELESTE M. LOMBARDI, 0000 MC  
MALCOLM C. MACLAREN, 0000 MC  
ANTHONY MAIORANA, 0000 DE  
JAMIL A. MALIK, 0000 MC  
MICHAEL A. MALLORY, 0000 MC  
KRISTEN M. MANCUSO, 0000 MC  
ANTHONY C. MANILLA, 0000 MC  
ANDREA R. MANZO, 0000 MC  
MICHAEL D. MARSH, 0000 MC  
DAVID C. MARTIN, 0000 MC  
MARYANN MASON, 0000 MC  
PHILLIP L. MASSENGILL, 0000 MC  
PARNELL C. MATTISON, 0000 MC  
EDWARD L. MCDANIEL, 0000 MC  
MYRON B. MCDANIELS, 0000 MC  
HOUE L. MCGRAIL, 0000 MC  
PAUL A. MCGRIFF, 0000 DE  
MARK K. MCPHERSON, 0000 MC  
MARLA R. MELENDEZ, 0000 MC  
RENE F. MELENDEZ, 0000 MC  
JULIE A. MESSNER, 0000 MC  
MELLISSA A. MEYER, 0000 MC  
MICHAEL S. MEYER, 0000 MC  
ROBERT L. MILLER, 0000 MC  
TIMOTHY P. MONAHAN, 0000 MC  
JAIME L. MONTILLASO, 0000 MC  
KEVIN E. MOORE, 0000 MC  
ROBERT W. MOORE, 0000 MC  
KIMBERLY A. MORAN, 0000 MC  
MICHAEL D. MOREHOUSE, 0000 DE  
JAMES J. MORRIS, 0000 MC  
JAMES H. MUELLER, 0000 DE  
JOHN P. MULLIGAN, 0000 MC  
JOSEPH A. MUNARETTO, 0000 MC  
SHAWN C. NESSEN, 0000 MC  
LORANCE H. NEWBURN, 0000 MC  
STACEY R. NIEDER, 0000 MC  
ALEXAN E. NIVEN, 0000 MC  
TAKARA K. NOVOA, 0000 MC  
JODY L. NUZZO, 0000 MC  
RICARDO C. ONG, 0000 MC  
JOSEPH R. ORCHOWSKI, 0000 MC  
MICHAEL S. OSHIKI, 0000 MC  
NEIL E. PAGE, 0000 MC  
DOUGLAS W. PAHL, 0000 MC  
ANDREW D. PALALAY, 0000 DE  
DONG S. PARK, 0000 DE  
KIP K. PARK, 0000 MC  
SARA J. PASTOOR, 0000 MC  
KIMBERLEY L. PERKINS, 0000 DE  
JAMES L. PERSSON, 0000 MC  
ANDREW C. PETERSON, 0000 MC  
CECILY K. PETERSON, 0000 MC  
THERON M. PETTTTT, 0000 MC  
ANDREW W. PIASECKI, 0000 MC  
DONALD J. PIERANTOZZI, 0000 MC  
AMY A. PITTMAN, 0000 MC  
JULIE S. PLATT, 0000 MC  
THOMAS R. PLUMERI, 0000 MC  
JEANNE M. POITRAS, 0000 MC  
ROGER D. POLISH, 0000 MC  
FULTON L. PORTER III, 0000 MC  
JOHN T. PRESSON, 0000 MC  
MICHAEL W. PRICE, 0000 MC  
RAFAEL L. PRIETO, JR., 0000 MC  
MAXIMILIAN PSOLKA, 0000 MC  
RAYMOND P. RADANOVICH, 0000 MC  
ALVARADO O. RAMOS, 0000 MC  
MITCHELL J. RAMSEY, 0000 MC  
JOHN C. RAYFIELD, 0000 MC  
SCOTT T. REHRIG, 0000 MC  
ERIC C. RICE, 0000 MC  
EDWARD E. RISTEDT, 0000 MC  
SCOTTIE B. ROOPE, 0000 MC  
RICHARD C. ROONEY, 0000 MC  
ANTONIO A. ROSA, 0000 MC  
MICHAEL K. ROSNER, 0000 MC  
MICHAEL C. ROYER, 0000 MC  
RICHARD J. SAAD, 0000 MC  
ROBERTO J. SARTORI, 0000 MC  
STEPHEN L. SCHMIDT, 0000 MC  
BRETT J. SCHNEIDER, 0000 MC  
STEPHANIE L. SCHULTZ, 0000 MC  
WILLIAM D. SCHULTZ, 0000 DE  
GEORGE R. SCOTT, 0000 MC  
STEPHEN R. SEARS, 0000 MC  
JAMES A. SEBESTA, 0000 MC  
MARK D. SHALAUTA, 0000 MC  
ELIZABETH C. SHANLEY, 0000 MC  
SCOTT B. SHAWEN, 0000 MC  
RACHELLE E. SHERER, 0000 MC  
LARRY J. SHRANATAN, 0000 MC  
DEVEN SHROFF, 0000 DE  
GRADY V. SHUE, JR., 0000 MC

MARK L. SIMMONS, 0000 MC  
CLAYTON D. SIMON, 0000 MC  
DARRELL E. SINGER, 0000 MC  
ATUL SINGH, 0000 MC  
ROBERT D. SKALA, 0000 MC  
JOHN F. SLOBODA, 0000 MC  
MICHAEL E. SMITH, 0000 MC  
IDA M. SMLOPEZ, 0000 MC  
ELIZABETH A. SNYDER, 0000 MC  
PRISCILLA SONGSANAND, 0000 MC  
BRIAN J. SONKA, 0000 MC  
DALE A. SPENCER, 0000 MC  
PHILIP C. SPINELLA, 0000 MC  
JAMES J. STEIN, 0000 MC  
CHARLES A. STILLMAN, 0000 MC  
JON D. STINEMAN, 0000 DE  
ROBERT L. STONE, 0000 DE  
AMY L. STRAIN, 0000 MC  
GEORGE M. STRICKLAND, 0000 MC  
WILLIAM A. STRICKLING, 0000 MC  
PETER J. STULL, 0000 MC  
PREM S. SUBRAMANIAN, 0000 MC  
HELEN M. SUNG, 0000 MC  
STEVEN J. SVOBODA, 0000 MC  
ROBERT D. SWIFT, 0000 MC  
IRA P. SY, 0000 DE  
STEVEN J. TANKSLEY, 0000 MC  
BANGORN S. TERRY, 0000 DE  
BRUCE E. THOMAS, 0000 MC  
DAVID E. THOMAS, 0000 MC  
ALVIN Y. TIU, 0000 MC  
STEVEN K. TOBLER, 0000 MC  
RAYMOND F. TOPP, 0000 MC  
ROLANDO TORRES, 0000 MC  
MARY A. TRAN, 0000 MC  
LADD A. TREMAINE, 0000 MC  
FERNANDO C. TRESPALACIOS, 0000 MC  
DAWN C. UTHOL, 0000 MC  
MARISOL VEGADERUCK, 0000 MC  
RICARDO J. VENDRELL, 0000 DE  
ADA M. VENTURA, 0000 MC  
DAVID M. WALLACE, 0000 MC  
PAULA M. WALLACE, 0000 MC  
MICHAEL J. WALT, 0000 MC  
ANDREW J. WARGO, 0000 DE  
KURT R. WASHBURN, 0000 MC  
BRUCE K. WEATHERS, 0000 MC  
CHARLES W. WEBB, 0000 MC  
HEIDI L. WEBSTER, 0000 MC  
ALDEN L. WEG, 0000 MC  
ROBERT R. WELCH, 0000 MC  
CHARLES F. WENNOGLE JR., 0000 MC  
ROBERT B. WENZEL, 0000 MC  
LELAND P. WERNER, 0000 MC  
ROBERT R. WESTERMAYER II, 0000 MC  
DARREN T. WHEELER, 0000 MC  
BRADFORD P. WHITCOMB, 0000 MC  
JASON S. WIEMAN, 0000 MC  
TANYA A. WIESE, 0000 MC  
ELLIS J. WILLIAMS, 0000 MC  
KEITH J. WILSON, 0000 DE  
SHAWN H. WILSON, 0000 MC  
JOSHUA B. WINSLOW, 0000 MC  
JEFFREY L. WOLFF, 0000 MC  
RONALD N. WOOL, 0000 MC  
GAIL A. WOOLHISER, 0000 DE  
EYAKO K. WURAPA, 0000 MC  
GUO Z. YAO, 0000 MC  
KEN YEW, 0000 MC  
SOPHIA L. YOHE, 0000 MC  
DANIEL J. YOST, 0000 MC  
ROBERT J. ZABEL, 0000 MC  
TIMOTHY J. ZELEN II, 0000 MC

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

ARTHUR J. ATHENS, 0000  
GREGORY J. BAUR, 0000  
CAREY L. BEARD, 0000  
DANNY R. BUBF, 0000  
RAYMOND L. BURKART, 0000  
KEVIN O. CARMODY, 0000  
THOMAS E. CAVANAUGH, 0000  
MICHAEL G. CHESTON, 0000  
JAMES J. COCHLAN, 0000  
TERENCE M. COUGHLIN, 0000  
WILLARD D. CRAGE, 0000  
RICK D. CRAIG, 0000  
JOHN M. CROLEY, 0000  
JAMES E. DEOTTE, 0000  
THOMAS E. DEOTZER, 0000  
CHRISTOPHER E. DOUGHERTY, 0000  
JEFFREY J. DOUGLASS, 0000  
STEPHEN S. EVANS, 0000  
WENDELL S. FINCH, 0000  
REGINALD J. GHIDEN, 0000  
FRANK R. GUNTER, 0000  
DONALD E. HANCOCK, 0000  
LAWRENCE E. HOLST, 0000  
CHARLES A. JONES, 0000  
JOSEPH R. KENNEDY, 0000  
BRADLEY C. LAPISKA, 0000  
DAVID M. LARSEN, 0000  
JOSEPH W. LYDON III, 0000  
THOMAS E. MANION, 0000  
DAN R. MATER, 0000  
SAMUEL D. MCVIEY, 0000  
MARK E. MEDVETZ, 0000  
ROBERT L. MILLER, 0000  
TRACY L. MORK, 0000  
SCOTT S. OLSEN, 0000

WILLIAM C. PALMER, 0000  
 CHARLES H. PANGBURN III, 0000  
 KEITH J. PAVLISCHEK, 0000  
 ROY A. PEARSON, 0000  
 LLOYD L. PORTERFIELD II, 0000  
 ELARIO SEVERO, 0000  
 BENSON M. STEIN, 0000  
 SCOTT B. STOKES, 0000  
 BRIAN P. TURCOTT, 0000  
 STEVEN B. VITALI, 0000  
 CARL L. WALKER, 0000  
 CRAIG L. WALLEN, 0000  
 DAVID T. WILLIAMS, 0000  
 WILLIAM F. WILLIAMS III, 0000  
 MARC A. WORKMAN, 0000

THE FOLLOWING NAMED OFFICERS IN THE UNITED STATES MARINE CORPS FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C. SECTION 531:

*To be major*

TRAY J. ARDESE, 0000  
 JAVIER J. BALL, 0000  
 BRIAN T. BALLARD, 0000  
 LLOYD E. BONZO II, 0000  
 ROBERT D. DASCH, JR., 0000  
 ROBERTO J. GOMEZ, 0000  
 BRIAN J. KAPPLE, 0000  
 MICHAEL F. KENNY, 0000  
 DOUGLAS C. KLEMM, 0000  
 DOUGLAS J. KUMBALEK, 0000  
 JOHN A. MULLIN, 0000  
 JOHN J. NEYLON, 0000  
 SEAN P. ODOHERTY, 0000  
 BENJAMIN J. PATRICK, 0000  
 DAVID R. PRISLIN, 0000  
 TRAVIS M. PROVOST, 0000  
 THOMAS P. SAMMEL, 0000  
 THOMAS P. SIMON, 0000  
 DAVID N. VANDIVORT, 0000  
 GROVER L. WRIGHT, JR., 0000

*To be captain*

CHARLES C. ABERCROMBIE III, 0000  
 ALLEN D. AGRA, 0000  
 RICHARD G. ALLISON, JR., 0000  
 ALAN B. ALTOM, 0000  
 KARL R. ARBOGAST, 0000  
 BRIAN E. AROUS, 0000  
 RICHARD J. ARMSTRONG, 0000  
 JAY T. AUBIN, 0000  
 ANDREW J. AYLWARD, 0000  
 SPENCER W. BAILEY, 0000  
 ROBBIE J. BAKER, 0000  
 WILLIAM T. BAKER, 0000  
 ANTHONY J. BANGO, 0000  
 TIMOTHY J. BARBA, 0000  
 DENNIS C. BARD, 0000  
 WADE E. BARKER, 0000  
 DONALD A. BARNETT, 0000  
 CHRISTOPHER B. BATTS, 0000  
 GEORGE B. BEACH, 0000  
 SCOTT R. BEESON, 0000  
 ARTHUR R. BEHNKE, JR., 0000  
 MARCOS E. BERTAMINI, 0000  
 WAYNE R. BEYER, JR., 0000  
 BRIAN T. BILSKI, 0000  
 CAROLYN D. BIRD, 0000  
 ETHAN C. BISHOP, 0000  
 KEITH R. BLAKELY, 0000  
 PATRICK R. BLANCHARD, 0000  
 DERRICK J. BLOCK, 0000  
 CHARLES E. BODWELL, 0000  
 RICHARD A. BOGIN, 0000  
 DAVID M. BOLAND, 0000  
 HERBERT C. BOLLINGER, JR., 0000  
 JACK G. BOLTON, 0000  
 CHRISTOPHER J. BONIFACE, 0000  
 MARK A. BOSLEY, 0000  
 ENRIQUE BOUGEOIS III, 0000  
 JOHN S. BOYCE, 0000  
 WILLIAM BOZEMAN, JR., 0000  
 DAVID R. BRAMAN, 0000  
 JAMES H. BRIDGMAN, 0000  
 ANDRE L. BROOKS, 0000  
 BRONCHAE M. BROWN, 0000  
 JASON P. BROWN, 0000  
 LARRY F. BROWN, 0000  
 DOUGLAS J. BRUNE, 0000  
 MICHAEL R. BRUNNSCHWEILER, 0000  
 MICHAEL D. BRYAN, 0000  
 JEROME BRYANT, 0000  
 ROBERT F. BUDA III, 0000  
 KEVIN C. BURTON, 0000  
 ANDREW J. BUTLER, 0000  
 GEORGE CADWALADER, JR., 0000  
 BRIAN C. CALLAGY, 0000  
 MATTHEW D. CALLAN, 0000  
 FRANK R. CAMPBELL, 0000  
 THOMAS H. CAMPBELL III, 0000  
 CHAD M. CASEY, 0000  
 WILLIAM J. CASLER, JR., 0000  
 DAVID M. CAVANAUGH, 0000  
 GREGORY L. CHANEY, 0000  
 FRANCIS K. CHAWK III, 0000  
 VICTOR A. CHIN, 0000  
 ALVIN S. CHURCH, 0000  
 DONALD J. CICOTTE, 0000  
 THOMAS G. CITRANO, 0000  
 PATRICK D. CLEMENTS, 0000  
 DANIEL H. COLEMAN, 0000  
 RAFFORD M. COLEMAN, 0000  
 CHAD R. CONNER, 0000  
 SCOTT M. CONWAY, 0000  
 DAVID M. COOPERMAN, 0000  
 MARK S. COPPESS, 0000  
 KEVIN S. CORTES, 0000

ANDREW J. CRICHTON, 0000  
 MITCHELL A. CRIGER, 0000  
 AARON M. CUNNINGHAM, 0000  
 WILLIAM H. CUPPLES, 0000  
 MATTHEW T. CURRIN, 0000  
 WARREN J. CURRY, 0000  
 KEVIN J. DALY, 0000  
 CHARLES E. DANIEL, 0000  
 VALERIE C. DANYLUK, 0000  
 KEITH C. DARBY II, 0000  
 JAMES M. DAVENPORT, 0000  
 DOMINIC J. DEFAZIO, 0000  
 CHRISTOPHER F. DELONG, 0000  
 CHARLES R. DEZAFRA III, 0000  
 DANIEL J. DIMICCO, 0000  
 MARK D. DISS, 0000  
 ARTHUR A. DIXON, 0000  
 SIMON M. DORAN, 0000  
 KEVIN M. DOWLING, 0000  
 DARREN E. DOYLE, 0000  
 MARK D. DUFFER, 0000  
 GREGORY S. DUFOLO, 0000  
 JAN R. DURHAM, 0000  
 CURTIS V. EBITZ, JR., 0000  
 LARRY R. ECK, 0000  
 EDDIE J. EDMONDSON, JR., 0000  
 GEORGES T. EGLI, 0000  
 PETER J. EPTON, 0000  
 TIMOTHY R. ETHERTON, 0000  
 JAKE J. FALCONE, 0000  
 GREG A. FEROLDI, 0000  
 JOHN M. FIELD, 0000  
 MICHAEL J. FITZGERALD, 0000  
 DARREN C. FLEMING, 0000  
 CRAIG R. FLUENT, 0000  
 GORDON W. FORD, 0000  
 LEON J. FRANCIS, 0000  
 PHILIP H. FRAZETTA, 0000  
 FRANK I. FRITTMAN, 0000  
 ALEX K. FULFORD, 0000  
 KELVIN W. GALLMAN, 0000  
 ANTHONY E. GALVIN, 0000  
 MATTHEW C. GANLEY, 0000  
 SEAN B. GARICK, 0000  
 SANDY J. GASPER, 0000  
 DANA A. GEMMINGEN, 0000  
 ADAM C. GERBER, 0000  
 HIETH D. GIBLER, 0000  
 EDMUND L. GIBSON, JR., 0000  
 GEOFFREY S. GILLILAND, 0000  
 ERIC A. GILLIS, 0000  
 THOMAS R. GLUECK, JR., 0000  
 HOWARD L. GORDON III, 0000  
 PAUL A. GOSDEN, 0000  
 EDWARD C. GRELEY, 0000  
 DARRY W. GROSSNICKLE, 0000  
 SHAWN D. HANEY, 0000  
 JEFFREY C. HANFORD, 0000  
 DOUGLAS J. HANLEY, JR., 0000  
 ANTHONY A. HARDIN, 0000  
 ELIAS B. HARMAN, 0000  
 AYONZO L. HARRISON, 0000  
 GARY C. HARRISON, JR., 0000  
 GARY D. HARRISON, 0000  
 CHRISTIAN D. HARSHBERGER, 0000  
 BRETT A. HART, 0000  
 KEVIN M. HEARTWELL, 0000  
 CARL C. HENGER, 0000  
 VINCENT B. HEPNER, 0000  
 KISHA M. HILL, 0000  
 ERIC HIMLER, 0000  
 MICHAEL R. HODSON, 0000  
 CHRISTOPHER J. HOFSTETTER, 0000  
 MITCHELL L. HOINES, 0000  
 TODD L. HOLTER, 0000  
 SEANAN R. HOLLAND, 0000  
 THOMAS M. HOLLEY, 0000  
 EVAN N. HOLT, 0000  
 CHARLES B. HOTCHKISS III, 0000  
 CHARLES H. HUNT, 0000  
 SEAN M. HURLEY, 0000  
 ADAM E. HYAMS, 0000  
 SCOTT D. HYDE, 0000  
 ROBB L. HYLAND, 0000  
 DANIEL M. IVANOVIC, 0000  
 LEONARDO M. JAIME, 0000  
 PETER J. JANOW, 0000  
 EDWARD L. JEEP, 0000  
 DARRYL L. JELINEK, 0000  
 ERIC J. JESSEN, 0000  
 MICHAEL S. JOHNSON, 0000  
 CHERISH M. JOOSTBERNS, 0000  
 MICHAEL A. JUENGER, 0000  
 JASON W. JULIAN, 0000  
 JEREMY N. JUNGREIS, 0000  
 STEPHEN P. KAHN, 0000  
 MICHAEL P. KANE, 0000  
 SEKOU S. KAREGA, 0000  
 JOHN D. KAUFMAN, 0000  
 PATRICK T. KAUFMANN, 0000  
 GERALD W. KEARNEY, JR., 0000  
 JASON T. KEEFER, 0000  
 AARON P. KEENAN, 0000  
 JAMES A. KEISLER, 0000  
 KEVIN B. KELLIHER, 0000  
 JOHN J. KELLY, JR., 0000  
 NICOLE A. KELSEY, 0000  
 LYLE R. KENDOLL, 0000  
 JEFFREY R. KENNEY, 0000  
 JOHN C. KETCHERSIDE, 0000  
 JOHN F. KIDD, 0000  
 MICHAEL B. KIDD, 0000  
 KEITH P. KINCANNON, 0000  
 DAVID B. KIRK, 0000  
 ANDREW S. KLEVEN, 0000  
 RICHARD A. KLUNK, 0000  
 ANTHONY G. KNIGHT, 0000

ERIC J. KNOWLTON, 0000  
 MELANIE A. KORTH, 0000  
 DANIEL R. KREIDER, 0000  
 KENT L. KROEKER, 0000  
 KEVIN J. KRONOVETER, 0000  
 KARL H. KUGA, 0000  
 JOHN P. LAGANA, JR., 0000  
 CHARLES B. LAKEY, 0000  
 GEORGE LAMBERT, 0000  
 MARK C. LARSEN, 0000  
 RONAN J. LASSO II, 0000  
 CHRISTIAN J. LEEUW, 0000  
 BRIAN R. LEWIS, 0000  
 GLENN E. LIGHT, 0000  
 GLEN P. LINDSTROM, 0000  
 DANIEL R. LINGMAN, 0000  
 BRIAN L. LIPIEC, 0000  
 GARY J. LOBERG, 0000  
 DAVID W. LOCKNER, 0000  
 JOHN P. LONGSHORE, 0000  
 ERIK C. LOQUIST, 0000  
 JOHN J. LUZAR, 0000  
 WILLIAM R. LYNCH, 0000  
 VICTOR I. MADUKA, 0000  
 STEPHANIE L. MALMANGER, 0000  
 EUGENE A. MAMAJEK, JR., 0000  
 MICHAEL P. MANDEL, 0000  
 KIRK E. MARSTON, 0000  
 ROBERT E. MARTIN, 0000  
 VINCE R. MARTINEZ, 0000  
 DEMETRIUS F. MAXEY, 0000  
 MATTHEW M. MAZURKIWECH, 0000  
 BENJAMIN W. MCCAFFERY, 0000  
 FRANK L. MCCLINTICK, 0000  
 MATTHEW G. MCCLYMOMDS, 0000  
 MICHAEL T. MCCOMAS, 0000  
 JAMES F. MCCOY, JR., 0000  
 DONALD B. MCDANIEL, 0000  
 RYAN F. MCDONALD, 0000  
 ERIK P. MCDOWELL, 0000  
 ROGER T. MCDUFFIE, 0000  
 MICHAEL R. MCGAHEE, 0000  
 WILLIAM H. MCHENRY II, 0000  
 DANIEL J. MCMICHAEL, 0000  
 JOHN L. MEDEIRO, JR., 0000  
 JOSE R. MEDINA, 0000  
 JAMES E. MEEK, 0000  
 DOWAL E. MEGGS, JR., 0000  
 CHARLES C. MERKEL, 0000  
 JONATHAN E. MICHAELS, 0000  
 MICHAEL W. MIDDLETON, 0000  
 JAMES R. MILLER, 0000  
 TIMOTHY P. MILLER, 0000  
 TERRY S. MILNER, 0000  
 THOMAS P. MITALSKI, 0000  
 ANDREW W. MOLITOR, 0000  
 MICHAEL J. MOONEY, 0000  
 MARTY A. MOORE, 0000  
 SAMUEL K. MOORE, 0000  
 ROBERT S. MORGAN, 0000  
 KAREN L. MORRISROE, 0000  
 JAMES D. MOSELEY, 0000  
 CHARLES J. MOSES, 0000  
 MICHAEL M. MOTLEY, 0000  
 ANDREW D. MUHS, 0000  
 MICHAEL B. MULLINS, 0000  
 BRENDAN S. MULVANEY, 0000  
 ANDREW J. MUNRO, 0000  
 JAMES A. MURPHY, 0000  
 JOHN C. MURRAY, 0000  
 MICAH T. MYERS, 0000  
 STEVEN K. NELSON, 0000  
 KEVIN R. NETHERTON, 0000  
 CHRISTOPHER J. NOEL, 0000  
 BERNARD J. NOWNES II, 0000  
 THOMAS F. OATES, 0000  
 SEAN M. OBRIEN, 0000  
 THOR C. O'CONNELL, 0000  
 THOMAS P. O'LAUGHLIN, 0000  
 CHRISTOPHER H. OLIVER, 0000  
 ERIC R. OLSON, 0000  
 MICHAEL J. O'NEIL, 0000  
 NEIL J. OWENS, 0000  
 RAMON A. OZAMBELA, 0000  
 STEVEN J. PACHECO, 0000  
 KEVIN L. PAETZOLD, 0000  
 GEORGE E. PAPPAS, 0000  
 RICHARD A. PARADISE, 0000  
 SEAN P. PATAK, 0000  
 JEFFERY S. PAVULL, 0000  
 JEFFREY M. PAVELKO, 0000  
 CORNELL A. PAYNE, 0000  
 JABARI A. PAYNE, 0000  
 DANIEL K. PENCE, 0000  
 CHRISTOPHER R. PERRY, 0000  
 GEOFFREY S. PETERS, 0000  
 ROBERT W. PETERS III, 0000  
 ERIC J. PETERSON, 0000  
 JOHN D. PETERSON, 0000  
 DAVID H. PETTERSSON, 0000  
 MATTHEW H. PHARES, 0000  
 BLANDON N. PICL, 0000  
 SCOTT E. PIERCE, 0000  
 DONNA L. PLEMENS, 0000  
 GREGORY T. POLANSKY, 0000  
 TRAVIS L. POWERS, 0000  
 TIMOTHY R. POWLEDGE, 0000  
 TODD E. PRESCOTT, 0000  
 SCOTT T. PROFFITT, 0000  
 JAMES M. QUIRK, 0000  
 EDWARD J. RAPISARDA, 0000  
 ARCH RATLIFF III, 0000  
 RICHARD R. RAY, JR., 0000  
 MICHAEL T. REECE, 0000  
 JOSEPH D. REEDY III, 0000  
 JACKSON L. REESE, 0000  
 BRENT C. REIFFER, 0000

JOHN REPS, 0000  
 ROBERT E. RHODE III, 0000  
 ANDREW M. RICE, 0000  
 THOMAS W. RICHTER, 0000  
 BRIAN T. RIDGOUT, 0000  
 DEAN R. RIDGWAY, 0000  
 ROBERT J. RITCHIE, 0000  
 PATRICK B. RIVERA, 0000  
 WILFRED RIVERA, 0000  
 MELINDA L. RIZER, 0000  
 CHESTER ROACH, 0000  
 ANTHONY J. ROBINSON, 0000  
 CHRISTOPHER C. ROBINSON, 0000  
 STEVEN ROBINSON, 0000  
 MICHAEL E. RODGERS, 0000  
 FRANCISCO J. RODRIGUEZ, 0000  
 CHRISTOPHER W. ROE, 0000  
 DALE S. ROLEN, 0000  
 NICHOLAS ROSADO, 0000  
 DANIEL N. RUBEL, JR., 0000  
 HAROLD J. RUDDY, 0000  
 MICHAEL P. RUFFING, 0000  
 BRIAN R. RUSH, 0000  
 BRIAN J. RUTHERFORD, 0000  
 EDWARD M. SAGER III, 0000  
 NORMA SALAS, 0000  
 PHILLIP D. SANCHEZ, 0000  
 REX W. SAPPENFIELD, 0000  
 CHARLES G. SASSER, 0000  
 WILLIAM R. SAUERLAND, JR., 0000  
 BRETON L. SAUNDERS, 0000  
 JOHN L. SCHAURES, 0000  
 DAVID J. SCHEINBLUM, 0000  
 TIMOTHY L. SCHNEIDER, 0000  
 WILLIAM F. SCHOEN, JR., 0000  
 LOUIS M. SCHOTEMEYER, 0000  
 RAYMOND J. SCHREINER, 0000  
 WILLIAM M. SCHUCK, JR., 0000  
 GREGORY A. SCOTT, 0000  
 GREGORY G. SEAMAN, 0000  
 BRIAN F. SEIFFERT, 0000  
 ANDROY D. SENEGAR, 0000  
 THEODORE W. SHACKLETON, 0000  
 JAMES L. SHELTON, JR., 0000  
 MATTHEW R. SHENBERGER, 0000  
 DALE E. SHORT, 0000  
 DONALD L. SHOVE, 0000  
 PHILIP R. SLEDZ, 0000  
 ANDREW Q. SMITH, 0000  
 RAHMAN K. SMITH, 0000  
 BRYAN M. SMYLLIE, 0000  
 THOMAS M. SONGSTER II, 0000  
 JOHN W. SPAID, 0000  
 DEMETRY P. SPIROPOULOS, 0000  
 JASON V. SPRIGMAN, 0000  
 GARRY T. STEFFEN, 0000  
 MATTHEW W. STERNI, 0000  
 DAVID E. STRAUB, 0000  
 CHAD D. SWAN, 0000  
 BRIAN P. SWEENEY, 0000  
 ROBERT T. SWEGINNIS, 0000  
 WILLIAM M. TALANSKY, 0000  
 ANTHONY D. TAYLOR, 0000  
 JAMES T. TAYLOR, 0000  
 CHRISTOPHER J. TEAGUE, 0000  
 MICHAEL R. TEUBNER, 0000  
 JAMES C. THEISEN, 0000  
 MARK R. THRASHER, 0000  
 ROBERT B. TIFFT, 0000  
 WILLIAM H. TORRICO, 0000  
 BRADLEY S. TRAGER, 0000  
 SCOTT R. TRUJILLO, 0000  
 ERIC B. TURNER, 0000  
 STEVEN R. TURNER, 0000  
 MICHAEL S. TYSON, 0000  
 LES P. VERNON, 0000  
 MICHAEL H. VILLAR, 0000  
 SCOTT A. VOIGTS, 0000  
 MICHAEL G. VOSE, 0000  
 KENT E. WALSH, 0000  
 RICHARD J. WEAVER, JR., 0000  
 CORY R. WECK, 0000  
 ROBERT S. WEILER, 0000  
 ANDREW J. WEIS, 0000  
 BRADLEY C. WESTON, 0000  
 JEROME S. WHALEN, 0000  
 BENJAMIN D. WILD, 0000  
 JUSTIN P. WILHELMSEN, 0000  
 MARK A. WILKINSON, 0000  
 JAMES H. WILLIAMS, 0000  
 JOSEPH D. WILLIAMS, 0000  
 KRISTIAN R. WILLIAMS, 0000  
 LABIN O. WILSON, 0000  
 ERIC S. WOLF, 0000  
 RONALD S. WOOD, 0000  
 JASON G. WOODWORTH, 0000  
 MATTHEW J. WORSHAM, 0000  
 ELLYN M. WYNNE, 0000  
 RANDALL S. YEARWOOD, 0000  
 JUDY J. YODER, 0000  
 ERNEST B. YOUNG, 0000  
 BRENDA YSASAGA, 0000  
 PHILLIP M. ZEMAN, 0000  
 ANTHONY M. ZENDER, 0000  
 RICHARD J. ZENDER, 0000  
 WAYNE R. ZUBER, 0000

*To be first lieutenant*

MARTIN L. ABREU, 0000  
 ERIC J. ADAMS, 0000  
 JOHN B. ADAMS, 0000  
 RICHARD D. ALBER, 0000  
 JOSHUA P. ANDERSON, 0000  
 GEORGE ANIKOW, 0000  
 JOSEPH J. ATHERALL, 0000  
 THOMAS A. ATKINSON, 0000

MIGUEL A. AYALA, 0000  
 MICHAEL J. BABILOT, 0000  
 RACHEL E. BARNEY, 0000  
 KENNETH C. BARR, 0000  
 FRANCIS A. BARTH III, 0000  
 KENNETH W. BATTAGLIA, 0000  
 CHRISTOPHER D. BEASLEY, 0000  
 STEPHANI M. BECK, 0000  
 BRIAN M. BELL, 0000  
 THEODORE C. BETHEA II, 0000  
 BRENT W. BLAND, 0000  
 ALDRICK C. BLUNT, 0000  
 ROBERT J. BODISCH, JR., 0000  
 JAMES A. BOERIGTER, 0000  
 KENNETH P. BOHO, 0000  
 MEREDITH M. BOOKER, 0000  
 GARY A. BOURLAND, 0000  
 LIA B. BOWLER, 0000  
 KEVIN J. BOYCE, 0000  
 BRADLY L. BOYD, 0000  
 JOHN M. BRADBURY, 0000  
 JASON L. BRADFORD, 0000  
 FRANK J. BROGNA III, 0000  
 RAY E. BROOKS, 0000  
 GREGORY L. BROWN, 0000  
 MICHAEL D. BROYAN, 0000  
 ALVIN L. BRYANT, JR., 0000  
 ROBERT B. BURGESS III, 0000  
 GAREY W. BURRILL, JR., 0000  
 MICHAEL J. BUTLER, 0000  
 SEAN K. BUTLER, 0000  
 GREGORY S. CARL, 0000  
 MARK E. CARLTON, 0000  
 FREDERICK J. CATCHPOLE, 0000  
 LEE K. CLARE, 0000  
 JESUS M. CLAUDIO, 0000  
 GREGORY H. CLAYTON, 0000  
 SCOTT E. COBB, 0000  
 DANIEL E. COLVIN, JR., 0000  
 ADAM S. CONWAY, 0000  
 JOHN COOK, 0000  
 HEATHER J. COTOIA, 0000  
 BRIAN P. COYNE, 0000  
 CHRISTOPHER J. CRIMI, 0000  
 JEFFREY L. CROCKER, 0000  
 COLIN A. CROSBY, 0000  
 HENRY L. CRUSOE, 0000  
 CHRISTOPHER J. CURTIN, 0000  
 THOMAS DANIELSEN, 0000  
 JON W. DAVENPORT, 0000  
 ARTHUR L. DAVIDSON, JR., 0000  
 JOHN S. DAVIDSON, 0000  
 SAMUEL D. DAVIS, 0000  
 MANUEL J. DELAROSA, 0000  
 JOHN Y. DELATEUR, 0000  
 PATRICIA E. DEVONG, 0000  
 WILBERT DICKENS, 0000  
 JOHN J. DIETRICH, JR., 0000  
 FRANK DIORIO, JR., 0000  
 STEVEN A. DOLPHIN, 0000  
 BERNADETTE DOLSON, 0000  
 JOSEPH E. DONALD III, 0000  
 DAVID A. DOUCETTE, 0000  
 ERIC J. DOUGHERTY, 0000  
 TROY M. DOWNING, 0000  
 MATTHEW J. DREIER, 0000  
 AARON S. DUESING, 0000  
 RICHARD E. DUNN, 0000  
 MICHAEL A. DURHAM II, 0000  
 PATRYCK J. DURHAM, 0000  
 JAMES C. EDGE, 0000  
 JAMES F. EDWARDS III, 0000  
 JHAK ELAMUWALDI, 0000  
 BRUCE J. ERHARDT, JR., 0000  
 KYRL A. ERICKSON, 0000  
 EDWARD ESPOSITO, 0000  
 BRIAN L. FANCHER, 0000  
 ROBERT A. FARIAS, 0000  
 JOSEPH A. FARLEY, 0000  
 KRISTOPHER L. FAUGHT, 0000  
 THOMAS P. FAVOR, 0000  
 MELVIN FERNAND, 0000  
 BETH A. FERLAND, 0000  
 MICHAEL D. FERRITTO, 0000  
 JOSE F. FIERRO, 0000  
 PAUL F. FILLMORE, 0000  
 CHRISTOPHER M. FLANAGAN, 0000  
 TIMOTHY M. FLYNN, 0000  
 DUANE C. FORSEBERG, 0000  
 VICTOR A. FRAUSTO, 0000  
 STEVIE L. FRAZIER, 0000  
 IAN C. GALBRAITH, 0000  
 JOSEPH E. GALVIN, 0000  
 VINH V. GERALD, 0000  
 KATE I. GERMANO, 0000  
 JEREMY L. GETTINGS, 0000  
 THOMAS H. GILLEY, IV, 0000  
 SEAN M. GLASON, 0000  
 ARMANDO GONZALEZ, 0000  
 JEFFREY D. GOODELL, 0000  
 REBECCA L. GOODRICHINTON, 0000  
 BRADLEY V. GORDON, 0000  
 WILLIAM S. GOURLEY, 0000  
 CRAIG A. GRANT, 0000  
 SHANNON L. GREEN, 0000  
 STEVE GRIGAS, 0000  
 DANIEL B. GRIFFITHS, 0000  
 JAIME L. GUTIERREZ, 0000  
 JOHN T. GUTIERREZ, 0000  
 MATTHEW B. HAKOLA, 0000  
 MARK A. HALEY, JR., 0000  
 MARGARET J. HALL, 0000  
 DAVID W. HANDY, 0000  
 SEAN M. HANKARD, 0000  
 RICHARD A. HARNEY, 0000  
 DARIN K. HARPER, 0000

CHARLES M. HARRIS, 0000  
 ROBERT C. HAWKINS, 0000  
 BRENDAN G. HEATHERMAN, 0000  
 MICHAEL E. HERNANDEZ, 0000  
 LARRY J. HERRING, 0000  
 RALPH HERSHFELT III, 0000  
 CHERRONE A. HESTER, 0000  
 MICHAEL D. HICKS, 0000  
 DALE A. HIGHBERGER, 0000  
 GARY E. HILL, 0000  
 WILLIAM D. HILL, 0000  
 CRAIG P. HIMEL, 0000  
 THOMAS A. HODGE, 0000  
 VALERIE L. HODGSON, 0000  
 LUKE T. HOLIAN, 0000  
 ALFRED C. HOLLIMON, 0000  
 TERRELL D. HOOD, 0000  
 ARTHUR C. HOUGHTBY II, 0000  
 JEFFREY S. HOUSTON, 0000  
 DAVID K. HUNT, 0000  
 ROBERT M. HUTTO, 0000  
 CHRISTOPHER J. IAZZETTA, 0000  
 FRANCINE M. IPPOLITO, 0000  
 STEVEN M. JACKSON, 0000  
 RESHANDA L. JENNINGS, 0000  
 GEORGE W. JOHNSON, 0000  
 DERRICK L. JONES, 0000  
 ERIC W. KELLY, 0000  
 DALLAS G. KEY, 0000  
 JAMES S. KIMBER, 0000  
 WILFRID A. KIRKBRIDE, 0000  
 JOSHUA KISSOON, 0000  
 CURT R. KNOWLES, 0000  
 EDWARD C. KOOKEN, 0000  
 CONSTANTINE KOUTSOUKOS, 0000  
 JASON J. LATONA, 0000  
 GABRIEL E. LEAL, 0000  
 ALAN J. LECOMPTE, JR., 0000  
 JONATHAN E. LEE, 0000  
 KATHY R. LEE, 0000  
 WILSON S. LEECH III, 0000  
 MATTHEW D. LERNER, 0000  
 LEONARD J. LEVINE, 0000  
 SHANE M. LONG, 0000  
 CHARLES B. LYNN III, 0000  
 WILLIAM R. MAKEPEACE IV, 0000  
 MICHAEL C. MARGOLIS, 0000  
 DELBERT L. MARRIOTT, 0000  
 DANIEL L. MARTIN, 0000  
 DAWN M. MARTIN, 0000  
 JAMES T. MARTIN, 0000  
 RICHARD S. MARTIN, 0000  
 ANDREW V. MARTINEZ, 0000  
 BRETT E. MATTHEWS, 0000  
 CRAIG S. MAYER, 0000  
 MICHAEL C. MCCARTHY, 0000  
 KENYA MCCLAIN, 0000  
 DAVID A. MCCOMBS, 0000  
 KENNETH MCCOMBS, 0000  
 LYLE L. MCDANIEL, JR., 0000  
 ARIC A. MCKENNA, 0000  
 BRIAN P. MCLAUGHLIN, 0000  
 PATRICK C. MCRAE, 0000  
 TODD A. MENKE, 0000  
 NATHAN A. MENTINK, 0000  
 ANDREW A. MERZ, 0000  
 DANIEL R. MILLANE, 0000  
 BRETT M. MILLER, 0000  
 DAVID H. MILLS, 0000  
 JAMES W. MINGUS, 0000  
 BRUCE L. MORALES, 0000  
 STEVEN B. MURPHY, 0000  
 STEVEN S. MURPHY, 0000  
 TIMOTHY L. MURRAY, 0000  
 BARTON K. NAGLE, 0000  
 ANTHONOL L. NEELY, 0000  
 SHANNON J. NELLER, 0000  
 EDWARD T. NEVGLOSKI, 0000  
 NICHOLAS C. NUZZO, 0000  
 DEREK S. OST, 0000  
 RANDALL A. PAPE, 0000  
 DWAYNE E. PARKER, 0000  
 HENRY J. PARRISH, 0000  
 VICTOR A. PASTOR, 0000  
 TODD A. PATTERSON, 0000  
 EDWARD J. PAVELKA, 0000  
 ELIZABETH D. PERKINS, 0000  
 NICHOLAS R. PERKINS, 0000  
 LAURA M. PERRONE, 0000  
 CRAIG O. PETERSEN, 0000  
 DAVID W. PINION, 0000  
 RICHARD H. PITCHFORD, 0000  
 KEVIN J. PRINDIVILLE, 0000  
 CRAIG T. RALEIGH, 0000  
 OMAR J. RANDALL, 0000  
 JOHN G. RANDOLPH, 0000  
 MARK L. RANEY, 0000  
 GREGORY A. RATZLAFF, 0000  
 JORDAN D. REECE, 0000  
 KARL C. RENNE, 0000  
 BRIAN A. REYNALDO, 0000  
 RICHARD J. RIGHTER, 0000  
 MARK W. RODGERS, 0000  
 RUPERT S. RODRIGUEZ, 0000  
 SCOTT M. ROLPH, 0000  
 THOMAS J. ROPEL III, 0000  
 SAM L. ROY, 0000  
 RICHARD A. ROYSE, 0000  
 JUSTIN R. RUMPS, 0000  
 LEE M. RUSH, 0000  
 FREDERICK W. RUSSELL III, 0000  
 CHARLES W. RYAN, 0000  
 CHRISTI L. SADDLER, 0000  
 JOHN H. SAITTA, 0000  
 MATTHEW D. SAMS, 0000  
 ROBERT M. SANCHEZ, 0000  
 DONALD R. SANDERS, 0000

ROLAND G. SARINO, 0000  
GLENN SCHMID, 0000  
DAVID E. SCHNEIDER, 0000  
PHILIP P. SCHRODE, 0000  
KARL C. SCHUMACHER, 0000  
CHRISTOPHER B. SHERIN, 0000  
JOHN T. SILVA, 0000  
FRANK L. SIMMONS, 0000  
MATTHEW R. SIMMONS, 0000  
ELIESER R. SMITH, 0000  
GARY L. SMITH, 0000  
JAMES R. SMITH, 0000  
KEITH D. SMITH, 0000  
MIRANDA D. SMITH, 0000  
STEVEN C. SNEE, 0000  
PETER R. SOLANO, 0000  
ROBERT B. SOTIRE II, 0000  
PAUL M. SPONHOLZ, 0000  
JARED A. SPURLOCK, 0000  
MAJOR L. STAPLES, 0000  
JASON C. STAR, 0000  
MICHAEL W. STEHLE, 0000  
WILLIAM C. STOPHEL, 0000  
RONALD D. STORER, 0000  
JONATHAN J. STRASBURG, 0000  
ROBERT A. SUCHER, 0000  
ERIC N. SWIFT, 0000  
COLON TAYLOR III, 0000  
THOMAS M. TENNANT, 0000  
GREGORY A. THIELE, 0000  
RAYMON F. THOMAS, JR., 0000  
NICHOLAS A. THOMPSON, 0000  
VIRGIL E. TINKLE, 0000  
EDMUND B. TOMLINSON, 0000  
ADOLFO TORRES, 0000  
JOSEPH M. TURGEON, 0000  
TRAY A. TURNER, 0000  
CHRISTOPHER G. VEAL, 0000  
BENJAMIN M. VENNING, 0000  
CHARLIE R. VONBERGEN, 0000  
BRIAN J. VONHERBULIS, 0000  
MICHAEL L. WAGNER, 0000  
WALTER J. WALLACE, 0000  
BRANDON M. WALLER, 0000  
LAWRENCE M. WALZER, 0000  
GREGORY J. WARDMAN, JR., 0000  
DAREN V. WASHINGTON, 0000  
KEITH S. WATSON, 0000

KEITH S. WEINSAFT, 0000  
APRIL K. WHITESCARVER, 0000  
MICHAEL S. WILBUR, 0000  
WILLIAM T. WILBURN, JR., 0000  
DARBY R. WILER, 0000  
JOHN D. WILKERSON, 0000  
JERRY D. WILLINGHAM, 0000  
PETER A. WILSON, 0000  
CRAIG A. WOLFENBARGER, 0000  
KENNETH P. WOODS, 0000  
TOMMY R. WRIGHT, 0000  
JAMES L. ZEPKO, 0000  
THOMAS G. ZIEGLER, JR., 0000

*To be second lieutenant*

WILLIAM B. ALLEN IV, 0000  
DAVID W. BAAS, 0000  
JOHN W. BLACK, 0000  
MARK D. BORTNEM, 0000  
TRENT L. BOTTIN, 0000  
VINTON C. BRUTON IV, 0000  
WALTER G. CARR, 0000  
CLINT A. CASCADEN, 0000  
GEORGE O. CHRISTEL, 0000  
DOUGLAS A. COOK, 0000  
BILLY R. CORNELL, 0000  
JEFFREY W. DAVIS, JR., 0000  
JOHN D. DIXON, 0000  
TIMOTHY P. DORAN, 0000  
JAMES W. EAGAN III, 0000  
DAVID C. EMMEL, 0000  
ROY H. EZELL III, 0000  
DONALD W. FAUL II, 0000  
JEREMY S. FILKO, 0000  
BRADLEY R. FITZPATRICK, 0000  
SHANE R. FLOYD, 0000  
ANTHONY E. GIARDINO, 0000  
KENNETH K. GOEDECKE, 0000  
CHRISTOPHER M. HAAR, 0000  
JONATHAN B. HAMILTON, 0000  
JACOB R. HARRIMAN, 0000  
BENJAMIN R. HERNANDEZ, JR., 0000  
EDMUND B. HIPPI, 0000  
JAMES T. HOFFMANN, 0000  
JOHN H. HOUSAND, JR., 0000  
JEFFREY A. HUBLEY, 0000  
IVAN F. INGRAHAM, 0000  
KEVIN A. JACOBS, 0000

CHRISTOPHER R. KNARR, 0000  
JAMES M. KOEHLER, 0000  
ROBERT O. KOENIG, 0000  
RUSSELL S. LASCINK, 0000  
WILLIAM M. LENNON, 0000  
RONALD L. LOBATO, 0000  
JOHN M. MAYBERRY, 0000  
BRYAN R. MCCLUNE, 0000  
WILLIAM J. MITCHELL, 0000  
PHILIP T. OHARA, 0000  
KYLE G. PHILLIPS, 0000  
JOSHUA M. PIECZONKA, 0000  
JASON M. POPOWSKI, 0000  
DONALD J. PRITCHARD, 0000  
JAMES S. PRYOR, 0000  
KEVIN R. ROOT, 0000  
RICHARD M. RUSNOK, 0000  
JESSE L. SJOBERG, 0000  
GIUSEPPE A. STAVALE, 0000  
CHRISTOPHER T. STEELE, 0000  
STEVEN M. SUTEX, 0000  
DEREK L. TRABAL, 0000  
JASON M. WARDLOW, 0000  
ROBERT J. WEINGART, 0000  
CHRISTOPHER M. WESTHOFF, 0000  
DAVID E. WESTIN, 0000  
ROBERT F. WHALEN, 0000  
BARIAN A. WOODWARD, 0000

WITHDRAWAL

Executive message transmitted by the President to the Senate on June 6, 2000, withdrawing from further Senate consideration the following nomination:

THE JUDICIARY

JAMES M. LYONS, OF COLORADO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE JOHN P. MOORE, RETIRED, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 22, 1999.

## EXTENSIONS OF REMARKS

IN RECOGNITION OF MR. JOSEPH  
BALCHUNAS

**HON. PETER DEUTSCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. DEUTSCH. Mr. Speaker, I rise today in recognition of Mr. Joseph Balchunas, a fourth-grade teacher at Fairway Elementary School in Miramar, Florida. On May 18, 2000, the Florida Department of Education and the Burdines Corporation acknowledged his innovative teaching style by naming him Florida Teacher of the Year. I would like to congratulate Joseph on this tremendous honor, and thank him for serving as a positive role model for the students of Fairway Elementary.

With over 130,000 public school teachers statewide, only one person is recognized as Florida's Teacher of the Year. To select the one educator that epitomizes the ability to teach and communicate with students, the Florida Department of Education appoints a selection committee of teachers, principals, parents, and businessmen. This year the selection committee recognized Joseph for his innovative teaching philosophy, for his exemplary school and community service, and most importantly for his ability to inspire a love of learning in students of diverse backgrounds and abilities.

Joseph has been teaching for only five years, making him, at age 28, a neophyte in the long list of educators who have previously been acknowledged as Teacher of the Year. A native of New York City, Joseph attended Nova Southeastern University and began teaching at Dwight D. Eisenhower Elementary in Davie before moving to his current position at Miramar's Fairway Elementary School. Throughout his short term of service in Broward County, Joseph has proven himself to be a hero in the eyes of his students, speaking to them on a level they can understand. Indeed, he has found a balance between teacher, authority figure, and friend—a balance that makes active learning fun for everyone involved.

Educators statewide will benefit from this amazing South Florida teacher as Joseph serves as an ambassador for the Florida Department of Education throughout the next year. In this role, Joseph will tour the state and share his methodology with others. This award also qualifies him to be considered for the honor of National Teacher of the Year.

Mr. Speaker, I hope my Florida colleagues will join me in praising Mr. Joseph Balchunas for all of the wonderful things he is doing to help the youth of South Florida. I would like to congratulate Joseph, along with the students and parents of his fourth-grade class, on this amazing accomplishment. Indeed, Fairway Elementary School and the Broward County School Board should be very proud of Joseph for the good work he is doing. In summary, I wish Joseph all the best in his future endeavors, and I thank him for his extraordinary work

of positively influencing the youth of South Florida.

TRIBUTE TO RABBI DR. EUGENE  
MARKOVITZ

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a remarkable person, Rabbi Dr. Eugene Markovitz of Clifton, New Jersey, who will be recognized on Sunday, June 11, 2000 because of his 50 years of service as the spiritual leader of the Clifton Jewish Center. It is only fitting that he be honored, for he has a long history of caring, generosity and commitment to others.

Rabbi Markovitz was recognized for his many years of leadership in Clifton, which I have been honored to represent in Congress since 1997, and so it is only fitting that these words are immortalized in the annals of this greatest of all freely elected bodies.

The 50-year relationship between Rabbi Eugene Markovitz and his congregation has added much to the rich history of the State of New Jersey. In addition, it has provided many years of friendship and leadership to the Clifton and Passaic Jewish communities and the community at-large.

Born in Romania, Rabbi Markovitz moved to America when he was 15 years old. His father, already living in the United States, brought him to this country along with his mother and five siblings. His father was a rabbi in Lexington, Massachusetts. Later in 1938, the family moved to New York. During these early years he worked at Wilson's meat packers. He spent most of his youth in Coney Island.

At Yeshiva University in New York, Rabbi Markovitz received both his bachelors and doctorate degrees. After he was ordained he worked as a student rabbi in Dover, New Hampshire. It was the small steps in the beginning of his career that taught him the fundamentals that would make him a role model to the people that he now serves.

In 1950, the Rabbi moved to Clifton with his wife Klara. The two lived in Middle Village. Working together with 60 to 75 other families he helped create a new Jewish congregation in Clifton. The Clifton Jewish Center's popularity grew throughout the years. Often attracting 50 to 100 new members a year. People came from Passaic, Paterson, Newark and New York.

Services for the Jewish Center used to be held in the Grand Union on Clifton Avenue and junior congregation services were in the Clifton Theater. In the 1950s the Hebrew School increased in size dramatically, so the building was expanded in 1958. The Jewish Center reached its peak in the late 1960s and early 1970s with 350 children attending Hebrew School each year.

The congregation under the leadership of Rabbi Markovitz has had many significant achievements. First, the Hebrew School helped to produce six rabbis. In addition, the annual silent Kol Nidre appeal is a wonderful accomplishment.

Noted for his civic involvement, the Rabbi is active throughout the City of Clifton. He is noted as the spiritual leader of the Clifton Jewish Center and as a good friend of the Clifton/Passaic community.

Mr. Speaker, I ask that you join our colleagues, Rabbi Markovitz's family and friends, the Clifton Jewish Center, Passaic County, the State of New Jersey and me in recognizing the outstanding and invaluable service to the community of Rabbi Dr. Eugene Markovitz.

RECOGNIZING THE IMPORTANCE  
OF SMALL BUSINESS AND PAY-  
ING TRIBUTE TO THIS YEAR'S  
SMALL BUSINESS AWARD RE-  
CIPIENTS IN NEW HAMPSHIRE

**HON. CHARLES F. BASS**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. BASS. Mr. Speaker, I am pleased to have this opportunity to recognize several small businesses and small business leaders from my home state of New Hampshire. As we all know, small businesses in the United States serve as the backbone of our economy, accounting for more than ninety-nine percent of America's employers and employing fifty-three percent of America's workforce. The role of small businesses, especially in New Hampshire, is essential in strengthening our economy, expanding opportunities for employers and employees, and providing goods and services that are second to none.

This year, several individuals and businesses from New Hampshire have been recognized by the U.S. Small Business Administration for their exemplary contributions to the state. At the annual "New Hampshire's Salute to Small Business" dinner and awards ceremony, the following individuals and businesses will be honored for their overall promotion of small business and for their individual successes during the past year:

Joseph C. Leddy, CEO of Work Opportunities Unlimited, Inc., in Stratham, will be presented with the New Hampshire Small Business Person of the Year Award;

Carolyn Martin, of the Keene Sentinel, will be presented with the New Hampshire Small Business Journalist of the Year Award;

The Belknap County Economic Development Council, in Laconia, will be presented with the New Hampshire Small Business Financial Services Advocate of the Year Award;

Eileen Kennedy, of the Telegraph, in Nashua, will be presented with the New Hampshire Small Business Women in Business Advocate of the Year Award; and

Secure Care Products, Inc., in Concord, will be presented with the New Hampshire Small Business Exporter of the Year Award.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Mr. Speaker, I am extremely pleased that Joseph, Carolyn, the Belknap County Economic Development Council, Eileen, and Secure Care Products have been recognized for their contributions to small business in New Hampshire. As a small business owner myself, I clearly understand how necessary small business is to our economy, our community, and, most important, to our way of life. New Hampshire is indeed fortunate to have individuals and businesses of this exceptional caliber as members of the small business community. I hope that the House will join me in extending our congratulations to this year's small business award recipients.

**NATIONAL TASTE OF PIZZA  
MONTH**

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. TOWNS. Mr. Speaker, it is with the utmost pleasure and privilege that I rise today to salute the contributions of the Tony Modica Pizza Dance Foundation and One World-One Heart, Inc., organizations which exemplify our nation's direction of unity and cultural exchange through inter-generational activities and programs.

One World-One Heart, Inc., a non-profit organization, serves to provide access to educational, recreational, cultural and intergenerational programs for participants from all ethnic, religious, economic and cultural backgrounds. The founders, Catherine Laport and Steven Kaplansky have over 30 years of experience of providing non-profit, social and recreational services to communities at large.

Tony Modica came to this country as an immigrant and became successful in the pizza industry. This foundation is a means for him to give back to the community through a program that benefits the elderly and the youth. Modica uses pizza as an international symbol of unity. Pizza is a favorite food of both young and old and its incorporation into a program which features song and dance makes for an enjoyable experience for all involved. The foundation has created programs that promote unity; and encourage children to stay in school and improve their grades. After his lectures, the students and seniors socialize and are treated to pizza. The Tony Modica Pizza Dance Foundation and One World-One Heart join together every year in June and sponsor a month-long celebration of unity and to raise awareness of the joys of life through free public activities for all ages which include lectures, song, dance and pizza.

The concept behind the pizza campaign is a simple but powerful one. They are not merely celebrating the worldwide love of the delicacy, but also the theory that the pizza with its varied toppings on a round of bread is symbolic of the many cultures in our society. Our culture, like the toppings on the pizza is very different, yet the toppings taste great on one foundation of bread. We as a global society have more in common than we sometimes can imagine, and our differences can be greatly appreciated. It is this commonality which is embedded in the joy of life, and respect for one another that is celebrated in the

month long pizza campaign in June. The events celebrate unity and cultural diversity in a fun, spirited way. The campaign brings together corporate, non-profit, religious and elected officials who come together to support a month of unity; understanding and appreciation of cultural diversity. The Tony Modica Foundation and One World-One Heart, Inc. are positive examples of how private citizens and non-profit organizations can make a difference in the community with the support of business and government.

It is for these reasons that I implore my colleagues from both sides of the aisle to join me in recognizing The Tony Modica Pizza Foundation, One World-One Heart and "the Pizza" in proclaiming June, "The National Taste of Pizza Month."

**HONORING THE WESTCHESTER  
LARIATS**

**HON. STEVEN T. KUYKENDALL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize the Westchester Lariats, a non-profit educational folk dance troupe for young boys and girls in grades 5 through 12. The organization will soon celebrate 50 years of community involvement.

The Westchester Lariats was founded in 1950 by Dr. J. Tillman Hall as an after school dance club for local youth. The club has evolved over the years into an important community program for young adults.

It is also a valuable cultural experience for the members of the dance troupe. They have traveled extensively throughout the country performing at various venues. The Lariats have also performed in Mexico, Canada, Europe and Australia.

Performing American swing and square dances, in addition to Hawaiian, European, and Middle Eastern dances, the dance troupe has entertained the local community for the last fifty years.

I congratulate the Westchester Lariats on achieving this milestone. You have provided joy and entertainment to many throughout the Westchester community. I wish you continued success.

**SPECIAL TRIBUTE TO CARL AND  
MARTHA CLOSE ON THE OCCA-  
SION OF THEIR 40TH WEDDING  
ANNIVERSARY**

**HON. THOMAS M. DAVIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. DAVIS of Virginia. Mr. Speaker, it gives me great pride to rise today to pay special tribute to an outstanding couple from Virginia's Eleventh Congressional District, Carl and Martha Close. I extend my best wishes to Carl and Martha, who marked their 40th wedding anniversary on Thursday, May 18. The wedding anniversary was celebrated by the congregation at St. Paul's Episcopal Church in Bailey's Crossroads, Virginia.

Mr. Speaker, I join together today with the extended family of St. Paul's Episcopal

Church to commend Carl and Martha on this joyous occasion and to share the warm wishes of the citizens of Virginia's 11th Congressional District.

Carl was born in Oregon and grew up in Colorado, while Martha is a native of Alabama. He is a Harvard graduate and was the Assistant Director of Eastern Field Operations for the Department of Interior's Office of Surface Mining. Martha attended Radcliff and is a graduate of American University. She completed her Masters of Science Degree at Catholic University in Library and Information Science. Together, they have lived in the Washington Metropolitan area for more than thirty years. The Closes are the proud parents of two children, Carol and Stewart.

True to their marriage vows, they have dedicated their lives to each other and shared in the joys and challenges of marriage. As we honor their fortieth anniversary, let us reflect on their lives, their love for one another, and wish them a happy and healthy marriage in the years to come.

Mr. Speaker, as Carl and Martha Close celebrate this very special occasion, I wish them, their children, and all of their family many years of love and happiness. I am grateful to be reminded of such a couple and to have the opportunity to recognize such a momentous day in their lives. I hope that their anniversary was spent celebrating the memories of their most cherished memories together. Carl and Martha are to be commended for their commitment to one another, and for the wonderful example they set for their many friends and family. I wish them many more happy and healthy days together.

**TELEPHONE EXCISE TAX REPEAL  
ACT**

SPEECH OF

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 25, 2000*

Mr. STARK. Mr. Speaker, as one of two Members of Congress to oppose H.R. 3916, the telephone excise tax bill, I believe there is a need to explain the reasons for my vote. I opposed H.R. 3916 because this is just another fiscally irresponsible way for the Republicans to reduce federal revenues for the vital programs that the working families of this country rely on. The leadership of the 106th Congress doesn't care if it squanders \$20 billion in tax revenues by repealing the telephone excise tax because it doesn't care if we have enough money to save Social Security and Medicare for future generations. But I do care and did not vote to repeal the excise tax.

I never heard from one constituent asking me to repeal the federal excise tax on their phone service because it was a hardship. I did, however, hear from Bell Atlantic who will soon raise its phone rates and from big companies asking me to lower their phone bill. This bill will save the average family \$34 per year—no wonder there wasn't a clamor from constituents demanding the repeal. I do hear from working families who want a better education for their children, and from seniors who want a Medicare prescription drug benefit. I also hear from families who don't have any health insurance for their children or who want a cleaner environment.

EPA estimates it will cost billions of dollars over the next twenty years for municipal wastewater treatment programs. This funding assists local governments in the construction of projects to manage municipal wastewater. Untreated wastewater ends up in public drinking supplies, lakes and rivers. This untreated water is a major source of pollution for lakes and rivers and we need to address this problem now.

Eleven million children are without health insurance. Children are the least expensive segment of our population to insure. Even though we all recognize this fact, Congress insists on giving another freebie to corporate America when we should be enacting my MediKids Health Insurance Act.

The GOP does not have the interest of working families in mind with their legislative agenda. I refuse to contribute to their continual cause of promoting corporate interests. The U.S. taxpayers have told us their priorities, and eliminating the telephone excise tax was not one of them. We need these revenues for America's priorities. This bill recklessly cuts \$20 billion in taxes that could be used for meaningful legislation; therefore I oppose H.R. 3916.

FORMER SENATOR BOB DOLE  
SPEAKS FOR WORLD WAR II MEMORIAL IN WASHINGTON, D.C.

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. LANTOS. Mr. Speaker, this morning the Subcommittee on National Security, Veterans Affairs, and International Relations of the Committee on Government Reform held a hearing under the very able leadership of my dear friend and our distinguished colleague, the gentleman from Connecticut (Mr. SHAYS), which examined the status of the World War II Memorial to be built here in our nation's capital.

The lead witness at this morning's hearing, Mr. Speaker, was the distinguished former Majority Leader of the United States Senate, the former Senator from Kansas Bob Dole. Senator Dole is a veteran of World War II and the Chair of the National World War II Memorial Campaign.

Mr. Speaker, Senator Dole has selflessly served our nation for over half a century. He was seriously wounded in Italy during the final weeks of World War II. After four hard years of determined effort, he was able to return to a useful and productive life in his native Kansas where he served as county attorney after completing law school. In 1960 he was elected a member of Congress, and eight years later, he was elected a United States Senator from Kansas. Between 1985 and 1996, Senator Dole served as Republican leader of the Senate, both as majority leader and as minority leader. His over 11 years of service as Republican leader was the longest of any individual in the history of the United States Senate. As my colleagues know, Senator Dole was the Republican candidate for President of the United States in the 1996 election.

As one of our nation's outstanding veterans of World War II, Mr. Speaker, I can think of no individual better qualified than Bob Dole to

serve as Chairman of the World War II Memorial Campaign.

In addition to the excellent testimony which Senator Dole provided at this morning's hearing, he wrote an excellent piece on the World War II Memorial which was published in today's Washington Post. Mr. Speaker, I submit Senator Dole's article to be placed in the RECORD and I urge my colleagues to read it carefully. I also urge my colleagues to support the construction and completion of the World War II Memorial honoring those who participated in that great conflict for the preservation of America's freedom.

[From the Washington Post, June 6, 2000]

ONE FINAL SALUTE

(By Bob Dole)

Fifty-six years ago today, American and allied forces launched the invasion that turned the tide of World War II. What better time than this anniversary of D-Day to remember that the peace we enjoy today was secured at a precious price—and to recommit ourselves to honor the sacrifices of the veterans of World War II with a memorial on the National Mall in Washington?

It is testament to the overwhelming success of the World War II generation that we can barely imagine a conflict in which nearly 300 young servicemen and women died each day—year after year after year. Unfortunately, the veterans of that war are now passing away in even greater numbers. Before the World War II generation is gone, we owe them one last salute, and the peace of mind that their service will be remembered.

Our country has endured three great challenges and has emerged from each stronger and more united. The American Revolution demonstrated our determination to be free, and the Civil War tested our will to extend that freedom to all. The third great moment of trial, confrontation and resolution occurred nearly 60 years ago. The struggle of free men and women against totalitarianism peaked during World War II and lingered through the Cold War. Freedom's victory over tyranny is now so complete that it is easy to forget the issue was ever in doubt.

Throughout World War II, my generation was inspired by the legacy of past defenders of freedom. Thousands of servicemen absorbed the words of the Founders etched in stone on the great monuments of our nation's capital. From the memorials to George Washington and Abraham Lincoln, young GIs drew deep reserves of faith, courage and fortitude. These solid and silent monuments did not sit idly as war raged; they passed on America's noble purpose from one generation to the next.

No doubt future generations will be asked to mount their own defense of American freedoms. We must act now to build a National World War II Memorial to honor the achievements of the last generation and to inspire future generations. We must complete the unfinished business of World War II before the last veterans of that great conflict are gone.

Our task is nearly complete. On Veterans Day 1995, a deserved site on the Mall between the Washington Monument and the Lincoln Memorial was dedicated. The Capital Campaign for the National World War II Memorial is closing in on the \$100 million goal with contributions from corporations, foundations, veterans' groups and private citizens in every state of the Union.

I will be accepting today a contribution of more than \$14 million for the memorial—money collected from individual Americans in Wal-Mart and Sam's Club stores across the country. This generous spirit is being replicated in communities throughout America.

The memorial is the right statement in the right place. Its design creates a special place to commemorate the sacrifice and celebrate the victory of World War II, yet remains respectful and sensitive to the vistas and park-like setting of its historic surroundings. This summer we will seek final approval of the design from the Commission of Fine Arts and the National Capital Planning Commission so that we can break ground for the memorial on Veterans Day weekend in November.

Meanwhile, another 1,000 veterans of World War II pass away every day—so quickly that in a few years there will be only a handful left. The youngest participants in World War II are today in their mid-seventies—enjoying the closing chapters of their lives.

These veterans deserve a memorial to preserve the memory of their actions against the tide of time. It is up to us, and the time is now.

### HONORING HARLAND AND RUTH JACOB

### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. MCINNIS. Mr. Speaker. It is with great pleasure that I now wish to take this moment to honor two individuals that I am proud to call friends, Harland and Ruth Jacob. On June 4, 2000, Harland and Ruth will celebrate their 50th wedding anniversary. As family and friends gather to celebrate this wonderful occasion, I too would like to pay tribute to the 50 year union of these great Americans. Harland and Ruth Jacob were married on June 4, 1950 in Bloomfield, Nebraska.

Harland had been attending the University of Nebraska in the months prior, but was forced to return to Bloomfield to run the family farm when his father fell ill. While the illness was deeply unfortunate, it appears that Mr. Jacob's illness had something to do with a larger plan. You see, Mr. Speaker, had Harland not returned to Bloomfield because of his father's illness, he never would have met his bride-to-be Ruth at a town barbecue in the fall of 1949. As fate would have it, Ruth and her three sisters would all later marry young men that they met for the first time at this fateful barbecue.

Clearly smitten by Ruth, Harland didn't waste any time before seeking Ruth's hand in marriage—Harland asked Ruth to be his wife that Christmas. Six months later, they would start their new life together as husband and wife.

After farming for about 3 years in Nebraska, Harland took a job with J.C. Penney's, where he would work for the next 20 years. Together, the Jacob family moved from town to town—J.C. Penney to J.C. Penney—all over the midwest, eventually settling in the great town of Grand Junction, Colorado. After retiring from Penney's many years later, Harland, with the support and able assistance of Ruth, started up his own carpet store in Grand Junction. Surviving a cycle of boom and busts that claimed the life of many a business in the Grand Valley, the Jacob's store is set to celebrate its 17th year in business. The business, and the years of hard work put into it by Ruth and Harland, is rightfully a source of great pride for the Jacob's and their many friends and family. In so many ways, Harland and Ruth Jacob's dedication to keeping their furniture store afloat—through good times and

bad—embodies the entrepreneurial spirit that makes America so great.

While the success of their carpet business speaks volumes about Ruth and Harland, their enduring legacy rests in their beautiful family. Harland and Ruth are the proud parents of four—Kathy, Mike, Jean, and Todd—the grandparents of 14—Kelly Paxton, Rachel Jacob, Jake Zambrano, Amanda Hamblin, Elissa Zambrano, Joey Pepper, Josh Zambrano, Megan Lawson, Greg Jacob, Matt Pepper, David Pepper, Manon Jacob, Luke Jacob, and Amelia Jacob—and the great-grandparents of six more—Alexia Zambrano, Jerika Hamblin, Alex Zambrano, Arianna Zambrano, Sydney Hamblin, and Josh Zambrano.

As you can see, Mr. Speaker, the Jacob family has been very blessed over the course of the last 50 years. As my friends Harland and Ruth celebrate this wonderful occasion, I want to wish them congratulations and continued happiness on behalf of their many friends, family, and neighbors. Ruth and Harland, we are all very proud of you!

#### HALT PHARMACEUTICAL LOBBYING TO PHYSICIANS TO INCREASE R&D

##### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. STARK. Mr. Speaker, I submit for the RECORD several examples of unsolicited drug company “freebies” a Florida physician received in just one week. Over the years, I have received numerous examples of doctors being given free meals, cocktails, travel subsidies and recreational events—all financed by pharmaceutical companies. Drug companies spend billions a year promoting their products to physicians through these very questionable tactics instead of using this money for life-saving research and development.

Last January, the Journal of the American Medical Association (JAMA) found that more than \$11 billion is spent each year by drug companies promoting and marketing their products—with about \$8,000 to \$13,000 spent per year on each physician. JAMA concluded that present physician-industry interactions adversely affects prescribing and professional behavior.

Additionally, a March USA Today article described a growing trend among pharmaceutically-financed advertising and marketing firms to sponsor physician continuing medical education (CME) courses that doctors in 34 states need to keep their licenses. These marketing firms are paid by drug companies that often hire faculty to teach these courses to push their sponsors’ products.

Such evidence of pharmaceutical waste, the adverse impact of drug company gifts on prescribing practices and the need for increased pharmaceutical R&D led me to introduce H.R. 4089, the Save Money for Prescription Drug Research Act of 2000. My bill would deny tax deductions to drug companies for certain gifts and benefits provided to physicians (other than product samples) and instead encourage drug companies to use those funds for a much more important use—pharmaceutical research and development.

Research and development is much more important than drug company promotions. Our nation has reaped great rewards as a result of pharmaceutical research. Pharmaceutical and biotech research have led to the discovery of lifesaving cures and treatments for ailments that would have cut lives short in earlier years. But drug companies can do more. Think of all the additional lives that could be saved if the pharmaceutical industry dedicated the resources now spent on physician promotions to R&D.

Mr. Speaker, Congress has a responsibility to put an end to this pharmaceutical “giftgiving” and to encourage research and development of life-saving drugs. The drug industry’s lobbying of physicians, which clearly leads to distorted, inappropriate, overprescribing of drugs, must be brought to an end.

#### HONORING MRS. HAZEL PAHLER

##### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. McINNIS. Mr. Speaker, I want to ask that we all pause for a moment to remember a woman who we have lost, Hazel Pahler. Though she is gone, she will live on in the hearts of all who knew her.

Mrs. Pahler was a first lieutenant in the Army Nurse Corps. She was laid to rest with full military honors, in Grand Junction, Colorado after her battle with cancer. Mrs. Pahler was a nurse who witnessed the horrors of war. She was dedicated to her profession and was able to endure all the hardships of war while remaining focused on the welfare of the soldiers.

As a result of her untiring efforts, Mrs. Pahler earned many awards. She has been honored with the European, African and Middle Eastern medals, the American Defense Medal, the Red Cross Service Pin, the World War II Victory Medal and three Overseas Service Bars. She is a remarkable person that devoted her life to the service of others.

Hazel Pahler is someone who will be missed by many. Her friends and family will miss the woman that they all enjoyed spending time with. The rest of us will miss this woman who exemplified the selflessness that so few truly possess. But, when we lose a woman such as Mrs. Pahler, being missed is certainly no precursor to being forgotten. And everyone who ever knew her will walk through life a bit differently for it.

#### TRIBUTE TO THE CONSUMER LEAGUE OF NEW JERSEY

##### HON. BILL PASCARELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCARELL. Mr. Speaker, I would like to call to your attention the deeds of a remarkable organization, the Consumers League of New Jersey (CLNJ), which was recognized on Tuesday, May 16, 2000 because of its many years of service and leadership at a dinner celebration in West Orange, New Jersey. This year marks the 100th anniversary of the

group, so it is only fitting that these words are immortalized in the annals of this greatest of all freely elected bodies.

Since 1900, the Consumers League has fought for the rights of consumers. Congress used ideas from CLNJ testimony in the U.S. Home Equity Loan Consumer Protection Act, to prohibit “rate rise surprise.” Congress also adopted a CLNJ measure to help save homes from foreclosure, by giving homeowners a chance to pay their mortgages through bankruptcy payment plans. The league helps people shop for credit with a pamphlet on low-cost credit cards. Consumers League also helps low income consumers with its “rent to own” campaign.

Consumers League of New Jersey is non-partisan. CLNJ does not make endorsements nor does it contribute money to candidates. They give people an honest opinion, and try to persuade elected officials to help consumers.

In the early 1900s children worked in factories, and many of the protections of modern life which we take for granted were non-existent. Consumers League struggled for 35 years before its original agenda of safe food, safe working conditions, prohibitions on child labor, promotion of minimum wages laws and union protections, was enacted into law as the New Deal.

CLNJ has always been ahead of the country in its vision of justice. It was not until the New Deal that many of the reforms championed by CLNJ became law. CLNJ was a founding member of the National Consumers League (NCL), and worked with NCL and unions to bring about change. CLNJ also took up the cause of the “watch-dial” radium poisoning of female workers in Essex County, New Jersey.

In the 1960s and 1970s, CLNJ leaders spoke out for consumer protection laws, credit laws, usury limits, and enforcement of minimum wage and child labor laws. They looked into supermarket prices. They also went to the fields to support migrant farm-workers. Rutgers University of New Jersey has considerable archives about the early and middle years of CLNJ history.

From 1985 onward CLNJ has fought for consumer rights and basic justice. For fifteen years they promoted lower interest rates by publicizing lower interest credit cards. They gave away tens of thousands of credit card pamphlets. CLNJ also lamented bank mergers, which resulted in fewer choices, higher prices for consumers and interest rates that never went down. In addition, CLNJ supported the Fair Lending Coalition. They also helped enact New Jersey’s Basic Banking law.

From 1986–89, CLNJ’s President was a member of the Federal Reserve Board’s Consumer Advisory Council. The president opposed “checkhold” delays. The common ground discovered between CL and bankers proved to be the formula which Congress enacted into law: the Federal Reserve must process checks quicker, and banks must end the long holds. In addition, the president supported Truth in Savings, which was also enacted.

CLNJ fought against weakening New Jersey’s Secondary Mortgage Loan Act. When the Legislature legalized abuses, less than one year later, CLNJ testified before the United States Senate in 1987 about home equity loans, or as CLNJ put it “charge a blouse, put a lien on your house.” Congress banned what New Jersey had approved: the “rate rise

surprise" (the power to change a home equity contract after you borrowed significant funds).

Mr. Speaker, I ask that you join our colleagues, the United States of America, the State of New Jersey and me in recognizing the outstanding and invaluable service to the community of the Consumers League of New Jersey.

HONORING MICHAEL L. PESCE

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. TOWNS. Mr. Speaker, I rise today to honor one of Brooklyn's finest residents, Michael L. Pesce, who was recognized last night at the First Tri Block Association's June meeting.

Michael L. Pesce was born in the small coastal town of Mola di Bari, Italy. He and his family immigrated to America when he was 12 years of age and settled in the Carroll Gardens section of Brooklyn. He attended local public schools and graduated from City College with a Bachelor's degree in Economics. Justice Pesce received his J.D. Degree from Detroit College of Law in 1969 and was admitted to the bar in 1970. He began his career working for the Legal Aid Society in their Hunts Point, Bronx office, handling a wide range of civil matters.

In 1972, he was elected to the New York State Assembly, representing the 52nd Assembly District. Over the next eight years, he served on many committees, including Labor, Governmental Operations, and Higher Education, and served as Chair of the Special Assembly Committee on Ports and Terminals. During this period, he was also a partner in the firm of Pesce & Levine.

Justice Pesce was elected to the Civil Court in 1980, and was assigned to the Criminal Court, where he served for three years. He was designated an Acting Justice of the Supreme Court in 1984 and was elected to a full term in 1989 from Kings and Richmond Counties. In 1996, he was designated Administrative Judge for the 2nd Judicial District.

He has long been actively involved in Carroll Gardens and in the wider Italian-American community. Justice Pesce serves on the Board of Directors of Amico, Inc., and is a member of the Board of Directors of the Visiting Nurse Association of Brooklyn. In 1986, the Italian government granted Justice Pesce the title of "Cavaliere" (Order of Merit). Please join me in honoring Justice Michael L. Pesce, one of Brooklyn's finest.

RECOGNIZING THE MILFORD HIGH  
"WE THE PEOPLE" TEAM

**HON. CHARLES F. BASS**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. BASS. Mr. Speaker, today I honor the "We the People" team from Milford High School in Milford, New Hampshire. These outstanding young students recently won an award at the "We the People" national finals held in Washington, D.C. As you may know,

the "We the People" mock hearings test student knowledge of the U.S. Constitution. The Milford students were recognized for their expertise on the following subject: How Did the Values and Principles Embodied in the Constitution Shape American Institutions and Practices? The dozen Sophomores, Juniors, and Seniors competed against 50 other classes from throughout the nation. The team demonstrated a remarkable understanding of the fundamental ideals and values of American constitutional government.

I had the privilege to serve as a judge for this year's state competition to come to Washington for the national competition. It was apparent to me then that the Milford High School students had the knowledge, team-work, and enthusiasm necessary to successfully compete against 50 other classes from throughout the nation. These students can be proud of their award winning performance.

I was honored to have the team visit me here on Capitol Hill during their trip to Washington for the national competition. I would like to take this opportunity to congratulate the following students for their performance at the national "We the People" competition: Adam Berger, Jon Butt, Jenn Catherine, Vanessa Chretien, Mike Gott, Keith Holt, Pam Murphy, David Norway, Mike Parisi, Abby Parker, Pete Phillips, and Ashley Standbridge.

HONORING MR. RYAN PATTERSON

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize the accomplishments of an outstanding student, Ryan Patterson. His innovative mind has won him a parade of awards, most recently he has won top prize in the Colorado Science Fair. He also represented Colorado at the Intel International Science and Engineering Fair, in which he won almost \$10,000.

His outstanding invention rightfully called "Sleuthbot" is a computerized device schools can use to seek out bombs or suspicious individuals without getting put into harms way during a crisis. Mr. Patterson traveled to Detroit with 1,200 other students from 40 countries to compete in the Intel International Science and Engineering Fair. His accolades from the competition are extensive, but most admirable is the \$250 and a paid internship he received from Axonne Corp. Mr. Patterson is a model for all students to follow and one that will be sure to achieve great things for the good of mankind. He has proven to be an asset to his school and community.

It is with this, Mr. Speaker, that I say congratulations to Ryan Patterson on a truly exceptional accomplishment. Due to his dedicated service and ingenuity, it is clear that Colorado is a better place.

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

SPEECH OF

**HON. EVA M. CLAYTON**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 25, 2000*

Mrs. CLAYTON. Mr. Speaker, I rise in strong support of the Agriculture Risk Protection Act (H.R. 2559) conference report. I commend Chairman COMBEST and Ranking Member STENHOLM for their efforts to craft comprehensive legislation which will help restore the safety net for agriculture producers.

Risk management tools such as crop or revenue insurance provide protection from yield or price declines within a growing and marketing season. Indeed statistics for North Carolina show that over the last ten years the number of acres insured has increased from 581,764 in 1988 to 2,844,524 in 1999. Participation is very high, with 82 percent of acres covered for tobacco, 83% of acres covered for peanuts, and 89% covered for cotton.

In 1999, \$131 million in liability was paid to North Carolina producers who suffered crop damages, first from drought and then from three hurricanes and subsequent historic flooding in eastern North Carolina. Even with these payments North Carolina producers will benefit greatly from their portion of the additional emergency assistance monies, which nationwide total \$7.1 million over two fiscal years (2000 & 2001), provided by this legislation. This includes \$340 million for tobacco farmers to compensate for economic losses along with \$47 million in economic assistance for peanut producers, which equates to \$30.50 per ton for quota peanuts and \$16 for additional peanuts. I am especially thankful that we have included provisions which address conditions created when producers suffer multiple years disasters.

Additional emergency assistance provisions include:

\$40 million for USDA to provide soil, water and natural conservation assistance for farmers in the form of cost share or incentive payments;

\$10 million for USDA's Farmland Protection Program

\$34 million FY 2000 and \$76 million in FY 2001 for USDA to purchase additional food commodities for distribution to schools participating in the school lunch program

\$32 million in FY 2001 available for a variety of agricultural research programs including those related to soil, science, forest health and management, tobacco research for medicinal purposes and reducing and managing waste in livestock and poultry operations.

Mr. Speaker, I urge all of our colleagues to support and vote for the conference report.

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

SPEECH OF

**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 25, 2000*

Mr. SENSENBRENNER. Mr. Speaker, I would like to provide a more detailed explanation—including a section-by-section analysis—of the Biomass Research and Development (R&D) Act of 2000 included as Title III of H.R. 2559, the Agricultural Risk Reduction Act.

The Biomass R&D Act of 2000 combines features of three separate bills that were referred to the Committee on Science: Title I of S. 935 and H.R. 2827, the National Sustainable Fuels and Chemicals Act of 1999; and H.R. 2819, the Biomass Research and Development Act of 1999. This important piece of legislation would help fund the research, development, and demonstration (RD&D) necessary to bring to market affordable biobased industrial products, including fuels, chemicals, building materials, or electric power or heat produced from biomass.

I want to express my appreciation to many Members of the House and Senate for all of their hard work in crafting the Biomass R&D Act of 2000. This includes: the Ranking Minority Member (Mr. HALL of Texas) and Mr. UDALL of Colorado of the House Committee on Science; the Chairman (Mr. COMBEST) and Ranking Minority Member (Mr. STENHOLM) of the House Committee on Agriculture; the Chairman (Mr. EWING) and Ranking Minority Member (Mr. CONDIT) of the House Committee on Agriculture's Subcommittee on Risk Management, Research and Specialty Crops; the Chairman (Mr. LUGAR) and Ranking Minority Member (Mr. HARKIN) of the Senate Committee on Agriculture, Nutrition and Forestry; and the Chairman (Mr. MURKOWSKI) and Ranking Minority Member (Mr. BINGAMAN) of the Senate Committee on Energy and Natural Resources.

SECTION-BY-SECTION ANALYSIS—BIOMASS RESEARCH AND DEVELOPMENT (R&D) ACT OF 2000—(TITLE IV OF H.R. 2559, THE AGRICULTURAL RISK REDUCTION ACT)

SECTION 401. SHORT TITLE.

Section 401 cites Title III as the "Biomass Research and Development Act of 2000" (hereafter, "Act").

SECTION 402. FINDINGS.

Section 2 lists 13 findings.

SECTION 403. DEFINITIONS.

Section 403 defines ten terms: (1) "Advisory Committee," (2) "Biobased Industrial Product," (3) "Biomass," (4) "Board," (5) "Initiative," (6) "Institution of Higher Education," (7) "National Laboratory," (8) "Point of Contact," (9) "Processing," and (10) "Research and Development."

The term "biomass" means "any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues, plants (including aquatic plants), grasses, residues, fibers, and animal wastes, municipal wastes, and other waste materials." The conferees gave specific consideration to a proposal to exclude old-growth timber and unsegregated municipal solid waste (garbage) from the definition of bio-

mass, and rejected the proposal as being scientifically unsound.

Also, the term "research and development" means "research, development, and demonstration." Department of Energy (DOE) activities conducted under this Act are subject to the cost-sharing provisions of section 3002 of the Energy Policy Act of 1992 (Public Law 102-486).

SECTION 404. COOPERATION AND COORDINATION IN BIOMASS RESEARCH AND DEVELOPMENT

Section 404 mandates cooperation and coordination between the Secretary of Agriculture and the Secretary of Energy with respect to policies and procedures that promote R&D leading to the production of biobased industrial products. In order to facilitate this cooperation and coordination, a senior official in each of the U.S. Department of Agriculture (USDA) and DOE is to be designated as a "point of contact." The points of contact are to assist in arranging interlaboratory and site-specific supplemental agreements for research, development, and demonstration projects relating to biobased industrial products; serve as co-chairpersons of the Board; administer the Initiative; and respond in writing to each recommendation of the Advisory Committee.

SECTION 405. BIOMASS RESEARCH AND DEVELOPMENT BOARD.

Section 405 requires the Secretaries of Energy and Agriculture to jointly establish the Biomass Research and Development Board to coordinate programs within and among departments and agencies of the Federal Government for the purpose of promoting the use of biobased industrial products. This Board is to supercede the Interagency Council on Biobased Products and Bioenergy established by Executive Order 13134. This section also specifies the Board's: (b) membership, (c) duties, (d) funding, and (e) frequency of meetings.

SECTION 406. BIOMASS RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE.

Section 406 establishes the Biomass Research and Development Technical Advisory Committee, which is to supercede the Advisory Committee on Biobased Products and Bioenergy established by Executive Order 13134. This section also specifies: (b) the Advisory Committee's membership and appointment process; (c) duties; (d) coordination; (e) frequency of meetings; and (f) terms. With respect to terms, section 406(f) specifies that members of the Advisory Committee shall be appointed for a term of 3 years, except that—(1) 1/3 of the members initially appointed shall be appointed for a term of 1 year; and (2) 1/3 of the members initially appointed shall be appointed for a term of 2 years.

SECTION 407. BIOMASS RESEARCH AND DEVELOPMENT INITIATIVE.

Section 407(a) requires the Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Biomass Research and Development Board, to establish and carry out a Biomass Research and Development Initiative under which competitively awarded grants, contracts, and other financial assistance are provided to, or entered into with, eligible entities to carry out research, development, and demonstration on biobased industrial products.

Other provisions of Section 407 address: (b) the purposes of grants, contracts, and other financial assistance under this section; (c) eligible entities; (d) uses of grants, contract, and assistance; (e) technology and information transfer to agricultural users; and (f) authorization of appropriations.

Section 407(c)(2)(D) requires that preference be given to applications for grants,

contract, and assistance under this section that: (i) involve a consortia of experts from multiple institutions; and (ii) encourage the integration of disciplines and application of the best technical resources. However, this "preference" is not meant to negate the requirements of Section 407(c)(2)(D) requiring that "grants, contracts, and assistance under this section be awarded competitively, on the basis of merit, after the establishment of procedures that provide for scientific peer review by an independent panel of scientific and technical peers".

Section 407(f) provides that in addition to funds appropriated for biomass R&D under the general authority of the Secretary of Energy (which may also be used to carry out this Act), there are authorized to be appropriated to the Department of Agriculture to carry out this Act \$49.0 million for each of fiscal years 2000 through 2005.

SECTION 408. ADMINISTRATIVE SUPPORT AND FUNDS.

To the extent administrative support and funds are not provided by other agencies under section 408(b), section 408(a) authorizes the Secretary of Energy and the Secretary of Agriculture to provide such administrative support and funds of DOE and USDA to the Board and the Advisory Committee as are necessary to enable the Board and the Advisory Committee to carry out this Act. Section 408(c) provides that not more than 4 percent of the amount appropriated for each fiscal year under section 407(f) may be used to pay the administrative costs of carrying out this Act.

SECTION 409. REPORTS.

Section 409 specifies the Act's reporting requirements, which include: (a) an initial report and (b) annual reports.

SECTION 410. TERMINATION OF AUTHORITY.

Section 410 terminates the authority under this Act on December 31, 2005.

TRIBUTE TO SAUL ZAENTZ

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of the acclaimed film producer, Saul Zaentz of Passaic, New Jersey, who was feted on Friday, May 19, 2000. It is only fitting that the Second Ward Educational and Charitable Foundation, Inc. in cooperation with the Passaic Board of Education celebrate the dedication of the auditorium at the William B. Cruise Memorial School Number 11 as the Saul Zaentz Auditorium because of his remarkable talents and contributions to the entertainment industry and society as a whole. He is honored for his professional successes and never forgetting his roots.

Saul Zaentz was born on February 28, 1921 in Passaic. He has produced only eight movies since 1975, yet three have won the best picture Oscar. These are *The English Patient* (1996), *Amadeus* (1984), and *One Flew over the Cuckoo's Nest* (1975). In addition, his film *The Unbearable Lightness of Being* (1988) was nominated for multiple Oscars. He has a three-film version of the J.R.R. Tolkien epic *Lord of the Rings* trilogy in production. The first of the three, *The Fellowship of the Ring*, is due out in December of 2000. In 1978, he produced an animated film version of the book.

The 76-year-old's effort, *The English Patient*, won nine Oscars. The making of *The English Patient* is a story in itself. Saul entered a partnership with 20th Century Fox for the film, but the studio insisted on big-name casting. Unwilling to compromise, he found another backer in Miramax. Because of the size of the budget, the producer also persuaded the entire cast and crew to defer half their salaries until the film recouped its costs.

In addition to winning an Oscar for *The English Patient*, Saul garnered the honorary award, the Irving G. Thalberg Memorial Award from the Academy of Motion Picture Arts and Sciences. This only adds to a lifetime of achievement. The special award goes to, "creative producers whose bodies of work reflect a consistently high quality of motion picture production," according to Academy rules.

The audience at the 1997 Academy Awards, the night of his triumph, was filled with actors and other film professionals who have worked with Saul. They all gave him a standing ovation.

In 1937, Darryl F. Zanuck, Jr. won the first Thalberg Award and Saul was the 33rd winner. The previous time the Academy conferred the award, in 1995, it went to Clint Eastwood.

This native of Passaic, who struggled for years to bring *The English Patient* to the screen, was given the Producers Guild's Darryl F. Zanuck Award as producer of the year. He also received its Eastman Kodak Vision Award for his "special cinematic vision" and took home a Golden Laurel marking his movie as the best drama of the year. Although it is only eight years old, the guild's awards have a near perfect record for predicting the best-picture Oscar.

As a producer Saul's filmography includes many notable productions. In addition to his Oscar winning ventures, he has produced *At Play in the Fields of the Lord* (1991), *The Mosquito Coast* (1986) and *Three Warriors* (1977). He served as Executive Producer for *Payday* (1972). In *One Flew Over the Cuckoo's Nest*, he took an uncredited turn as an actor, playing the captain on the shore when the boat returns.

Mr. Speaker, I ask that you join our colleagues, Saul's family and friends, the Second Ward Educational and Charitable Foundation, Inc., the Passaic Board of Education, the City of Passaic, the State of New Jersey and me in recognizing the outstanding and invaluable achievements of Saul Zaentz.

#### HONORING A TRUE AMERICAN HERO, ALFRED RASCON

#### HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. KUYKENDALL. Mr. Speaker, I rise today to honor a true American hero, Medal of Honor recipient Alfred Rascon. Rascon risked his own life suffering serious injury to save the men of his battalion during the Vietnam War.

Alfred Rascon, a soft-spoken Army medic, exhibited the type of heroism that few encounter in a lifetime. On March 16, 1966, Rascon and his unit, a reconnaissance platoon for the 173rd Airborne Brigade's 1st Battalion, 503rd Regiment, was advancing through the jungle in Long Khanh Province to assist another bat-

talion that had come under fire. However, Rascon's unit was ambushed before they reached the besieged battalion. Through heavy gunfire and grenade blasts, Rascon risked his life during the intense battle tending to his fallen comrades.

Twice Rascon jumped on wounded soldiers to shield them from grenades, taking the shrapnel himself. He was also shot while shielding another member of his platoon. Despite these wounds, he was still able to retrieve a machine gun and ammunition that helped keep the enemy at bay, saving his platoon. Rascon served his country with the utmost diligence, and saved the lives of many. The wounds he suffered that day were so serious that he was given last rites.

Alfred Rascon did survive, and despite many years and the red tape of bureaucracy, he was awarded the Medal of Honor this past February. I commend his remarkable display of bravery. His loyalty to his battalion is an inspiration to all.

I congratulate Alfred Rascon on receiving the much-deserved Medal of Honor. His heroic actions that day in March saved the lives of his battalion. He is a great American. He went beyond the call of duty to serve his country. For that, the nation expresses its gratitude.

#### A SPECIAL TRIBUTE TO REINHART "ART" AND MARIE SCHMIDT ON THE OCCASION OF THEIR 70TH WEDDING ANNIVERSARY

#### HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. DAVIS of Virginia. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to Art and Marie Schmidt, two notable members of the Northern Virginia community. On Wednesday, May 17, 2000, the Schmidt's marked their 70th wedding anniversary. The wedding anniversary was celebrated by the congregation at St. Paul's Episcopal Church in Bailey's Crossroads, Virginia.

Mr. Speaker, I join together today with the extended family of St. Paul's Episcopal Church to commend Art and Marie on this joyous occasion and to share the warm wishes of the citizens of Virginia's 11th Congressional District. Anytime our community honors the 70th anniversary of any accomplishment, it is a moment to cherish. When we then celebrate a marriage of 70 years, a marriage of dedication, patience, love, and understanding, we are struck by the power and beauty of this human commitment. Grand occasions such as this magnify the many blessings that have been bestowed upon this wonderful couple.

The Schmidt's have given generously of their personal time and resources to their family and to our community. Throughout their lives together, they have worked hard, appreciating the opportunities that life has offered them. Art and Marie are fifty-five year residents of the Bailey's Crossroads area of Northern Virginia. They have witnessed the transformation of Fairfax County from a sleepy suburb of our Nation's Capital into a cultural and commercial destination in its own right. The loving couple are the proud parents of three children; Robert, Marilyn, and Doug.

After living in Kansas City, St. Louis, and Chicago, the Schmidt's moved to the Wash-

ington D.C. metro area where Art was in charge of the weather bureau at National Airport in Arlington, Virginia. At that time, the weather bureau was part of the U.S. Department of Commerce and the National Oceanic and Atmospheric Administration had not been created. Marie was a telephone operator for Bell Atlantic. Their commitment to public service, our Nation, and their neighbors are the hallmark of their careers.

Mr. Speaker, I know my colleagues join me, their neighbors, family and friends in wishing Art and Marie Schmidt a happy 70th wedding anniversary. I am grateful to be reminded of such a loving couple and to have the opportunity to recognize such a momentous day in their lives. Art and Marie are to be commended for their commitment to one another, and for the wonderful example they set for their many friends and family. I wish them many more happy and healthy days together.

#### TRIBUTE TO CHERYL DOUGHERTY—FULBRIGHT SCHOLAR

#### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. MCINNIS. Mr. Speaker, I would like to take this moment to congratulate Cheryl Dougherty for receiving the U.S. Department of Education's 2000 Fulbright-Hays Scholarship. She is one of 30 American teachers to receive this prestigious award out of an applicant pool of over 10,000. The scholarship will engage Cheryl in a six-week program that will allow her to travel to Poland and Hungary.

Ms. Dougherty is no stranger to international travel and education. Some of her academic travels have taken her to such destinations as Hawaii and Japan. She is a former participant of the Fulbright Memorial Scholarship program where she was given the opportunity to travel and teach in Japan. Cheryl was even given the opportunity to address Japanese students in their native language, a commendable experience.

She believes it is crucial to educate our youth on different cultures and customs. She is constantly encouraging her student base to interact and become aware of these differences. It is not uncommon for her students to exchange letters or videos with students from different countries.

It is encouraging to honor teachers of Cheryl's caliber. With more teachers like her, we can continue to dissolve cultural barriers and promote international prosperity. I am confident she will continue to strive for academic excellence and further the knowledge of our youth.

#### HONORING OPHELIA YOUNG PERRY

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. TOWNS. Mr. Speaker, I rise today to honor Ophelia Young Perry. Though a native of Buckingham County, Virginia, she presently resides with her mother, Thelma Jones and



husband, William Frank Perry Jr. in the Bushwick section of Brooklyn, New York. They have one son, William Frank Perry III.

She is an assistant to Brooklyn Borough President Howard Golden, and serves as a liaison to the Brooklyn Christian community. She has been an active member of the Berean Missionary Baptist Church in Brooklyn for 49 years. Ophelia has a passion for her community and civic affairs. She is currently the president of ChurchWomen United in Brooklyn, an ecumenical movement of Christian women. Under Mrs. Perry's leadership, the membership has increased to include over 700 Christian women. It is the largest unit of CWU in the country.

CWU sponsors many other activities to raise funds for contributions to others in need, such as it's Prison Ministry and holiday sharing program where 2,000 bedside bags are annually prepared and distributed to hospitals, nursing homes and to those who are incarcerated. The group also contributed to world wide church activities. In addition to supporting the Bedford-Stuyvesant Ambulance Service, recently CWU really supported the flood victims in North Carolina.

In response to shrewd spiritual insight, Ophelia conceived the idea for an observance centered on "The Seven Last Words of Christ". For 16 years, the ecumenical worship service has begun at 7:00 am on Good Friday and the attendance continues to grow. These services have been held in various community churches and have continued to draw over 3,000 worshipers. Participants travel throughout the metropolitan area and from many other parts of the United States to attend this annual worship celebration.

Ophelia Perry serves as the chairperson of the Development Committee of the Brooklyn Division of the Council of Churches. She is a lifetime member of the National Council of Negro Women, Brooklyn section. She is also a member of the Society for the Preservation of Weeksville. Ophelia has been honored and recognized for her civic work and achievements. Her many awards include: "Woman of the Year"—The National Conference of Christians and Jews; Salute to Brooklyn Women Leadership Humanitarian Award—The Brooklyn Urban League; The Caribbean American Award—Chamber of Commerce: Outstanding Service Award—The Council of Churches—City of New York; "Woman of Influence"—Brooklyn YWCA; Thomas R. Fortune Community Service Award—Unity Democratic Club; Valiant Women Award—Church Women United; The Sandy F. Ray Award; and The Christian Service award.

I wish to recognize the lifelong efforts of Ophelia Young Perry, and wish her continued success in her future endeavors.

#### RECOGNITION OF WIRELESS SAFETY WEEK, MISS AMY SPARKS, AND GN NETCOM

##### HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. BASS. Mr. Speaker, I am pleased to have this opportunity to recognize Wireless Safety Week 2000, which is held the week leading into Memorial Day Weekend (May 22–

28, 2000). Wireless carriers and hardware manufacturers have sponsored this initiative every year since 1990 to focus attention on the benefits of responsible cell phone use. During Wireless Safety Week 2000, the wireless industry reminds customers and consumers that safety is the most important call they will ever make.

More than 90 million people in the United States today take advantage of the convenience, value and safety of wireless phones. One of these 90 million is Ms. Amy Sparks, of Bethlehem, New Hampshire.

Ms. Sparks used her wireless phone twice in one week to call for emergency assistance. While on her way from school, she witnessed a car accident and immediately called emergency services and offered road-side assistance to those involved. Two days later, Amy again witnessed an accident. Once more she called emergency assistance and stayed with the drivers until help arrived on the scene. That Amy is a Good Samaritan and heroine is evident.

GN Netcom has been an integral part of the Nashua, New Hampshire community since 1995, and employs over 250 highly-skilled employees. This company has grown over the last 13 years to become the world leader in cordless/wireless headset solutions. P. Michael Fairweather, President and CEO of GN Netcom, has long been active in helping to educate consumers on their need to use their wireless phones safely and responsibly. The entire wireless industry deserves credit for its strong effort to educate the American public of the responsibility each of us has when using a wireless phone while driving.

In closing, I wish to commend Amy Sparks for her quick and admirable actions, and all GN Netcom employees for their efforts to save lives, stop crime, summon assistance, and make their communities a better place to live.

#### TRIBUTE TO THE 65TH INFANTRY REGIMENT FROM PUERTO RICO/BORINQUEÑEERS

##### HON. BILL PASCHELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCHELL. Mr. Speaker, I would like to call to your attention to the deeds of the 65th Infantry Regiment from Puerto Rico, which was recognized on Friday, May 26, 2000 because of its many years of service and leadership. The regiment, honored by the Puerto Rican Parade of Paterson 2000/Desfile Puertorriqueno, Inc. 2000, is celebrating a century of service to the nation and the 50th anniversary of its participation in the Korean Conflict.

The 65th Infantry Regiment was organized on March 2, 1899; one year after United States Military Forces occupied Puerto Rico during the Spanish-American War. The group began as a volunteer force charged with defending the island. Even though it was an active Army Regiment, Puerto Ricans that enlisted or were appointed as officers in the 65th could expect to spend their entire military careers in Puerto Rico.

In 1917, one year after Puerto Ricans were granted American citizenship, the 65th was reorganized as the Puerto Rican Regiment of In-

fantry. In 1920 it became the 65th Infantry Regiment.

During World War I, the 65th Infantry protected the Panama Canal Zone against Germany and other opposing nations. After the war, they returned to garrison duty in Puerto Rico.

During World War II, the 65th moved first to Panama in January of 1943, then to France in September 1944. The 65th fought in several European battlefields, including, the decisive skirmish near the River Arno, the Ardennes and other key engagements along the French and Italian borders. The unit also carried out civil actions and security duties such as guarding high-ranking Nazi officials during the Nuremberg trials.

The 65th became a highly decorated unit during the second World War, with members earning the Distinguished Service Cross, two Silver Stars, 90 Purple Hearts, 22 Bronze Stars and 1,367 Combat Infantry Badges. After the war, the group returned to garrison duty in Puerto Rico.

On September 23, 1950, the 65th Infantry Regiment entered the Korean Conflict. This unit, the only segregated Hispanic unit in the Army's history was composed mostly of native Puerto Ricans. In Korea the group participated in nine major campaigns, saw intense action and distinguished itself with gallant combat performances. It became one of the most highly decorated army units in history. These honors include a United States Presidential Unit Citation, a Meritorious Unit Commendation, two Republic of Korea Presidential Unit Citations and the Greek Gold Medal for Bravery.

The men of the 65th Infantry, the "Borinqueneers" as they came to be known, were awarded four distinguished Service Crosses, 155 Silver Stars, 562 Bronze Stars and 1,014 Purple Hearts among other awards. Borinqueneers is a word indigenous to Puerto Rico meaning, "native islander."

The United States Army dissolved the 65th Infantry Regiment in 1956. On February 15, 1959 the 65th Infantry became a regiment in the Puerto Rico Army National Guard.

Today the 65th Infantry continues its proud tradition of service as part of the 92nd Infantry Brigade.

In 1992, the National Guard honored the unit with a Heritage painting. The scene depicts the regiment conducting a bayonet charge against a Chinese division in Korea on February 2, 1951. More than 61,000 Puerto Ricans served in the Korean Conflict. More than 6,000 served in the 65th. In addition, more than 732 Puerto Ricans lost their lives in Korea.

Mr. Speaker, I ask that you join our colleagues, Puerto Rican Parade of Paterson 2000/Desfile Puertorriqueno, Inc. 2000, Puerto Rico, the United States and me in recognizing the outstanding and invaluable contributions of the 65th Infantry Regiment from Puerto Rico. Throughout its 100 years of service, the 65th has always lived up to its motto, "Honor and Fidelity."

S. 1402, VETERANS AND DEPENDENTS MILLENNIUM EDUCATION ACT

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. RODRIGUEZ. Mr. Speaker, as an original co-sponsor of the House version of this measure, I commend the House and the House Veterans' Affairs Committee for bringing this long-awaited increase in education resources for veterans to quick passage. I urge the Senate to accept the House version and send this bill to the President.

In this legislation, we boost Montgomery GI bill funding significantly. The increase is fully offset and will go directly to veterans to help pay for their education. The bill would primarily increase the Montgomery GI Bill (MGIB) benefit from \$536 to \$600 per month on October 1, 2000, and to \$720 per month on October 1, 2002, for full-time students, with proportionate increases for part-time students. I am disappointed that we cannot offer a benefit which is tied to the real escalating costs of higher education, and plans that recognize the actual growing costs of tuition should be given their day.

As a college professor who taught and advised students who were eligible for Montgomery GI bill benefits, I know first hand the tremendous help that this program has conferred upon those who have served their nation.

I am pleased with the additional provisions of S. 1402. As amended, these include:

1. Furnishing individuals still on active duty who either turned down a previous opportunity to convert to the MGIB or had a zero balance in their Vietnam-era Veterans' Education Assistance Program (VEAP) account, the option to pay \$2,700 to convert to MGIB eligibility.

2. Increasing survivors' and dependents' educational assistance benefits for full-time students from \$485 to \$600 per month effective October 1, 2000, and \$720 per month effective October 1, 2002, with proportionate increases for part-time students; also authorizes an annual cost of living adjustment.

4. Permitting the award of Survivors' and Dependents' Educational Assistance payments to be retroactive to the date of the entitling event, that is, service-connected death or award of 100 percent disability rating.

5. Allowing monthly educational assistance benefits to be paid between term, quarter, or semester intervals of up to 8 weeks.

6. Allowing use of MGIB benefits to pay the fee for a veteran's civilian occupational licensing or certification examination.

The added flexibility this bill would provide is crucial as more and more veterans seek higher education after their service. While this does not satisfy all the problems that may be out there or emerge in the future, it goes a long way in boosting the finest educational program for those who have served, the Montgomery GI bill.

I regret missing the vote on this important bill, where I would have voted aye on passage, as I was in the district attending my daughter's high school graduation.

TRIBUTE TO NORBERT L. KANE, AN OUTSTANDING EDUCATOR AND CHICAGO CITIZEN

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. LIPINSKI. Mr. Speaker, I would like to pay tribute today to a dedicated educator who has spent the last 44 years serving the Chicago Public School (CPS) system and the Southwest side of Chicago. This year, Norbert L. Kane, an Assistant Principal at Hubbard High School, will be retiring after 35 years of hard work for local students.

Norbert Kane represents all that Chicago citizens can ask for in an educator. He is a devoted family man, married to Delores Kane and a father of six children. Professionally, Norbert excelled in the program of management for Hubbard High School—Region 5. With his many organizational talents, Norbert earned the respect of his many colleagues and students.

In addition, Norbert has been honored for his many self-less contributions to the 3rd Congressional District and Southwest Chicago. For several years, Mr. Kane administered the Combined Charities Campaign, as well as numerous blood drives. He has also served as American Legion District Commander—1st Division, while being constantly committed to the beautification of Hubbard High School.

Mr. Speaker, Hubbard High School is regrettably going to lose an outstanding Assistant Principal and public servant. It gives me great pleasure to share Mr. Kane's accomplishments with my colleagues today. Again, I thank Norbert L. Kane for his many years of service, and I wish him equal success in his retirement.

**THE RESURRECTION PROJECT  
CELEBRATES ITS 10TH ANNIVERSARY**

**HON. LUIS V. GUTIERREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. GUTIERREZ. Mr. Speaker, it is a great privilege for me to pay tribute to the Resurrection Project (TRP) for its invaluable work creating healthy communities on the occasion of its 10th anniversary.

Founded on May 22, 1990 by a coalition of Pilsen churches, The Resurrection Project is an institution-based neighborhood organization whose mission is to build relationships and challenge people to act on their faith and values to create healthy communities through organizing, education and community development.

The Resurrection Project provides assistance through community organizing, family programs, housing services, real estate development, asset management and workforce and business development.

The Resurrection Project builds institutional power and develops new leadership by organizing through its member institutions and block club network. TRP prepares leaders to actively participate in the issues affecting their

community. TRP's Family and Community Programs respond to the developmental needs of children, adults and families by building upon their values and culture. Each program works to build skills and create opportunities that promote stronger families. TRP programs include Esperanza Familiar (Family Hope), Supportive Housing Programs and the Centro Familiar Guadalupano (Guadalupano Family Center). The Housing Services division educates families on property ownership issues and facilitates investment by residents and financial institutions into the community.

TRP staff provides home owner education, client counseling and oversees the marketing and sales for its New Homes program. The Resurrection Project also develops and renovates community-owned real estate in a sustainable, affordable manner. TRP undertakes the property acquisition, financial packaging and construction management for its rental housing and commercial developments. TRP also oversees the physical, financial and tenant management of all its properties, ensuring the long term sustainability of the organization's real estate projects. TRP is developing the economic capacity of community residents through an innovative approach to workforce and business development. The Resurrection Construction Cooperative provides entrepreneurial assistance to new and emerging construction related businesses. The Resurrection Loan Fund provides working capital loans up to one-hundred thousand dollars to these businesses. The Resurrection Employment program offers comprehensive support to individuals seeking better employment. Staff provides support on an individual basis, assessing skills and guiding participants through the job-seeking process.

Resurrection Project's exceptional work for our community has been recognized with awards such as the LaSalle Bank's Tom Gobby Community Leadership Award, BP Amoco Foundation's BP Amoco Leader Award for job creation, Bank of America's Community Impact Award and Fannie Mae Foundation's Maxwell Award of Excellence for the Production of Low Income Housing.

Some of TRPs accomplishments include building 112 new homes for low and moderate income families, developing a new daycare and after school care center for 208 children, assisting 32 local contractors to begin, develop and expand their own construction businesses, creating a bilingual second stage housing program for homeless single mothers and generating more than twenty-five million dollars in community investment.

I have witnessed the many positive accomplishments of the Resurrection Project throughout my community. The organization's hard work, commitment and dedication is invaluable to the people I serve. I commend the Resurrection Project for ten years of building affordable new homes and rental housing, helping businesses grow, challenging community residents to become leaders and strengthening families through the development of new child care centers.

TRIBUTE TO FERNANDO LUIS GARCIA, EURIPIDES RUBIO, JR., CARLOS JAMES LOZADA AND HECTOR COLON SANTIAGO

### HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday June 6, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call your attention to the deeds of four distinguished servicemen, who were honored on Friday, May 26, 2000 by the Puerto Rican Parade of Paterson 2000/Desfile Puertorriqueno, Inc. 2000 in coordination with Memorial Day. It is only fitting since these soldiers, Fernando Luis Garcia, Euripides Rubio, Jr., Carlos James Lozada and Hector Colon Santiago are among the 3,400 plus brave men that have merited the Medal of Honor. The Medal of Honor is the highest award for valor in action against an enemy force that can be bestowed upon an individual serving in the Armed Services of the United States. The Medal is generally presented to its recipient by the President of the United States of America in the name of Congress, it is often called the Congressional Medal of Honor. The world lost four truly remarkable people when these four brave men perished while in the line of duty.

Fernando Luis Garcia served as a Private First Class in the United States Marine Corps, Company, 3rd Battalion, 5th Marines, 1st Marine Division. He entered the service in San Juan Puerto Rico. He was born on August 14, 1929 in Utuado, Puerto Rico.

The stellar life of Fernando Luis Garcia was cut short when he was killed in Korea on September 5, 1952. An excerpt from his citation notes, "He was intrepid in his service as a member of Company I, in action against enemy aggressor forces. PFC Garcia unhesitatingly chose to sacrifice himself for the life of another Marine. His great personal valor and cool decision in the face of almost certain death, sustain and enhance the finest traditions of the United States Naval Services. He gallantly gave his life for his country."

Euripides Rubio, Jr. attained the rank of Captain in the United States Army in Headquarters and Headquarters Company, 1st Battalion, 28th Infantry, 1st Infantry Division, RVN. He entered the service at Fort Buchanan in Puerto Rico. He was born on March 1, 1938 in Ponce, Puerto Rico.

The military exploits of Euripides Rubio were marked with bravery and valor. He started his tour of duty on July 10, 1966 and lost his life on November 8, 1966 in Tay Ninh Province, Republic of Vietnam. He was 28 years old. His citation shows he was feted for, "Braving withering fire, aiding the wounded, unhesitatingly assuming command and selflessly exposing himself to enemy fire. Captain Rubio's singularly heroic act turned the tide of battle, and his extraordinary leadership and valor were a magnificent inspiration to his men." His name can be found on the Vietnam Veterans Memorial in Washington, DC on the wall panel 12E, row 44.

Carlos James Lozada served his country at the rank of Private First Class in the United States Army, 2nd Battalion, 503rd Infantry, 173rd Airborne Brigade. He entered the service in New York City, New York. He was born on September 6, 1946 in Caguas, Puerto Rico.

The venerable Carlos James Lozada began his tour of duty on June 11, 1967. He was struck down, while missing, at the age of 21. He died on November 20, 1967 in Dak To, Republic of Vietnam. Part of his citation reads, "PFC Lozada apparently realized that if he abandoned his position, there would be nothing to hold back the surging North Vietnamese soldiers and that the entire Company withdrawal would be jeopardized. He made this decision realizing that the enemy was converging on three sides. His heroic deed served as an inspiration to his comrades throughout the ensuing four-day battle." His name is inscribed on the Vietnam Veterans Memorial wall panel 30E, row 45.

Hector Colon Santiago's rank was Specialist Fourth Class. He served in the United States Army, Company B, 5th Battalion, 7th Cavalry Division. He entered the service in New York City, New York. He was born on December 20, 1942 in Salinas, Puerto Rico.

A remarkable individual, Hector Colon Santiago began his tour of duty on October 23, 1967. He died at the age of 25 on June 28, 1968 in Quang Tri Province, Republic of Vietnam. A portion of his citation states, "Specialist Fourth Class Santiago-Colon distinguished himself at the cost of his life while serving as a gunner in the mortar platoon of Company B. He heroically sacrificed himself to save the lives of those who occupied the fox-hole with him, and provided them with the inspiration to continue fighting until they had forced the enemy to retreat from the perimeter." His name is etched in the wall of the Vietnam Veterans Memorial on panel 54W, Row, 13.

Mr. Speaker, I ask that you join our colleagues, the Puerto Rican Parade of Paterson 2000/Desfile Puertorriqueno, Inc. 2000, Puerto Rico, the United States and me in recognizing the outstanding and invaluable achievements and sacrifices of Fernando Luis Garcia, Euripides Rubio, Jr., Carlos James Lozada and Hector Colon Santiago. Each of these men was cited for, "Conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty."

### TRIBUTE TO MARY KORTE—PRESIDENTIAL AWARD FOR EXCELLENCE

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. McINNIS. Mr. Speaker, I would like to take this moment to congratulate Mary Korte for receiving the 1999 Presidential Award for Excellence in Mathematics and Science Teaching. She is one of 200 teachers to receive this prestigious award nationally and one of four to receive this award from Colorado. She will also receive a \$7,500 grant in the name of Grand Junction High School in conjunction with the award. Her dedication and enthusiasm are unsurpassed in the field of math and science.

Mary's real passion lies in educating her students about the environment. A class entitled "River Dynamics" is one included in her curriculum. This class allows students to rigorously investigate rivers using many different academic skills. She encourages students to

be "hands on" and enjoys seeing them actively participate in their environmental communities.

It is encouraging to see teachers of Mary's stature receive awards for excellence in their prescribed academic rigor. Mary has also received the Radio Shack National Teachers Award among her many accomplishments. I am confident she will continue to strive for academic excellence and continue to encourage our future generations to pursue an active role in the health of their environment.

### THE ADMISSION OF ISRAEL TO THE "WEOG" GROUP AT THE UNITED NATIONS IS A CRITICAL STEP FORWARD

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. LANTOS. Mr. Speaker, just a few days ago the leaders of Western Europe took an immensely important step by inviting the State of Israel to join the "Western Europe and Other Group" (WEOG) at the United Nations. Membership in a regional grouping is significant at the United Nations because seats on the UN Security Council and other similar rotating positions are made through regional caucuses.

Israel has been a member of the United Nations since 1949—the year after the State of Israel was officially proclaimed—but during that half century, until it was invited to join the WEOG group last week, it was never a member of a regional group. As a result, Israel is the only country in the UN never to hold one of the rotating Security Council seats.

Mr. Speaker, this welcome decision is one that many of our colleagues in the Congress have fought to achieve through letters, resolutions and similar actions. Several months ago, at my suggestion, the ambassadors in Washington of the countries who are members of the WEOG group were invited to a meeting with members of the Committee on International Relations, where we pressed for the inclusion of Israel in that regional grouping. This important meeting made clear to our friends in Western Europe the importance that we in the Congress have given to this issue, and I think it was essential in helping to overcome the ill-founded resistance to Israel's participation in WEOG.

As I said to that large group of ambassadors attending the meeting, geographical proximity is not a consideration since WEOG includes, Turkey, the United States, Canada, Australia and New Zealand, in addition to the countries of Western Europe. Israel's strong links with Europe and North America as well as its advanced economy make its interests and policies very consistent with those of the other participants in the WEOG. Israel's exclusion from the Asia Group and the Middle East subgroup is a case of blatant discrimination and a deliberate effort to de-legitimize the State of Israel.

Some of the countries who are members of WEOG were particularly supportive of Israel's participation, and I want to thank in particular the United Kingdom, as well as the northern countries of Denmark, Norway, Sweden and Finland for their enlightened efforts on this matter.

Mr. Speaker, I would also like to pay tribute to many of those who have worked to bring Israel into more complete participation in the United Nations.

The United States representative to the UN, Ambassador Richard Holbrooke, has been an important voice for resolving this issue. He appropriately called this decision to admit Israel to WEOG "the rectification of a long-standing and wholly inexcusable exclusion of one country—and one country only—from any of the regional groups of the United Nations."

UN Secretary General Kofi Annan also has personally been involved in the effort to resolve this important issue. When Israel was invited to join the WEOG the Secretary General said "this step rectifies a long-standing anomaly" which "should pave the way for Israel to participate on an equal footing with other nations in the main organs of the United Nations, and it upholds the principle, enshrined in the Charter, of equality among all member states."

Mr. Speaker, this temporary membership for Israel in WEOG is not the final step for Israel's full participation in the United Nations, and I am disappointed that the United Nations is still treating Israel differently than other nations. Although Israel will be a member of WEOG, it has been asked to forgo the opportunity to take its turn holding the most influential seats, such as the Security Council, for the foreseeable future. Also, the invitation does not include the right to participate in European caucuses at United Nations regional offices in Geneva, Vienna, and Nairobi. The failure to include Israel in Geneva caucuses is significant because the UN Human Rights Commission is headquartered in Geneva, and this organization has frequently taken a hostile attitude toward Israel.

Mr. Speaker, I welcome the decision of the WEOG to invite Israel to participate, but I emphasize that this is only a first step. Unfortunately, this first step does not fully rectify the half-century of discrimination at the United Nations to which the State of Israel has been subjected. I look forward to Israel's full participation, and I invite my colleagues to join me as we continue our efforts in this regard.

#### AUTHORIZING EXTENSION OF NON-DISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO PEOPLE'S REPUBLIC OF CHINA

SPEECH OF

**HON. TIM ROEMER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday May 24, 2000*

Mr. ROEMER. Mr. Speaker, today we are considering an incredibly important piece of legislation, legislation that will affect the way our Nation and our world move into the next millennium. However, I would like to outline three simple points that should show why supporting Permanent Normal Trade Relations for China is the right thing to do, both for the benefit of the United States and the people of China. Those three points are the economic benefits to American workers and business, the human rights benefits for the people of China, and the necessity to move forward into a more productive and challenging relationship with the government of China.

First, and most important to our communities and constituents, is the way in which PNTR for China will help Americans economically.

Many people become understandably confused over the complexities of trade policy. However, the necessity of PNTR can be easily explained. China will soon be joining the WTO, and that is not a matter to be decided in Congress. However, as part of the terms of their accession to the WTO, China has been required to negotiate a bilateral trade agreement with the United States. We won those negotiations.

The agreement that was reached requires China to throw open their doors to American business and agriculture. They will reduce tariffs on American-made products from automobiles and aircraft landing systems, to soybeans and pork products. They will dramatically reduce existing quotas on American made products. They will increase the access to their domestic economy by opening up distribution and marketing channels. All of these changes mean that American businesses will be able to sell more of their products to more Chinese people. At the same time, the United States gives up nothing to the Chinese—not one single thing. There is absolutely nothing in this agreement that would encourage an American company to move to China. In fact the agreement actually gives American companies more incentive to stay in the United States. More exports to China means more jobs for Americans at better wages. Passing PNTR will change the status quo, and allow us to export American products, not American jobs.

However, if this body fails to pass this measure today, the United States will not be able to take advantage of that deal. The current status quo will remain, and American companies will find it increasingly difficult to sell their wares to a booming Chinese market. In fact, due to the fact that the European Union, and other countries in Asia and around the world have similar agreements with China, American companies will actually be worse off than they are now! The other WTO members will be able to market their products to China more efficiently than we can, effectively shutting the United States out of the China market.

The choice is simple: Economic stagnation and regression, or commercial growth and prosperity. We need to respond to the new global economy, driven by a technological revolution, with a new fair trade policy.

The choice is just as clear on the issue of human rights.

It may be easy for people in Washington, D.C. to speculate what policies might be best for the Chinese people. However, when it comes to improving the human rights and political freedoms of people in China, I tend to place more weight on what the people in China, fighting those fights every day, think is best for themselves.

The following human rights advocates strongly endorse this new policy:

Martin Lee—chairman of the Democratic Party of Hong Kong which struggles daily to maintain the freedoms that are unique to that region;

Xie Wanjun—chief director of the China Democracy Party, most of whose members are now in detention in China;

Nie Minzhi—a member of the China Democracy party who is under house arrest as we stand in this chamber today;

Zhou Yang—a veteran of the 1979 Democracy Wall movement;

Bao Tong—a persecuted dissident and human rights activist;

Dai Quing—an environmentalist and writer who served time in prison after Tiananmen Square;

Zhou Litai—a pioneering Chinese labor lawyer who represents injured workers in legal battles against Chinese companies;

Even the Dalai Lama himself, probably the most famous Chinese dissident in the world, supports WTO accession.

All of these people have been fighting for democracy and freedom in China on the ground, day-to-day. They all say the same thing: Support PNTR for China. They say this because they have seen how the annual renewal of NTR for China has become a bargaining chip for an oppressive government. They have seen firsthand how engagement with the United States has made China a more open society. They don't want to become isolated from the world. They want to join us in freedom and democracy.

Working to ensure human rights in China is the right thing to do. However voting against PNTR is not the way to do it. We need to listen to the brave people fighting the good fight on the ground in China, and we need to pass PNTR. Very prominent Americans, such as Gen. Colin Powell, Rev. Billy Graham, and President Jimmy Carter agree with this approach.

Finally, I want to stress the need for a change in our relationship with China. While we have come to see some improvement in China since the late 1970's, the Chinese government has still remained insular, resistant to change, and unwilling to allow sweeping reforms. The relationship between our two countries has warmed, but it has not completely thawed.

Voting against PNTR is telling China and the rest of the world that you like things the way they are today; that you prefer the status quo. As an elected representative to Congress however, I cannot in good conscience say that keeping the status quo with China is best way for our country to proceed in this new millennium.

Isolation and recriminations in the face of repression get us nowhere. One only has to look next door to China to North Korea. We cut that country off from the world fifty years ago, and look what happened to them. North Korea is easily one of the most unstable, irrational, and hostile nations on this planet. Human rights and political freedoms are nonexistent, and on top of it all, their people are slowly starving to death in a massive famine. Is that what we want China to become? Do we want to shut China off from the world? Will we refuse to challenge and engage the Chinese government?

I say that pursuing a policy of thoughtless isolationism is not only economical suicide for the American worker, it is also callously dismissive of those brave souls in China who are trying to create change and fight for human rights.

We must vote for PNTR today. We must actively work to make our world a better place for our children. We must reach out to the Chinese and attempt to lead them down the right path to embrace our values of democracy, open markets, and human rights. We must help them become a modern nation. The

United States will probably be the main beneficiary of this evolution in China, but it will help the Chinese people some day join our fellowship of democratic nations with a respect for universal human rights.

# CONDEMNING THE ACTIONS OF IRAN REGARDING 13 JEWISH CITIZENS

**HON. MICHAEL P. FORBES**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. FORBES. Mr. Speaker, I rise to express my outrage about the ongoing activities in the City of Shiraz, Iran. Thirteen Jewish citizens of Iran were arrested on Passover eve in 1999 for allegedly spying for Israel and the United States, despite adamant denials from both countries regarding these trumped-up allegations. These individuals, including rabbis, religious teachers, and community activists, have committed no crime other than openly practicing the Jewish religion. In Iran, members of the Jewish faith are prohibited from holding any positions that would grant them access to state secrets or sensitive materials; thus, there is no possibility that Israel or the United States would employ 13 Jewish individuals to be spies—particularly those living hundreds of miles from the capital city of Tehran. According to the Los Angeles-based Council of Iranian American Jewish Organizations, Iranian officials have even admitted that the charges of espionage were false. "They have never claimed there 13 people were spies. . . . They were very forthright and up front about the fact that this is part of a game, and to show that Iran will not be bullied and that they have ultimate control over their citizens."

The Iranian government's false accusations of spying and arrests of innocent individuals on these sham charges are wholly unacceptable. If these ludicrous charges are allowed to stand, these innocent individuals may be found guilty and executed. The government of Iran must know that the world community is watching and will not stand by idly and accept this treatment of our contemporaries!

Since the arrests over one year ago, the Iranian government has treated these Jewish citizens in a deplorable manner and denied them any due process. Primarily, the government detained these innocent individuals for over one year without being charged. During that time, they were barely allowed any visitors. Moreover, no attorney was allowed to visit or meet with the 13 Jewish citizens. Finally, the three youngest citizens were released on bail, but the other ten Jewish citizens are still being wrongly detained. Inherently unfair, the "judge" is also the investigator, chief interrogator behind bars, prosecutor, and jury in this sham trial. These trials are devoid of public attendance; there is virtually no information or evidence provided, only hollow conclusionary and coerced confessions without any details.

Recent actions have brought further concerns. Just before the "trial" began in early May, a leading Iranian cleric delivered a sermon over state radio declaring, "These people are spies . . . they are Jews and are . . . by nature enemies of Muslims." Most disconcerting, since the beginning of May, these Jewish citizens are beginning to "confess" to

crimes that they did not commit. Now the Iranian government is showing these alleged confessions on television. This vicious propaganda is impacting Jews negatively throughout Iran. Jews throughout the country—even Jewish children—are experiencing harassment on the street, at work, and in school. There are reports of anti-Jewish graffiti and fears of an economic boycott of Jewish-owned shops. This anti-Semitism and persecution of Jews must stop, and it must stop immediately.

The oldest Jewish Diaspora community and the biggest in the Middle East after Israel, Jews lived in peace in Iran for more than 2700 years. In 1979, there were 80,000 Jews living comfortably in Iran. Since the Islamic Revolution of 1979, however, the Iranian government has consistently articulated anti-Israel and anti-Semitic propaganda. In the last twenty years, seventeen Jews have been executed on charges of spying, and Jewish property has been confiscated. Many of these executions occurred without any trials of the accused. Now, there are only 25,000–30,000 Jewish citizens, and the entire Jewish community is threatened by further state sponsored religious persecution.

In May, we in Congress took steps to emphasize how seriously this sham trial will affect Iran's status in the world community. We wrote to the World Bank and contacted nations on the bank's loan approval board to urge postponement of pending loans for development projects for Iran. Unfortunately, loans to Iran were approved for hundreds of millions of dollars. Our government—President Clinton and Secretary of State Madeleine Albright, rightfully indicated that the World Bank should not have made these loans to Iran at the very time that its government was conducting these sham trials. Nonetheless, Members of Congress or other world leaders will not overlook the outcome of this "trial."

In addition, I am a proud co-sponsor of H. Con. Res. 307, a critical resolution introduced by my New York colleague, Mr. BENJAMIN GILMAN. This important measure expresses the sense of Congress that the Clinton Administration should condemn the arrest and prosecution of these 13 Jewish individuals, demand that the fabricated charges be dropped and the individuals released immediately, and ensure that Iran's treatment of this case is a benchmark for determining the nature of current and future relations between the United States and Iran. We must work quickly and diligently to pass this important resolution.

I stand here to urge the government of Iran to release all 13 wrongly imprisoned citizens and drop all charges against these innocent individuals immediately. I also urge our government to continue to apply pressure to the government of Iran until this anti-Semitic behavior is terminated. We must be vigilant and work tirelessly until the government of Iran has restored freedom and respect to all its people.

# TRIBUTE TO ROBERT FOSTER, CLIFTON OPTIMIST YEAR 2000 FRIEND OF YOUTH AWARD

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a remark-

able person from my district, Robert Foster of Clifton, New Jersey, who was recognized on Friday, May 12, 2000 at the Optimist Dinner because of his many years of service and leadership. The Clifton Optimist Year 2000 Friend of Youth Award was conferred upon him at a dinner held at the Clifton Boys and Girls Club. It is only fitting that he is honored, for he has a long history of caring, generosity and commitment to others.

Robert was recognized for his many years of leadership in Clifton, which I have been honored to represent in Congress since 1997, and so it is only fitting that these words are immortalized in the annals of this greatest of all freely elected bodies.

Each year the Clifton Optimist Club recognizes a special person for his work with youth. This year the award is bestowed upon Robert, Director of the Boys and Girls Club of Clifton. He is an excellent choice for this honor because he embodies the theme "Friend of Youth" with his dedicated service and affiliations involving the children of the City of Clifton.

Robert is a graduate of Springfield College in Springfield, Massachusetts. He received his Bachelor of Science degree in Recreation and Leisure Services from the school in 1980.

From the time of his graduation, twenty years ago, until the present day, Robert has worked at the Boys and Girls Club of Clifton, Inc. improving the lives of young people. He began his career as the Teens/Social Recreation Director of the club. In January of 1986 he became the program director for the organization. This change brought him a greater range of responsibility. The time spent working as the Teen/Social Recreation Director instilled in Robert the attributes necessary for him to become a stellar force in the community. It was the small steps in the beginning of his career that taught him the fundamentals that would make him a role model to the youths that he now serves.

Known for a questioning mind and an ability to get things done, Robert was promoted to his current position of Director of Operations in September of 1991. He is responsible for the daily operations of the Boys and Girls Club of Clifton. The club currently serves 2,200 youths from the ages of two and a half to seventeen.

Robert continually touches the lives of the people around him. This is exemplified by his club affiliations. He is a member of the Clifton Optimist Club and is a Clifton Stallions Soccer Club Trustee. In addition, he is a member of the Clifton Board of Recreation.

Mr. Speaker, I ask that you join our colleagues, Robert's family and friends, the Boys and Girls Club of Clifton, the City of Clifton and me in recognizing the outstanding and invaluable service to the community of Robert Foster.

# TRIBUTE TO GEORGE STRAFACE— FORMER DISTRICT 51 SUPER- INTENDENT

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. MCINNIS. Mr. Speaker, I would like to take this moment to thank George Straface for the time he spent as Superintendent of District

51 in western Colorado. George Straface truly had a passion for education and it was evident in the effort he put forth. George dedicated nearly 20 years of his life to District 51, six of them acting as Superintendent. His presence will surely be missed.

George brought to the District an ability to balance all of the difficult tasks that are required of a superintendent. He did his job to the best of his ability and influenced all of the educators around him. His abilities to listen to and motivate people distinguished him in his leadership role. Not only was George able to accommodate the many needs of parents, teachers, and students, but also George's strong vision helped make the District a reputable model for others around the state.

Mr. Straface will continue his pursuit of furthering education as he has agreed to take the position of Head of Schools in Westminster, Colorado. I am sure that he will continue to put education as the first priority on his agenda and continue to encourage educators to assist students in furthering their learning endeavors. I wish him the best of luck and thank him for his dedicated effort.

REMARKS OF RABBI IRVING GREENBERG AT THE DAYS OF REMEMBRANCE COMMEMORATION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2000

Mr. LANTOS. Mr. Speaker, on Thursday, May 4, Members of Congress joined with representatives of the diplomatic corps, executive and judicial branch officials and hundreds of Holocaust survivors and their families to commemorate the Days of Remembrance in the Great Rotunda of the United States Capitol. The theme of this year's commemoration was "The Holocaust and the New Century: The Imperative to Remember."

Even after more than half a century, Mr. Speaker, it is imperative that we continue to commemorate the horrors of the Holocaust in order to honor the memory of those victims of Hitler's twisted tyranny. We must also mark this catastrophe because mankind still has not learned the lessons of this horror, as evidenced most recently by the mass killings in Kosovo.

Mr. Speaker, Rabbi Irving Greenberg, the newly designated Chairman of the United States Holocaust Memorial Council, delivered a moving address at this year's Day of Remembrance ceremony. Rabbi Greenberg was appointed Chair of the Holocaust Council on February 15 of this year. He previously served as a member of the U.S. Holocaust Memorial Council's founding board from 1980 to 1988 and again as a member of the board since 1997. He is a pioneer of Holocaust remembrance and education in the United States and in the Jewish-Christian dialogue that has sought to revise theology in light of the Holocaust. He received his Ph.D. from Harvard University, he is the President of the Jewish Life Network in New York, and from 1974 to 1997 he served as the founding President of the National Jewish Center for Learning and Leadership. He also was executive director of President Jimmy Carter's Commission on the

Holocaust. He and his wife, Blu Grenauer Greenberg, have five children.

Mr. Speaker, I ask that Rabbi Greenberg's excellent remarks at the Days of Remembrance ceremony in the Capitol be placed in the RECORD, and I urge my colleagues to give them thoughtful consideration.

RABBI IRVING GREENBERG'S REMARKS: DAYS OF REMEMBRANCE—MAY 4, 2000

"Behold I place before you today [for your choice] life and good, death and evil" (Deuteronomy 30:15)

And again: "I call heaven and earth to witness to you: [the choice of] life and death I have placed before you, the blessing and the curse; choose life so that you and your children may live." (Deuteronomy 30:19)

These biblical words are more than sacred scripture. They are the wisdom of living.

Every moment of living is a moment of choice. From the time we are born, we start to die. Unless we choose to live, unless we choose to love, to create children, to build society, then death will win out finally. No action is neutral. The next food we choose to eat is a choice of health and life or it is harmful and a choice of death. The next word we speak is a word of love, of healing, of encouragement and hope, or it is a word of stereotyping and degradation, of dismissal and death of the soul. The next act we do builds society and repairs the world; or, it is an act of vandalism, of environmental degradation, of breaking down the world and death.

As it is with individuals so it is with societies and nations. There are forces that can be deployed for human dignity and freedom and life or these same forces can be deployed to degrade and enslave, that is in the service of death.

Sixty to seventy years ago, in a tragic process we now call the Holocaust, nations and individuals made a series of decisions that in sum added up to the choice of death for millions and millions.

Panicked by economic depression and fear of social instability, millions of German voters chose to undermine democracy. They voted for a politician promising to restore them by removing the conflicts and risky choices of modern society, by concentrating power and by excluding foreigners and strangers and Jews. Thereby they unleashed a force of death. Fearful of making hard choices and of confronting an extremist, political leaders chose to make a pact with the devil and brought Adolf Hitler to power. Then legislators elected to go along with concentrating that power. Then the Nazis chose to suppress democracy, to crush the unions and the socialists and to exclude and isolate the Jews. Then jurists opted to go along with perverted justice and bureaucrats decided to classify and discriminate. These were all choices that brought death to power. These were the choices of death.

Two thousand years earlier, a great world religion had chosen to pursue its own encounter with God and salvation and its message of love. But those great people chose to express their spiritual liberation in the form of a religious monopoly and asserted that Christianity had superceded the mother religion, Judaism. This claim was followed by stereotyping and devaluation of the carriers of the ancestral religion, the Jews. Thereby Christians set the Jews up in isolation, as targets of hatred and stereotyping. In the 20th century, in the hands of new pagans, new secular racists, even anti-Christians, these attitudes were turned into lethal decisions to rain death and destruction on the Jews.

In the Holocaust, whole societies chose death. Generals in the German Army chose

to set up killing squads. Businesses competed to build gas chambers and crematoria and supply poison gas. Corporations elected to use slave labor and work people to death.

Democracies chose to close their doors to refugees and to remain indifferent and inactive in the face of the anguished cries for help of the victims. Hundreds of thousands of professionals and workers exercised their career choices to seek out and deliver Jews to their cruel fate. Millions of neighbors chose to remain silent or to look the other way or even to actively cooperate with despoliation and death.

Unchecked by counter choices, the forces of death and degradation always spread their focus. The Nazis set up a machinery of oppression so millions of Poles were enslaved and persecuted and whole cadres were seized and killed. Roma/Gypsies were rounded up and tens of thousands were killed. Millions of Russian POW's were starved and brutalized and executed.

Worldwide, Jewish leadership failed to grasp the enormity of the catastrophe and to risk all their standing to goad or dragoon the world into acting to save lives.

These were all choices of death. In a cascade of such choices, humanity abandoned millions of humans. Death reigned supreme and the forces of hatred killed and degraded millions.

After the war, banks chose to deny the survivors the return of their own bank accounts, and insurance companies rejected paying for life insurance policies they had issued. Others opted to reject responsibility for this catastrophe or for healing its survivors. Others choose to this day to deny that this tragedy even happened.

Thus in the 20th century, a realm of death was created. A decision to kill a whole people—every last person—was made by a government and six million Jews died in the Shoah. When humanity looked into the abyss and realized that it now had the power of technology and human nature had the capacity for evil to the point of unlimited murder and the death of life itself.

It would appear that the world failed to stop the triumph of death. But death and evil did not have the final word.

Then the survivors arose. They chose not to revenge, not to hate, not to give up in despair and go silently to the grave. They chose life. They chose to love, to marry, to have children, to make new lives in new places. The Jewish people arose and rebuilt its life; it created the State of Israel where 250,000 survivors and millions of refugees created themselves anew. Jewry took power to protect itself. Throughout the world, millions, then hundreds of millions learned the lesson: NEVER AGAIN should people of any religion, of any race or color, be vulnerable and dependent for their dignity on the arbitrary power of others. National liberation and the demand for self-determination spread worldwide. Then outsiders, and second-class citizens, and second-class genders and sexual orientations learned the lessons of the Holocaust and determined to be free and equal by right. They chose to work for a world where human dignity would be universal and human life supported by political/cultural/legal structures by right. And traditional groups shifted from passive acceptance to activity to insure that their values be heard and their dignity upheld.

For decades now, more and more people have awakened to the need to learn the lessons of this catastrophe. Out of love of life, they determined to preserve the memory of the victims, of their lives, of their dignity and courage in their struggle for existence, of their worlds that were destroyed. Thus they chose to reaffirm the value of life. More and more religions chose to confront the



tragic flaws which facilitated this catastrophe and moved to purify themselves. More and more Christians worldwide have studied the lessons, confessed the sins and determined to correct the teachings. Thereby Christianity chose life and love again and reasserted its own vitality as a gospel of love bringing healing to the world.

This process led the United States Government to establish a United States Holocaust Memorial Museum on the national mall, and to establish Days of Remembrance in the very week of Yom Hashoah when the survivors and the victims' families devote their days to remembering. Millions of Americans—the vast majority not Jewish, not Poles or Gypsies or gays or any of the Nazis' victims whose story is told in the Museum—come there to confront the painful truth. Through this encounter, they learn how democracies fail, when governments turn indifferent, and by what process bureaucracy, technology, and obedience were turned into servants of death. Inwardly they pledge to work that this democracy shall not fail; that never again will this people stand by indifferently as millions of others are degraded or destroyed.

Each of these steps represents the choice of life.

Everywhere, people are coming to understand that the evil we have witnessed, this model of death and degradation cannot be ignored or even bypassed. Rather there must be an active response—nothing less than a mighty outburst of freedom, a choice to universalize human dignity for life. Worldwide, there is a frenzy of attempts to restore the human image of God that was defaced and destroyed. There are urgent efforts to clear up stereotypes in religion or culture that degrade others or may lead to indifference to their fate. There is a powerful thrust to develop pluralism in culture, in religion, in political process, in economic power—to prevent any concentration of power that could lead to a future choice of destruction or suppression of others.

Everywhere worldwide, these forces turn to the study of the Holocaust. Millions seek out encounter with its story and people because the encounter evokes the forces of love, compassion, human responsibility, the forces of life. Wherever people seek life, they draw strength from the bedrock of memory. Everywhere, humanity is driven by the goad to conscience which is intrinsic in Holocaust education.

Of course the forces of death are not quiescent. Out of fear of a changing world and the transformation of culture, intolerance reasserts itself. Forms of fundamentalism which deny others their freedom of religion appear. Anti-Semitism and denial of the rights of foreigners and other outsiders surge again. Forces of neo-Nazism and terrorism strengthen. Not surprisingly, such forces often deny the reality of the Holocaust or belittle its dimensions.

We are asked. Will there be an imperative to remember the Holocaust in the 21st century? The answer is: As long as humanity chooses life, then more and more people will remember and learn the lessons of the Holocaust. Then governments will more likely intervene to stop genocide, more likely create open, pluralist multi cultural societies, more likely deny dictators the claim that no one dare interfere in their internal affairs.

The true question is not whether humanity will honor the imperative to remember the Holocaust. The true question and challenge is: will humans rise to greatness in the choice of life.

Can our conscience seared by the fires of Auschwitz, become an irresistible political force so nations will not tolerate, nay, will intervene to stop genocide? Can the model of

the survivors and the righteous gentiles, inspire us to a new human solidarity that will enable all peoples to live in freedom and peace?

The memory of the victims and the voices of the survivors, the actions of the righteous and the rescuers call out to us: Choose life that you and your children may live.

## POPE JOHN PAUL II CONGRESSIONAL GOLD MEDAL ACT

SPEECH OF

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 23, 2000*

Mr. RODRIGUEZ. Mr. Speaker, I rise in support of H.R. 3544 which would award the Congressional Gold Medal to Pope John Paul II. As he celebrates his 80th birthday this Thursday, May 25, the spiritual leader of more than one billion Catholics around the world and millions of Catholics in the United States deserves our nation's highest Congressional honor.

In the recent past, we have honored Mother Teresa and South African President Nelson Mandela. The Pope clearly serves in such company as a global figure who continues to make an impact on spiritual and moral leadership and the struggle for equal rights and protection for all people.

There is no doubt that historians of the future will single out Pope John Paul II as one of the most influential leaders of his time. He used all the modern tools in transportation and communications to personally deliver his message of love and compassion to the far reaches of the globe. He not only made dialogue, but also influenced world movements such as the fall of Communism and the beginning of the third millennium of Christianity on earth.

We are fortunate to have lived in such changing times and to have had such leaders as the Pontiff who recognized the ever-changing facets of life around him and took steps to utilize necessary tools to effect change for the better. As he travels the world, he leads by example as a symbol of tolerance, peace and fairness not only for Catholics, but for people of different faiths, ethnicity and economic status. I commend the House for bringing this legislation to the floor and urge the enactment of this bill as expeditiously as possible.

## COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

SPEECH OF

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 24, 2000*

Ms. DeLAURO. Mr. Speaker, I am proud to vote to commend Israel for its courageous decision to withdraw from southern Lebanon.

Israel stands as a reminder of the courage and strength of the human spirit—and what it can accomplish. Against all odds and enemies, the people of Israel have united to build a strong nation. It has not been an easy

journey, but it has been a triumphant one. Now, more than ever, as Israel strives to build a stable and peaceful region, it is vital that we unite behind its efforts.

This critical step must be followed by equal efforts by Israel's neighbors. It is vital that all foreign forces withdraw from Lebanese territory, that all acts of terrorism against the people of Israel cease, and that southern Lebanon be given a real chance of rebuilding and re-integrating. Southern Lebanon must never become the home base for attacks against Israel again.

Congratulations again to Israel for taking this brave step and for continuing to stand as an example of courage, vigilance, and dedication to peace.

## TRIBUTE TO THE HONORABLE AMOS C. SAUNDERS

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a man whom I and countless others consider to epitomize justice and fairness, the Honorable Amos C. Saunders of Totowa, New Jersey. Judge Saunders was recognized on Monday, May 15, 2000 at the Brownstone House in Paterson, New Jersey, because of his many years of service and leadership in the courtrooms of Passaic County, New Jersey. He marked the end of his stellar career when he retired on March 1, 2000. It is only fitting that Judge Saunders be honored in the annals of this great body for his unwavering efforts in the name of the law.

For the past 23 years Judge Amos Saunders has become one of the most well respected Superior Court Judges in the State of New Jersey. Judge Saunders has presided over criminal, civil and family courts and was the judge in Passaic County with the most judicial experience. Judge Saunders last sat in the Chancery Division, in which he served for the last 10 years. In doing his job, Judge Saunders' motto was, "Use your common sense, be practical, read all the papers and listen." It is by these words that he served as judge, but anyone who knows Judge Saunders knows that these words simply understate his jurisprudential excellence. As a leader in the judicial community, Judge Saunders' rulings have often served as both a precedent and a resource for other judges.

As a judge in the Chancery Division, Judge Saunders had the opportunity to handle probate, estate cases and injunctions. Over the years, however, Judge Saunders perhaps became best known as a nationally respected expert on the legal aspects of the sport of boxing. He handled many high profile boxing cases in his court including those of the prominent boxing promoters Lou and the late Dan Duva and Don King. In 1997, the International Boxing Digest magazine listed Judge Saunders as number 16 in the list of boxing's 50 most influential people.

Born in Paterson on March 9, 1934 and raised in Paterson and Fair Lawn, New Jersey, Judge Saunders has spent his years in dedicated service to the community. Judge Saunders received his Bachelor of Arts degree

from Hampden-Sydney College in Virginia. Upon graduation he enrolled in Columbia Law school in New York where he received his law degree in 1958. During the first 18 years of his career, Judge Saunders worked as a private civil attorney from 1959 until 1977.

In 1977, Judge Saunders was appointed to the Superior Court of New Jersey, Passaic County by then Governor Brendan T. Byrne, and took the bench on December 7, 1978. In addition to his work in the courtroom, Judge Saunders has served as a lecturer for the National Judicial College. He is also the founding president of the Justice Robert L. Clifford American Inn of Court. In addition, Judge Saunders served as Administrative Judge to the Bi-State Waterfront Commission of New York Harbor.

In his retirement Judge Saunders has expressed interest in focusing on a new career, his family, his golf game, fishing and travel. In March of 2000 he began work at Carlet, Garrison and Klein, LLP in Clifton, New Jersey as Counsel to the Firm in Mediation and Arbitration. He currently resides in Totowa with his wife Janet, his high school sweetheart. The couple, who married in 1955, has three children and three grandchildren.

As a Congressman and former mayor of Paterson, New Jersey, Mr. Speaker, I can say that Judge Amos Saunders has one of the finest judicial minds in the State of New Jersey. Furthermore, one of my sons, David, had the honor of serving as Judge Saunders' judicial clerk in 1995 and 1996. I know that Judge Saunders has had a profound effect on his life.

Mr. Speaker, I ask that you join our colleagues, Judge Saunders' family and friends, the County of Passaic, the State of New Jersey and me in recognizing the extraordinary dedication, commitment and enthusiasm of Judge Amos C. Saunders in his service to the judiciary and to the people.

HENRY CLARKE, DISTINGUISHED  
UNION ORGANIZER AND LEADER

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. GEORGE MILLER of California. Mr. Speaker, after more than 38 years of distinguished service to the independent union movement and to public employees, Henry L. Clarke will be retiring from Public Employees Union, Local One, and I rise to honor Henry and to celebrate his lifetime commitment to unionism.

In the early years of Henry's career, he was hired by the American Federation of Teachers to help organize the teachers in New York City. Henry was a part of a small team of progressive labor activists who organized the entire teacher work force, the largest single group of teachers in the United States at that time. He continued to work for the AFT until 1962 when he was hired by the Board of Directors of the Contra Costa County Employees Association as the General Manager. Under Henry's skillful organizing efforts, membership in the Association grew from 634 members to 2,100 members in 4 years, and the local agencies represented expanded to include school classified employees, city and special

district employees in addition to the employees of Contra Costa County.

In 1969, the Contra Costa County Employees Association voted to disaffiliate from the AFL-CIO and under Henry's leadership formed Public Employees Union, Local One. The membership has grown over the years from fewer than 1,000 members to over 12,000 members. The success of this growth is based upon the basic principles instituted in the formation of the union—the members have a voice in how their union is run; the union organization is founded upon democratic principles; the members have open access to the General Manager and the staff, and members freely participate through broad representation on the union Board of Directors.

Mr. Speaker, Henry Clarke has been an inspiration and mentor to other "independent" labor organizations throughout the State of California, and he was instrumental in developing and insuring support for a statewide legislative council. Henry has earned a reputation for being a formidable political force and also a respected and beloved advocate on behalf of his members.

Henry Clarke has built Local One on a foundation of honesty and integrity and forged professional relationships and friendships with elected officials, administrators and members. His powerful representation of his members has always reflected his compassion for working men and women as well as his insight into the needs of the community and the public served by Local One members.

Mr. Speaker, I respectfully request that my esteemed colleagues join me in saluting Henry L. Clarke, an example of honesty, integrity, and outspoken, effective advocacy on behalf of the working men and women he has so ably represented for nearly 40 years.

TRIBUTE TO THE MAKE-A-WISH  
FOUNDATION ON ITS 20TH ANNI-  
VERSARY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. CARDIN. Mr. Speaker, today I pay special tribute to the Make-A-Wish Foundation, which is celebrating the 20th anniversary of its founding. A non-profit organization that has 82 chapters nationwide, the Foundation is the oldest, largest and most-respected wish-granting organization in the world. Since its founding, it has fulfilled the wishes of 60,000 children between the ages of 2 and 18 who suffer from life-threatening illnesses.

The Mid-Atlantic chapter was established in 1983 by concerned Maryland citizens who had heard about how the Foundation began with the granting of a wish of a 7-year-old boy with leukemia in Arizona. Since then, the Mid-Atlantic chapter has fulfilled the wishes of more than 3,000 children from Maryland, Delaware, Northern Virginia and Washington, D.C. Now one of the four largest chapters based on the number of wishes granted, the Mid-Atlantic chapter has grown from granting only three wishes its first year, to more than 300 in the fiscal year 1998.

Deeply committed to granting the wishes of each approved child, the Foundation depends on not only the service of more than 13,000

volunteers, but also the support of individual and group donations, corporate and small business contributions, foundation grants, community events, and Wish Friends Inc., a non-profit organization that produces events and other developmental programs to benefit the Foundation.

I hope that my colleagues will join me in saluting the Make-A-Wish Foundation for its efforts and success on the behalf of children over the past 20 years, and congratulating Ralph A. Nappi, Jr., President of the Mid-Atlantic chapter of the Foundation, and the entire chapter for their tireless work in ensuring the fulfillment of each child's wish.

SALUTE TO COMMANDER AL  
BERNARD

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. CALLAHAN. Mr. Speaker, I would like to ask my colleagues to join me in honoring a man of outstanding accomplishment, Commander Al Bernard.

Commander Bernard is retiring from the United States Coast Guard this week, and I would like to call attention to his extraordinary and meritorious service to his country.

Mr. Speaker, as you know, the Coast Guard is an invaluable branch of the United States military. The men and women of our Coast Guard keep our waters free of narcotics and illegal aliens, perform almost all of the search and rescue missions for the United States and provide security and safety in our waterways.

This is just a small sampling of the duties performed by the Coast Guard. We all owe them a huge debt of gratitude for the services they provide.

For 24 years, Commander Bernard has faithfully performed these and other duties in service to our great country. Prior to donning the Coast Guard uniform, Commander Bernard was also a proud U.S. Marine, where he served as an infantryman in Southeast Asia. He has spent more than half of his life in service to this nation and today, we are a grateful nation for his sacrifice.

From his humble beginnings operating small boats as a coxswain to his assignment as liaison officer to the House of Representatives in Washington, Commander Bernard has performed each and every job as a true patriot.

He quickly rose through the ranks of the Coast Guard and in 1979, he was accepted to Officer Candidate School. After receiving his commission, Al's first assignment was as a security officer at Training Center New York, Governors Island. Just a year later, he was promoted to First Lieutenant and deck watch officer on the USCGC Courageous, in Cape Canaveral, Florida. He was then chosen to be executive officer of the USCGC Shearwater in Key West, Florida. In addition, he was made the senior controller at the Pacific Area/Twelfth USCG District Rescue Coordination Center.

From there, Al Bernard's military career skyrocketed. He received command of his first ship, the USCGC Nantucket, in Roosevelt Roads, Puerto Rico. It should be noted that Al is the first American of Puerto Rican descent to command his own ship.

Due to his exceptional abilities, Commander Bernard was relocated to Washington to serve

his country at USCG Headquarters. He later received command of another cutter, the USCGC Citrus, which was homeported in Coos Bay, OR. After finishing another productive tour, he was made chief, Cutter Management Branch, Coast Guard Pacific Area in Alameda, California.

While on duty in California, he was selected to attend the U.S. Naval War College, where he graduated with distinction, earning a Master of Arts Degree in National Security and Strategic Studies.

Upon graduation, Commander Bernard was given his third command, the USCGC Decisive in St. Petersburg, Florida; he later crossdecked to the USCGC Resolute.

Most recently, he was selected in 1998 to become the liaison officer to the House of Representatives in Washington, where I can personally attest he has served every man and woman who wears the Coast Guard uniform with great distinction.

Over the course of his 24 years of service to the United States, Commander Bernard has demonstrated his versatility by serving brilliantly in both the military and legislative arenas. Al Bernard has been recognized for his achievements with numerous awards, such as the Bronze Star with "V" device for valor, the Purple Heart, and Meritorious Service Medal with an "O" device. He has also received seven Coast Guard Commendation Medals with "O" device, the Coast Guard Achievement Medal, the Combat Action Ribbon and various other awards.

He was also selected as the 1989 recipient of the U.S. Navy League's Captain David Jarvis award for professional competence and inspirational leadership.

Mr. Speaker, I know my colleagues join me in congratulating Commander Al Bernard on an illustrious military career. Likewise, we salute his wonderful wife, Ann, and their two children, Jason and Bernadette, who made the many sacrifices military families make in supporting their husband and father all these years. We wish Al the best of luck in all his future endeavors, for he is truly a fine example for all Americans.

#### 56TH ANNIVERSARY OF D-DAY

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. GILMAN. Mr. Speaker, I rise to take this opportunity to bring to the attention of our colleagues that today, June 6th, marks the 56th anniversary of the D-Day invasion, known as Operation Overlord.

It was 56 years ago today that a miracle of liberation began. On that morning, democracy's forces landed to end the enslavement of Europe. This miracle took place on the shores of Normandy, as 150,000 troops engaged in the largest amphibious invasion in history. Some historians have gone so far as to acclaim the liberation effort as the greatest military invasion in the history of mankind. Regardless of the label placed on the invasion, the D-Day invasion unarguably represents a noble effort to uphold democracy and free mankind from the evils of oppression and tyranny.

Operation Overlord did not represent the selfish interests of one nation. Rather, it was

a humanitarian effort that required the unification of soldiers from many nations. American, British, French, and Canadian soldiers united in a fight for freedom and liberation of not only a nation but of a multicultural, diverse continent. Rallied by this universal goal, General Dwight D. Eisenhower told his troops: "We will accept nothing less than full victory." Victory for Eisenhower and the allied troops was not just to win, it was to uphold and give back the unalienable rights that Nazi tyranny stole from the people.

The attainment of such a goal did not come without sacrifice. 6,600 Americans were killed and many more wounded.

Mr. Speaker, it is appropriate that all Americans should join in honoring the lives that were sacrificed in that noble battle to facilitate an environment in which oppression and tyranny do not prevail.

Accordingly, I urge all of our colleagues to join in paying tribute to this red letter day in history.

#### TRIBUTE TO CATHERINE G. ANTON

### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today to pay special tribute to Cathy Anton, the Executive Director of the Safety Council of Western Massachusetts, who is leaving the Pioneer Valley to accept a new position in Florida. For over 25 years, in both the human resources and safety fields, she has consistently worked to improve the quality of life of others. As she begins the next chapter of her life, I ask my colleagues to join me in wishing her, her husband Dennis, and son Geoffrey continued success.

The mission of the Safety Council is to educate and train people in business and the community in the prevention of accident and related losses, and to influence the formulation and application of safety and health policies and procedures in the region. Under the dedicated leadership of Cathy Anton, the Safety Council has done that and more. It has become the region's leading voice on health and safety issues in the workplace.

Preventing unintentional injuries on the job should be a top priority for all Americans. Safety and health are serious issues that affect every person who goes to work each day. In both the public and private sector, we have a unique responsibility to raise awareness about the importance of safety protection. With millions of workers being injured or killed each year, the need for increased education and training cannot be minimized.

Mr. Speaker, during her tenure with the Safety Council, Cathy Anton lead the effort to make western Massachusetts a safer place to live and work. She has made a real difference on behalf of working men and women in Springfield and its surrounding communities. As she prepares for her next professional challenge, I would like to express my personal gratitude for all her efforts.

#### REMARKS OF SWEDISH PRIME MINISTER GORAN PERSSON AT THE DAYS OF REMEMBRANCE COMMEMORATION

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. LANTOS. Mr. Speaker, on Thursday, May 4, Members of Congress joined with representatives of the diplomatic corps, executive and judicial branch officials and hundreds of Holocaust survivors and their families to commemorate the Days of Remembrance in the Great Rotunda of the United States Capitol. The theme of this year's commemoration was "The Holocaust and the New Century: The Imperative to Remember."

After more than half a century, Mr. Speaker, we must still commemorate the horrors of the Holocaust in order to honor the memory of those victims of Hitler's twisted tyranny. At the same time, we must mark this catastrophe because mankind still has not learned the lessons of this horror, as evidenced most recently by the mass killings in Kosovo.

Mr. Speaker, the keynote speaker at this impressive event was His Excellency Goran Persson, Prime Minister of Sweden. The selection of Prime Minister Persson was particularly appropriate since he has led Sweden in its commitment to furthering Holocaust education and remembrance, both in Sweden and internationally. Under his leadership, Sweden hosted the 44-nation International Forum on the Holocaust in Stockholm last January. In his address at the closing session of the Stockholm Forum the Prime Minister issued a very appropriate call to remembrance: "It is the end of the silence, and the beginning of a new millennium . . . Although we have left the century in which the Holocaust occurred, we must continue to study it in all its dimensions, at all times. We must add more pieces to the puzzle, foster greater awareness of the causes, acquire more knowledge about the consequences."

Mr. Speaker, Prime Minister Persson has had a distinguished political career in Sweden. Since 1996, he has served as Prime Minister and Chairman of the Swedish Social Democratic Party. He previously served as Minister of Finance, Minister at the Ministry of Education, a Member of the Riksdag (Parliament), and a local government official in Katrineholm. He is married to Annika Persson, and he has two daughters.

Prime Minister Persson's remarks at this year's Day of Remembrance ceremony were moving and particularly meaningful. I ask that Prime Minister Persson's remarks be placed in the RECORD, and I urge my colleagues to give them thoughtful consideration.

DAY OF REMEMBRANCE OBSERVANCE, CAPITOL ROTUNDA, WASHINGTON, MAY 4, 2000

Mr. Greenberg, Mr. Meed, Excellencies of the Diplomatic Corps, Honourable Members of the U.S. Congress, Holocaust Survivors. Dear Friends: Today, we meet in the Capitol Rotunda, in the very heart of the American democracy.

Here we meet to commemorate the victims of the Holocaust and to honour survivors and liberators.

We meet to demonstrate our strong commitment to make the lessons of the past a living exhortation for the future.

Let me begin by telling you a story handed down to posterity by a teacher in the ghetto of Lodz.

A little boy, whose entire family had been deported, was dawdling in the street, talking loudly to himself. In one fist he clutched a handful of small stones.

First he dropped three small stones. They hit the ground with a faint sound, then two more, followed by another three. Then the little boy quickly closed his fist. In his lively eyes the shiny black pupils stopped racing for a moment. He said:

"Nine brothers like these stones we were once, all close together. Then came the first deportation and three of the brothers didn't return, two were shot at the barbed wire fence and three died of hunger. Can you guess how many brother-stones are still left in my hand?"

As all children do, this boy played games to help him understand the world around him. Only his world was a world of incomprehensible evil. Only his was the world of the Holocaust.

Ladies and Gentlemen, the Holocaust was no accident of history. The systematic murder of the Jews did not happen by chance. Nor did the genocide of the Roma, the mass murder of disabled persons or the persecution and murder of homosexuals, dissidents and Jehovah's Witnesses.

It occurred because people willed it, planned it and carried it through. It occurred because people made choices which allowed it to happen. It occurred, not least, because people remained silent. As the 21st century dawns we must ask ourselves: Can we be sure that the societies we build on today do not house the very same mechanisms that made the Holocaust possible?

Dear friends, the answer is no. We cannot be sure. We have good reason to be fearful. Look around you. Today, well-organized Nazi groups form international networks where they help each other to recruit and train new members and learn how to exploit the weaknesses of democracies, how to use terror and frighten witnesses.

Nazis and revisionists make full and effective use of the new information technology to spread their lies, to sell white power music and to reach potential new members among young people in all parts of the world. Even today, Nazis march in our streets, persecute, assault and murder people because of their ethnic affiliation, sexual preferences or beliefs. The risk we face, is that anti-democratic forces continue to gain support. The danger lies in our failure to learn from history, in our failure to see the connections.

Ladies and Gentlemen, let me use the words of a survivor, a well-known Swede, the late Professor Jerzy Eihorn, who passed away less than a week ago. At the Stockholm Forum on the Holocaust in January he said: "To remember the Holocaust is a fragile defence but still the best one against the development of Nazism in our countries—a reminder of Nazism's ruthless cruelty, a reminder that we must never lower our guard, never accept Nazism as a necessary evil within a democracy."

This was his message—a message for all of us. He wanted us to take it with us. Because then, he said: "our suffering has not been entirely in vain. Then we and all those that did not survive, will have contributed to a better world for coming generations." We have to take this message.

We must fight Nazism, racism, anti-semitism and xenophobia wherever and whenever they rear their ugly heads. We must fight them with the lessons of our past, but also with our visions for tomorrow. It will not be easy. But we have no other choice.

The future is not sealed by fate, no more than the bitter history of the past. It is our

actions today—the ones we take and the ones we fail to take—that will shape the future. It is you and I, all of us, united in determination to remember, that are the only guarantees we have against the recurrence of an evil past.

Ladies and Gentlemen, there is good reason to be fearful, but surely also to feel hope. People want to know, people want to discuss values and ideas, people want to take responsibility and learn from history.

This is the encouraging conclusion we draw from the national project initiated by the Swedish Government in 1997—Living History. The idea was to spread knowledge about the Holocaust to young people in Sweden, but also to generate an active dialogue between generations on values in general.

To support parents, teachers and students in this task we launched a number of projects. One of these was a book entitled *Tell ye your children*. The response to the project in general and the book in particular exceeded anything we could have dreamed of. In every second Swedish home with school-children you will find a copy of the book. It was not just sent there. It was ordered by the families who wanted to have a base for the important discussion on democratic and humanistic values. I became convinced that this positive experience was not unique to Sweden.

In January 1998, I wrote to President Clinton and Prime Minister Blair suggesting international cooperation in this field. Little did I then know that only one year later, nine countries—in a network known as the Task Force—would cooperate with such countries as the Czech Republic, Latvia, Lithuania, Argentina and several others in liaison projects designed to remembrance, education and research about the Holocaust.

As the new millennium dawned, and the very first international high-level conference was held, it didn't deal with economics. Nor did it deal with security and stability.

It dealt with fundamental values, with democracy and human dignity, with how to confront the better memories of a horrifying past in order to help shape better policies for tomorrow's world. It was the end of silence and the beginning of a new millennium.

Next year we will meet in Stockholm again. In response to an initiative of the Nobel Laureate Eli Weisel, the Swedish Government will host an annual international conference—a Stockholm Forum on Conscience and Humanity.

We have to conduct ourselves to the question of Elie Wiesel: "Will our past become our children's future?"

We have to learn from the words of another man who has devoted his life to teach about the Holocaust in order to prevent future genocides—professor Yehuda Bauer from Israel and the Yad Vashem Institute. He said:

"I come from a people who gave the ten commandments to the world. Time has come to strengthen them by three additional ones, which we ought to adopt and commit ourselves to: thou shall not be a perpetrator; thou shall not be a victim; and thou shall never, but never, be a bystander."

Ladies and Gentlemen, today we are gathered to remember.

Remember, because to forget would be to betray those irreplaceable people who died and those who survived. It would be to betray the deeds of Raoul Wallenberg and all the others who stood up for human dignity and risked their own lives to save the lives of others.

Remember, because to forget would be to betray every single child who comes into this world.

Let us therefore remember a little boy in the ghetto of Lodz, and through him all the

others who were forced to endure the unthinkable.

Let us pick up the brother-stones, clasp them firmly in our hands, and realise how much we will need them on our journey through a new century.

Let us carry them with us as a constant reminder and a challenge to never again allow forces to grow that are capable of such evil.

Thank you.

#### COCOA BEACH 75TH ANNIVERSARY

**HON. DAVE WELDON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. WELDON of Florida. Mr. Speaker, seventy-five years ago this month a very special place in American history was founded. That special place is the town of Cocoa Beach, Florida.

We all know that America was created out of the spirit of frontierism. Bold men and women shook off the shackles of oppression and set forth to a new world of opportunity and adventure. Today we all know about Plymouth Rock and its significance in our nation's history.

America is still the land of frontier explorers and furthering the promise of freedom and adventure. I am proud to represent a town that has been the Plymouth Rock to the stars, Cocoa Beach.

Founded 75 years ago, what started out as a small, agrarian town enjoyed a pleasant, but sleepy existence. That solitude and quiet was interrupted with the introduction of the U.S. military's ballistic missile program after World War II.

Suddenly, Cocoa Beach became home for many rocket engineers, scientists and their families who came to Florida to help the United States win the Cold War. That work was only a small taste of the exciting future which was to come.

Soon the United States found that it was in our nation's military and economic national interests to have the capability to put people and objects into orbit. NASA was created and soon Cape Canaveral was selected to be the prime location for NASA's space launch activities. This resulted in Cocoa Beach's coming of age as a modern, thriving town on the cusp of a new age in human history.

Through Mercury, Gemini, Apollo, Skylab, Space Shuttle and International Space Station, Cocoa Beach has been there through it all. Its dynamic people striving to lead the next age of exploration into the new frontier.

Many feel that without frontiers and boundaries to push against, America stops being what America is all about. As long as we have cities like Cocoa Beach leading the charge into space, America's promise of freedom will continue into the stars.

#### JIM COLLINS: A HALF CENTURY OF JOURNALISM

**HON. STEVEN C. LATOURETTE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. LATOURETTE. Mr. Speaker, today I rise to pay tribute to Jim Collins and his 50 years in journalism.

While Jim has been a journalist for a half century, his interest and employment in newspapers actually dates back to 1941, when he began his career as a News-Herald delivery boy. Jim wasn't even a teenager yet, and the paper cost 6 cents for twice-weekly delivery. Jim went on to graduate from Willoughby Union High School and Kent State University, and returned to the News-Herald after receiving his degree in June 1950. By then, Jim had shed the title of delivery boy and begun his career as a cub reporter.

Mr. Speaker, I certainly don't wish to draw undue attention to Jim's age, but I think it is worth noting other important milestones of 1950 so folks have some perspective about how long Jim has been a working journalist. The same year Jim became a reporter, Peanuts debuted, Alger Hiss was convicted, the first telephone answering machine was invented, Diner's Club became the first credit card, CBS began broadcasting in color, the first leak-proof ballpoint pen was introduced by PaperMate, Paul Harvey began broadcasting nationally on radio, and Silly Putty was introduced. Back then, it cost 3 cents to mail a letter, gas was 20 cents a gallon, and the average income was about \$3,200 a year. My guess is Jim made less than this, however, as journalists certainly don't enter the field for generous paychecks.

Jim stayed at the News-Herald until 1952, when he was drafted for a two-year tour of duty in the U.S. Army. After serving his country with honor, Jim returned to the field of journalism and eventually made it back to his home, the News-Herald. Jim has worked tirelessly since then and quickly ascended to the brass ring of newspaper management. He has been editor of the News-Herald since 1967, and has overseen its tremendous growth and development.

Over the last 50 years, Jim has received many prestigious awards for his writing, and his weekly column is a must-read for anyone who cares about what's happening in the news. He also is about the most prolific commentary writer you're likely to find, and has made his mark by offering common-sense solutions to state, local and national problems. As great as Jim's accomplishments are in journalism, however, they pale in comparison to what he has done for our local communities. As editor of the News-Herald, Jim has had a constant presence in the communities the paper covers, and has always been actively involved in civic and philanthropic activities. He is respected by all who know him.

Mr. Speaker, I feel honored to have known Jim Collins all the years I've been a public servant, and even a few before then. He is one of the most kind, fair, humble and caring men I've ever met. He is an exceptional journalist and an even better man. His word is his honor. On behalf of the 19th Congressional District of Ohio, I congratulate Jim Collins on his 50 years in journalism, and wish him well as he continues to devote his life to the profession he loves so dearly.

## AIR FORCE MEMORIAL EXTENSION ACT

**HON. JAMES V. HANSEN**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. HANSEN. Mr. Speaker, I am pleased to introduce the Air Force Memorial Extension Act. In December of 1993 the President signed into law authorization for the Air Force Memorial Foundation to establish an Air Force Memorial in the District of Columbia or its environs to honor the men and women who have served in the United States Air Force. This memorial was to comply with the provisions of the Commemorative Works Act.

Among other things, the Commemorative Works Act provides that the legislative authority for the commemorative work will expire at the end of the seven-year period beginning on the date of the enactment of such authority, unless a construction permit has been issued. To date, no construction permit has been issued. Due to unforeseen lawsuits, all work, including the fund raising for the memorial was put on hold for approximately 3 years. The lawsuits have been settled and work is ready to re-commence regarding the memorial. However, due to the delay and the 7-year requirement of the Commemorative Works Act, time is about to run out. In fact, the authority will expire on December 2 of this year unless Congress passes a time extension.

With considerable work already accomplished and the lawsuits settled the memorial needs to be completed. Thus, this bill would extend authority to the Air Force Memorial Foundation to complete the well-deserved memorial. The authority would extend until 2005 giving the Foundation the time to fulfill the final construction and dedication of the Air Force Memorial.

## CONSUMER PRODUCT SAFETY COMMISSION ENHANCED ENFORCEMENT ACT OF 2000

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. MARKEY. Mr. Speaker, I rise today to introduce the "Consumer Product Safety Commission Enhanced Enforcement Act of 2000", a bill intended to improve consumer safety by increasing compliance with existing requirements to report hazards when they are known. The legislation would increase the civil and criminal penalties that the CPSC can impose upon firms that do not inform the Commission when they have sold a product that could pose a substantial hazard to consumers. The legislation would also help make some product recalls more effective.

The CPSC is the government agency that makes sure cribs, toys, and other products in your home are safe, and recalls them when they're not. The CPSC oversees the safety of 15,000 different kinds of consumer products. Each year there are more than 29 million injuries and about 22,000 deaths related to consumer products.

Current law provides that if companies have information that one of their products could

have a serious safety defect, they are required to report that to the government. Unfortunately, some companies are not obeying the law. The CPSC estimates that in half of the most serious cases they deal with, the company has failed to report injuries. Instead, the information comes to the attention of the agency from its own investigators, from consumers, or tragically, from hospital emergency room reports or death certificates.

When companies don't report, dangerous products that could have been recalled or modified remain on store shelves. They continue to be sold and they stay in consumers' homes where they can cause serious injury.

Some consumers pay a very high price for a company's failure to report.

For example, a 3-year-old girl died while playing on her swing. Her grandfather was cutting weeds in the yard using a weed trimmer with a replacement head that was made with a metal chain. The end link broke off the chain and it flew through the air as if it were a piece of deadly shrapnel—travelling 240 miles an hour. It hit his granddaughter in the temple, penetrated her skull and killed her.

The company didn't tell the CPSC about this death, nor did they tell the CPSC about the 40 other serious injuries from chains breaking. The CPSC was forced to do its own investigation and recalled the product nationwide in May.

Such failures to report result in tragic losses of life and limb that are avoidable and preventable if compliance with reporting were higher.

Under current law, the CPSC can fine companies for violating the law, but the amount of the fine is limited by statute to a level that does not sufficiently deter violations. Under current law, companies can face criminal penalties for violating consumer product safety laws, but they are only misdemeanors. Under current law, in any recall, companies provide a repair, replacement or refund for defective products. In most cases, the CPSC can find a good solution to the problem for consumers. But in rare cases where the product is older and has been on the market for many years, the company sometimes elects a refund that is much too small to even catch consumers' attention, so the dangerous product stays on the market.

To remedy these deficiencies, the legislation would: Eliminate the cap on civil penalties for violations of product safety laws.

Under current law, the CPSC cannot assess more than \$1,650,000 for a related series of violations against a company that knowingly violates consumer product safety laws. The legislation would eliminate this maximum civil penalty. Many of the cases in which the Commission seeks civil penalties involve very large corporations that can easily absorb a \$1.65 million fine. More substantial civil penalties would provide a needed incentive for those companies to notify CPSC of defective products so that the agency can take timely action to protect consumers. Other agencies have civil penalty authority with no "cap" on the amount of the penalty for a related series of violations, including the Federal Trade Commission.

Increase the penalty for a "knowing and willful" criminal violation of product safety laws from a misdemeanor to a felony and eliminate the requirement that the agency give notice to the company that is criminally violating the law.

The legislation would increase the potential criminal penalties for a "knowing and willful" violation of consumer product safety laws from a misdemeanor (up to one year in prison) to a felony (up to three years in prison). It would also increase the maximum monetary criminal penalty in accordance with existing criminal laws. These heightened penalties are commensurate with the seriousness of product safety violations, which can result in death or serious injury to children and families. Other agencies have authority to seek substantial (felony) criminal penalties for knowing and willful violations of safety requirements, including the Food and Drug Administration for prescription drug marketing violations and the Department of Transportation for the transportation of hazardous materials.

The legislation would also eliminate the requirement that the Commission give notice of noncompliance before seeking a criminal penalty for a violation of the Consumer Product Safety Act. The notice requirement makes it all but impossible to pursue a criminal penalty for violations of the Act, even in the most serious cases. The threat of a criminal felony prosecution would create an additional strong incentive for companies to report product defects to the Commission.

Give CPSC the authority to overrule the remedy chosen by a manufacturer for fixing a defective product in a product recall when the Commission determines that an alternative would be in the public interest.

Under current law, a company with a defective product that is being recalled has the right to select the remedy to be offered to the public. The company can choose repair, replacement, or refund "less a reasonable allowance for use."

The legislation would continue to permit the company to select the remedy in a product recall. However, the legislation would allow the Commission to determine (after an opportunity for a hearing) that the remedy selected by the company is not in the public interest. The Commission may then order the company to carry out an alternative program that is in the public interest.

Sometimes companies choose a remedy in a recall that does not further public safety. For example, if a manufacturer chooses to refund "less a reasonable allowance for use" the purchase price of a product that has been on the market for a long time, the amount due consumers may be so small that there is no incentive for the consumer to take advantage of the recall. This is especially true where the hazardous product is still useful to the consumer and the cost of replacement is substantial. Companies may choose an insubstantial refund even though people have been at risk for a number of years, thousands of products are still in use, and injuries are continuing to occur. In this example, a refund would do little, if anything, to stop consumers from using the dangerous product and the public interest would not be served.

HONORING THE LATE ERNESTO  
ANTONIO PUENTE, JR.

**HON. CARLOS A. ROMERO-BARCELO**

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday June 6, 2000*

Mr. ROMERO-BARCELO. Mr. Speaker, on this occasion I express our sadness over the

death of Ernesto Antonio Puente, Jr., June 2, 2000, the man everyone around the world knew as Tito Puente, the King of Mambo. His achievements in pursuit of a higher musical ground and his legendary flamboyant style have left an indelible mark on our nation's musical heritage.

To his fellow Puerto Rican-Americans, Tito Puente was more than a legend, more than just the Mambo King. He was a trailblazer in the world of music, fusing Afro-Caribbean rhythms with jazz, mambo, salsa. He created an explosion of inspiration for entire generations of aspiring musicians and for generations of youths who learned by watching that it was possible to make something of yourself if you worked hard.

In commemorating the late "timbalero," Tito Puente, I would also like to honor the countless other Puerto Ricans who have enriched our nation's diverse musical culture and those Puerto Ricans who continue to rise on the world stage.

IN HONOR OF THE 20TH ANNIVERSARY  
OF THE MAKE-A-WISH  
FOUNDATION

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. WOLF. Mr. Speaker, I am proud today to honor the 20th anniversary of the Make-A-Wish Foundation, a non-profit organization that fulfills the wishes of children fighting life-threatening illnesses.

In 1980, a 7-year-old boy named Chris, from Arizona, who was fighting leukemia wished to be a police officer. Friends of Chris's family worked to fulfill his wish and in April that year, Chris spent a day learning about being a police officer and was even sworn in as the first-ever and only Honorary State Trooper in Arizona history.

Shortly after Chris's wish, the Make-A-Wish Foundation was created to help bring happiness to more children. From this humble start, the Make-A-Wish Foundation has grown and now has 80 chapters in the United States and 20 international affiliates. More than 80,000 children fighting life-threatening illnesses worldwide have had their wishes fulfilled. Popular wishes include visiting Walt Disney theme parks, getting home computer systems, taking family vacations, and meeting celebrities.

Two months ago, one of my constituents had his wish fulfilled by Make-A-Wish Foundation of the Mid-Atlantic, Inc. Last year, 7-year-old Ryan Davidson of Ashburn, VA, was diagnosed with a life-threatening illness. It was devastating to him and his family.

When the Make-A-Wish Foundation asked Ryan what his greatest wish was, it didn't surprise anyone that he wanted to meet NASCAR driver Bobby Labonte. Ryan learned about auto racing while playing video games and became an instant fan. Of all the drivers, Labonte is his favorite. On April 26, Ryan, his father Kirby, his mother Amy and his sister Mallory traveled to California where they visited a NASCAR racetrack, watched the action close up and met Labonte. Ryan came home with loads of memories and souvenirs, including his favorite—an autographed collector's edition of Labonte's car. Ryan's wish was a

great success. "This is the best day of my life," he told his parents after meeting Labonte.

The Make-A-Wish Foundation gives children fighting life-threatening illnesses a positive break from a world of doctors, hospitals and medicine. I salute the Make-A-Wish Foundation's volunteers and supporters who work to make wishes come true not only in Virginia's 10th Congressional District, but literally all over the world. I invite those interested in learning more about the Foundation to contact them at 1-800-722-9474 or on the Internet at [www.wish.org](http://www.wish.org).

BETTI LIDSKY CELEBRATES 50  
YEARS

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Betti Lidsky on her fiftieth birthday celebration.

Betti Lidsky is an exemplary woman who personifies love and self sacrifice. As the mother of three children who suffer from Retinitis Pigmentosa, an eye degenerative disease which may lead to blindness, she battles valiantly everyday to seek ways in which to increase funding for finding a cure and save the eyesight of her children and others like them. A true heroine, she selflessly devotes her time and energy to her family, to the national Foundation Fighting Blindness where she serves as a board member, and to the South Florida community where she is highly admired and respected.

Betti Lidsky is an advocate whose services and kind spirit have touched the lives of many, and on this very special occasion, I ask that my colleagues join me in wishing Betti Lidsky a very happy fiftieth birthday.

OLDER PEOPLE DO NOT NEED  
CHAPERONES

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. FRANK of Massachusetts. Mr. Speaker, in the May issue of SeniorScope, the newspaper published by the city of New Bedford dealing with issues of particular importance to older people, editor Rona Zable has an excellent column. Ms. Zable effectively refutes those who would interfere with the rights of older people to make their own decisions, specifically in this case with regard to their choice to gamble if they wish in legal establishments. I have been struck by the degree to which people who usually respect the rights of others to make their own choices make an exception for gambling, and for some reason, people seem often ready to use a caricature of older people as an excuse for this. Indeed, some who believe that we should make a radical change in the Social Security system and have people be dependent on their stock picks for retiring income draw an inexplicable line against letting them go to a casino every so often with some of that retirement income.



As Rona Zable trenchantly asks, "are older people perceived to be so witless, so gullible, that we need to be protected from ourselves lest we buy too many lottery tickets or play bingo too often? . . . If Congress is really concerned about senior citizens, they ought to do something about the sky high cost of prescription drugs. Because, chances are, we're more apt to blow the family inheritance at the drug-store counter than we are at the casinos!"

Mr. Speaker, Ms. Zable is exactly right and I submit her very thoughtful essay here.

#### DO YOU NEED A CHAPERONE AT THE CASINO?

There are folks out there who are quite concerned about you. They worry that one of these days, you might gamble away your kid's inheritance.

"Are Casinos Preying On Our Elders?" was the headline of a recent story in the AARP Bulletin. Noting the popularity of bingo halls, lotteries and casinos, the article asked, "Is it harmless entertainment? Or are older Americans being targeted deliberately by advertising and marketing efforts designed to ensure that they keep pumping large sums of money into the gambling industry."

The focus of the article was a study published in the Law Journal of the University of Illinois College of Law. The author stated that older people are at greater risk than others for problem gambling because of circumstances that make them vulnerable . . . namely, loss of a spouse loneliness and boredom. The study concluded that "the casino industry targets its marketing to older people because they are reliable spenders with leisure time to visit casinos often."

Well, duh! Like—we didn't know that?

Apparently, our legislators also believe that seniors are more at risk than other age groups for problem gambling. Timothy A. Kelly, executive director of a commission appointed by Congress to examine the economic impact of gambling, believes state and federal lawmakers should consider halting the expansion of gambling around the nation pending further research. Kelly, whose National Gambling Impact Study Commission spent two years examining the issues, says, "We heard a lot of stories about elderly parents gambling away the family inheritance."

Aw, come on, guys. Seriously—does any SeniorScope reader know of any elderly parent who gambled away the family inheritance? (Maybe some younger folks have done that, but not the old folks).

To me, this is one more instance of the Dumbing Down of Senior Citizens. Are older people perceived to be so witless, so gullible, that we need to be protected from ourselves lest we buy too many lottery tickets or play Bingo too often? Do we need Big Brother to watch over us at the blackjack tables and slot machines?

If this sounds like I am some kind of a big-time casino player, rest assured I am not. In fact, I have never set foot in Foxwoods or Mohegan Sun. But I defend the right of anyone over age 21 to spend their money where they please—be it a casino, bingo hall, sports arena, vacation resort, ect. It so happens I am a "shopping mall" person . . . and just as some people enjoy the socialization and buffets at Foxwoods, I enjoy the clearance sales and food court at the Galleria Mall.

Nor would I like it one bit if the Senate appointed a Commission to limit the expansion of malls to curtail shopping by senior citizens. Or, for that matter, to limit the expansion of restaurants because older Americans are eating out too much and putting on weight.

If Congress is really concerned about senior citizens, they ought to do something

about the sky high cost of prescription drugs. Because, chances are, we're more apt to blow the family inheritance at the drug-store counter than we are at the casinos!

#### IN TRIBUTE TO JACK EDWARD TANNER

#### HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. McDERMOTT. Mr. Speaker, I rise today to honor my friend, Jack Edward Tanner, for his outstanding career as a federal judge and his unwavering commitment to ensuring that all Americans are treated fairly in our judicial system. Judge Tanner has set a standard of excellence that we all should aspire to. On May 17, 1978, the Senate of the United States did unanimously consent to the nomination of Jack Edward Tanner to serve as United States District Judge for the Eastern and Western Districts of Washington. On June 2, 1978, Jack E. Tanner took the oath of office administered by Marshall A. Neil, Chief Judge Eastern District of Washington, in Tacoma, Washington. On this date, Judge Tanner has completed 22 years on the federal judiciary. We salute him as one of this nation's "Great Native Sons."

The path to the United States District Court was paved with distinguished achievements. As the son of Trixie and Ernie Tanner, Jack and his two siblings, Erna and Bob, were shielded from poverty, but not injustice. As pioneers in the Northwest, the Tanner family was often singled out and later called upon for leadership. Like his father, young Jack excelled in sports in grade school, junior high, and at Stadium High School. For a sports career, however, young Jack was born too soon, in the mid-thirties the Major Leagues, for which he was ably qualified, was not yet integrated by Blacks.

After serving in the United States military in one of its segregated, "Jim Crow" units, Jack returned to the waterfront as a longshoreman, while attending college at the University of Puget Sound. Working on the docks in Commencement Bay as a longshoreman provided the foundation for Jack's dedication to the needs and concerns of blue-collar workers and others. This perspective has never left him and it is reflected in many of his federal decisions.

The headlines of the Tacoma News Tribune for Sunday, December 29, 1963 feature Tacoma's Top Ten Stories and Personalities. It is no wonder that a photo of Jack Tanner and the controversial "Open Housing Referendum No. 4" are prominent. Arguing for fair housing in 1963 brought to Tacoma, and to Washington State, the nation's struggle for equal rights for all.

Jack challenged Washington State to address de-facto segregation in schools and housing. As local NAACP President and national NAACP board member, lawyer Tanner believed that the direct action taken by the student demonstrators in the South also would be effective in the Northwest. With others, he led a march against discriminatory housing in the Tri-cities. This was done despite the wishes of some Blacks, who believed they would be burdened rather than benefited. As a result

of Tanner's urging, efforts undertaken in Seattle to de-segregate the public schools resulted in the First non-court ordered desegregation plan in the United States. Jack's effective approach blended the best of the strategies used by the NAACP and the student non-violent protests.

John F. Kennedy, the President of the United States, invited Jack to attend the White House on two different occasions. In June, 1963, just after the assassination of Medgar Evers, the nation was in crisis. Tanner as a leader in the Northwest, worked closely with his friend Senator Warren Magnuson, the Chair of Senate Commerce Committee, to help Kennedy's famous 1964 Civil Rights Bill get introduced. Equality in public accommodations, the core of the bill, opened the way for later legislation on voting rights, fair housing and employment.

Clarence Mitchell, Director of the Washington Bureau for the NAACP said it best, "It is a fact that the passage of the Civil Rights bill has come about because of the tremendous and consistent work that you and others have done to make it possible. It is true that there have been some magnificent contributions by Senate leaders in this fight, but it was also you and the people that you represented who used your resources to make it possible for us to get a successful vote. Therefore, I wish to thank you and to let you know that this is your time of triumph."

As Washington's First African-American member of the federal judiciary, controversy did not elude Judge Tanner. Among the first cases he decided, he drew sharp criticism: by finding conditions at Walla Walla State Penitentiary, as cruel and unusual punishment (Hoptowit case); the unconstitutionality of the 1982 anti-busing initiative; and unequal pay for women by the State of Washington, known nationally as the Comparable Worth case. In this landmark decision, Judge Tanner decided that the state's policy of paying lower salaries in 14,000 jobs, held predominately by women, than those paid in comparable jobs held by men, "overwhelmingly constituted direct, overt, and institutionalized discrimination."

In the midst of criticism, Judge Tanner continued to rule on cases, by doing what he believes is right, and not for personal gain or popularity. But Father, he rules from the heart and the law to improve the lives of others, especially those who have been historically disenfranchised. We Thank you Judge Tanner for Being our Shining Judicial Light.

On this day, June 6, 2000 and in celebration of 22 years on the federal judiciary and for his life-time achievements, I, JIM McDERMOTT, as United States Congressman from the Seventh Congressional District, along with the entire Washington delegation, ask that the Congressional Record reflect, the "Triumph of this Native Son, the Honorable Jack E. Tanner, a Tacoman, a Washingtonian and a True American."

#### FAIR LAWN LIONS CLUB ANNIVERSARY

#### HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. ROTHMAN. Mr. Speaker, I rise today to celebrate the 50th anniversary of the Fair

Lawn Lions Club which will be celebrated June 9, 2000.

For 50 years this group has been an important asset to local and statewide charities, raising in excess of \$750,000. Unlike many organizations, every dollar raised by the Fair Lawn Lions Club is donated to charity.

The Fair Lawn Lions Club founded The Fair Lawn Opportunity Center, a facility for mentally challenged adults. To this date, they remain its largest private contributor. In addition to the Opportunity Center, the Fair Lawn Lions also contribute to the Mental Health Center, the Boy and Girl Scouts, the Ambulance Corps, Fire Department, and several other groups.

Furthermore, they financially support many statewide services. Among these are the St. Joseph's School for the Blind and the Juvenile Diabetes Foundation. I commend their fervent dedication in assisting both the community and the entire state of New Jersey.

Worldwide, The Lions Clubs International is currently the largest service organization. They operate in 180 countries, boasting 50,000 clubs and 2,000,000 members.

I am proud to recognize the services of Charter Member and Past International Director William McCormick and Past District Governor Paul A. Meyer. I encourage the Fair Lawn Lions Club to continue their cause. They set a positive example for the community by raising money for those in need and are sure to remain a pillar of the community for the next 50 years and beyond.

On this, their 50th anniversary, I am proud to extend my congratulations to the Fair Lawn Lions Club.

#### TRIBUTE TO THE LATE MILTON V. FREEMAN

##### HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. FROST. Mr. Speaker, I rise today to note the passing of one of the truly outstanding attorneys of the 20th century, Milton V. Freeman.

Milton Freeman died on June 3 at the age of 88 after a long and remarkable career. He graduated from City College of New York in 1931 and received his law degree from Columbia University in 1934, serving on the law review. Following his graduation from law school, Milton Freeman spent the next 12 years as an attorney with the Securities and Exchange Commission.

During his tenure at the SEC, Milton Freeman wrote many of the regulations that implemented the law that created the SEC, regulations that are still in effect today. I once introduced him at a meeting of my classmates at Georgetown Law Center as a "famous author" and, in fact, he was just that. He was the author of SEC Rule 10b-5, the heart of the SEC's anti-fraud regulations dealing with insider trading.

But Milton Freeman was much more than just a pioneering SEC lawyer. For many years he served as managing partner of Arnold and Porter, one of the most prestigious law firms in the nation. He also took time to defend people accused under anti-communist laws at the height of the McCarthy era, one of the darkest periods in our history.

Milton Freeman was a warm, generous person. He and his wife Phyllis befriended a group of insecure first-year law students at Georgetown who were friends of his daughter Nancy, who was also attending Georgetown. We spent a number of wonderful evenings at their home, evenings which somehow made the traumatic experience of the first months of law school a little more bearable.

Another of Milton's four children, Dan, also became a lawyer and has served the U.S. House of Representatives with great distinction for many years. Dan is currently Chief Counsel and Parliamentarian for the House Judiciary Committee, a position he has held under both Democratic and Republican chairmen.

Mr. Speaker, Milton Freeman was a good husband and father and a great American. He will be truly missed.

#### TRIBUTE TO SENIOR CHIEF PETTY OFFICER JAMES HERBERT HOWARD

##### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American and dedicated veteran who passed away on March 15, 2000.

James Herbert Howard enlisted in the United States Navy on July 7, 1942 beginning a period of thirty-six years of service to his beloved country. He was a veteran of World War II. He was catapulted off aircraft carriers, transferred at sea and saw combat in the Solomon Islands.

James Herbert Howard served aboard several LSTs and was assigned to the U.S.S. *Teror* until it was decommissioned in 1947. Chief Howard served as a Quarter Master aboard such distinguished Naval Ships as the U.S.S. *Ajax* and the U.S.S. *Ticonderoga*. In 1972, Commander N.H. Kragseth wrote, "Chief Howard is a man of poise with an excellent military appearance . . . that he can express his ideas and communicate his instructions. He is dedicated to the United States Navy. He contributes to our retention, advancement and organization and he is an individual I would most want in my unit."

James Herbert Howard was a highly valuable asset to the United States Navy. He received numerous commendations including the Good Conduct Medal and Bronze Star on July 1, 1945, January 20, 1960, and January 20, 1963. While Chief Howard might have been frightened as a young man when he saw combat, he believed there to be a greater fear, a fear of a great nation losing freedom.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a wonderful man who lived a life of purpose, who loved his country and who believed in the United States of America and that we extend our deepest sympathy to his loving family.

#### TRIBUTE TO DR. RONALD UZELAC

##### HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. MATSUI. Mr. Speaker, I rise in tribute to a truly outstanding citizen of Sacramento, Dr. Ronald Uzelac. On June 8, 2000, he will be retiring as Principal of Rio Americano High School in Sacramento, California. As his friends and co-workers gather to celebrate his retirement, I ask all my colleagues to join with me in saluting his remarkable career.

Dr. Uzelac attended California State University, Sacramento, where he received his B.A. Degree and Teaching Credential. He continued his educational pursuits there and went on to receive a Master's Degree in Education and his Administrative Credential.

Over the years, he has dedicated himself to educating today's youth. He has served as an Elementary Vice Principal, Elementary Principal, Junior High School Principal, and High School Principal.

In these various educational posts, Dr. Uzelac has accumulated a vast collection of awards and citations. In 1983, he received the Administrator of the Year, Secondary Level by the Association of California School Administrators. He has been recognized with the ACSA Silver Star Award (Region 3) for leadership in developing a National Blue Ribbon School in March of 1996. In addition, he was the recipient of an Honorary Service Award Administrator of the Year from the San Juan PTA Council in April of 1996.

The list of accolades for Dr. Uzelac's schools is as extensive as his personal awards. Some of these include the California Distinguished Schools Award in 1988, 1990, and 1994. Also, he received national recognition from the Department of Education as a National Blue Ribbon School in 1996. Further achievements include recognition as one of Redbook's "American Best Schools" in 1996. His was one of only five California schools recognized for overall excellence.

In an effort to improve his schools, Dr. Uzelac has implemented programs to ensure their continued success. One such program is CIVITAS: a Political Studies Academy with restructured curriculum aligned with school-to-career emphasis. This has been in place since 1994.

Over the years, Dr. Uzelac has been recognized by California State Senator Patrick Johnston, former California State Senator Leroy Greene, and myself for his tremendous leadership and dedication to the youth of Sacramento. He is a very valuable member of our community.

Mr. Speaker, as Dr. Uzelac's friends and co-workers gather to celebrate his retirement, I am honored to pay tribute to one of Sacramento's most outstanding citizens. Dr. Uzelac's contributions to Sacramento and California have indeed been commendable. I ask all of my colleagues to join with me in wishing him and his family continued success in all their future endeavors.

IN HONOR OF MARY KAY KOSA

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to an absolutely elegant woman. Mary Kay Kosa has been an educator and school administrator in the Monroe Public Schools for the past 50 years. She is also a dedicated volunteer, community activist and public servant who is the epitome of an involved and caring citizen. Mary Kay is admired by all and commands my highest respect and admiration as well. Mary Kay has decided to retire from her career in education where she currently serves as the principal of two Monroe elementary schools. She will undoubtedly be missed by the Monroe Public School System, but I take some measure of comfort in knowing that Mary Kay's kind and giving nature will make it impossible for her to also retire from her community activism.

Always independent and feisty, Mary Kay does not take no for an answer and will always fight for what is right. In the 1950's, Mary Kay stood up to the paranoia and censorship created by McCarthyism, she continued to teach her students the truth about the world and withstood fervent attempts to stop her. A champion of the poor, underprivileged and challenged, Mary Kay used her tremendous compassion and energy to serve as an effective advocate for those who are in need and less fortunate.

While always dedicated to first educating Monroe's children, Mary Kay has also managed to serve as a member and chair of several boards and commissions. The Huron Valley Girl Scout Council, Monroe Historic Districts Committee, Child and Family Services Board, Monroe County Mental Health Board, Monroe Housing Commission, Monroe County United Way Board of Directors, Monroe City Planning Commission, Salvation Army Advisory Council, The Art Lebow Community Center, Monroe County Opportunity Program, and the American Association of University Women have all benefited from Mary Kay's leadership and involvement.

A proud and active member of the Michigan Education Association, Mary Kay has used her activism, involvement and leadership to make public education better for our children. She has also utilized her talents to create a better situation for generations of public school teachers.

Mary Kay has been married to Edward Kosa for 41 years. Their loving relationship speaks volumes about the outstanding character of this wonderful woman and her terrific family. Mary Kay remains a valuable advisor, con-

fidant and friend. She has touched the lives of everyone in Monroe County in a meaningful and substantial way and the community will be ever grateful for her dedication and good deeds.

Mr. Speaker, I would ask my colleagues to rise with me in tribute to a fine educator and public servant, Mary Kay Kosa.

IN HONOR OF REVEREND JOHN P. SCHLEGEL

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday June 6, 2000*

Ms. PELOSI. Mr. Speaker, I rise to pay tribute to Reverend John P. Schlegel, S.J., for his 9 remarkable years as President of the University of San Francisco. Father Schlegel has been honored with the position of President of Creighton University. His many friends in the San Francisco Bay Area bid him farewell with mixed emotions—happy for his personal success, sad that he is leaving, and forever grateful for his many accomplishments as President of the University of San Francisco.

Father Schlegel brought with him to San Francisco strong academic credentials. He holds B.A. and M.A. degrees from Saint Louis University, a B.D. degree in Theology from the University of London, and a Doctorate in International Relations from Oxford University. He entered the Wisconsin Province of the Society of Jesus in 1963 and was ordained in 1973.

He also brought a record of strong leadership. John began his academic career as a lecturer at Creighton University in 1969. He joined Creighton's faculty in the Political Science department in 1976 and also served as Assistant Academic Vice President from 1978–1982. John went on to serve as Academic Dean and Dean of Arts and Sciences at Rockhurst College, as Dean of the College of Arts and Sciences at Marquette University, and as the Executive and Academic Vice-President at John Carroll University in Cleveland.

Father Schlegel continued that record of service and leadership while in San Francisco. John serves on the Boards of Trustees of Loyola University in Chicago and of Xavier University in Cincinnati. He is the Chair of the Executive Committee of the Commonwealth Club of California, a director of the American International School of Hong Kong, and a member of the Advisory Council at the California Academy of Sciences. John also serves on the Board of Directors of the Coro Foundation and the Association of Catholic Colleges and Universities, and on the Executive Committees of the Western College Association and the Association of Independent California Colleges and Universities.

At the University of San Francisco, John has had remarkable success. Thanks to his leadership, the caliber of the faculty and students has risen, the facilities have been upgraded, and the endowment has grown enormously. At the same time, the Jesuit mission of the University has been advanced.

We are grateful to Father John Schlegel for all that he has done for the University of San Francisco and for the entire Bay Area. We will miss him greatly but know that it is Creighton University's turn to benefit from his wisdom and vision. As we glory in his triumphant return home, we hope that he will visit San Francisco often. I join my constituents in wishing him the very best.

RECOGNIZING CHUCK BLASKO OF THE VOGUES

**HON. RON KLINK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. KLINK. Mr. Speaker, I rise today to recognize a musical legend, Chuck Blasko of The Vogues. A native of Turtle Creek, PA, and a resident of my congressional district, Mr. Blasko celebrates the 35th year of the music group this year. In 1965 he created the vocal group, and is the only original member still touring and performing.

During the 1960s and 1970s, the Vogues recorded 16 hits on the top 40 charts, including 9 in the top 20. Some of their best-known hits include "Turn Around, Look At Me" and "Five O'Clock World." Few groups have rivaled the success of the Vogues in placing so many songs on the top 40 charts.

Led by Mr. Blasko, their harmonic vocals continue to attract fans to sellout concerts and club appearances. With his outstanding talent and love of performing, the Vogues is an enduring fixture on the music scene and one of the world's top concert acts. Mr. Blasko has been immortalized by the Vocal Music Hall of Fame where fans can see photos of the group and a set of his stage clothes.

Despite his tremendous success, Mr. Blasko and his family continue to make western Pennsylvania their home. As an avid fan of The Vogues, I am truly honored to have this opportunity to acknowledge not only a fine musician but a man who cares about his community.

Once again, I urge my colleagues to rise and recognize Mr. Blasko on his 35th anniversary in the music industry. His commitment to his family and to his music represent the finest qualities of the people of the Fourth Congressional District.

# Daily Digest

## HIGHLIGHTS

See Resume of Congressional Activity.

## Senate

### Chamber Action

*Routine Proceedings, pages S4507–S4605*

**Measures Introduced:** Sixteen bills and three resolutions were introduced, as follows: S. 2669–2684, S.J. Res. 46–47, and S. Con. Res. 119.

**Pages S4564–65**

**Measures Reported:** Reports were made as follows:

S. 1507, to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, with an amendment in the nature of a substitute. (S. Rept. No. 106–306)

**Page S4564**

**Measures Passed:**

**National Military Appreciation Month:** Committee on the Judiciary was discharged from further consideration of S. 1419, to amend title 36, United States Code, to designate May as “National Military Appreciation Month,” and the bill was then passed.

**Page S4589**

**Ryan White CARE Act Amendments:** Senate passed S. 2311, to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

**Pages S4589–99**

Warner (for Jeffords) Amendment No. 3190, in the nature of a substitute.

**Pages S4593–95**

**Measure Indefinitely Postponed/Passage Vitiating:**

**Labor/HHS/Education Appropriations FY2000:** Senate vitiated the October 7, 1999 passage of S. 1650, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending Sep-

tember 30, 2000, and subsequently the bill was indefinitely postponed.

**Page S4588**

**National Defense Authorization:** Senate began consideration of S. 2549, to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto:

**Pages S4525–55**

Adopted:

By a unanimous vote of 93 yeas (Vote No. 116), McCain Amendment No. 3179, to establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance.

**Pages S4536–41**

Warner Amendment No. 3189, to require the disposal of a certain quantity of titanium from the National Defense Stockpile.

**Pages S4554–55**

Pending:

Warner Modified Amendment No. 3173, to extend eligibility for medical care under CHAMPUS and TRICARE to persons over age 64.

**Pages S4525–36, S4541–42**

Kerrey Amendment No. 3183, to repeal a limitation on retirement or dismantlement of strategic nuclear delivery systems in excess of military requirements.

**Pages S4543–53**

Warner Amendment No. 3184 (to Amendment No. 3183), to provide for correction of scope of waiver authority for limitation on retirement or dismantlement of strategic nuclear delivery systems, and authority to waive limitation.

**Pages S4543–53**

A unanimous-consent-time agreement was reached providing for further consideration of the bill, pending amendments and an amendments to be proposed thereto, on Wednesday, June 7, 2000, with certain votes to occur thereon.

**Page S4600**

**Nominations Received:** Senate received the following nominations:

Lisa Gayle Ross, of the District of Columbia, to be an Assistant Secretary of the Treasury.

Lisa Gayle Ross, of the District of Columbia, to be Chief Financial Officer, Department of the Treasury.

K. Gary Sebelius, of Kansas, to be United States District Judge for the District of Kansas.

Kenneth O. Simon, of Alabama, to be United States District Judge for the Northern District of Alabama.

John E. Steele, of Florida, to be United States District Judge for the Middle District of Florida.

2 Air Force nominations in the rank of general.

70 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S4600–05**

**Nominations Withdrawn:** Senate received notification of the withdrawal of the following nomination:

James M. Lyons, of Colorado, to be United States Circuit Judge for the Tenth Circuit, which was sent to the Senate on September 22, 1999. **Page S4605**

**Messages From the House:** **Page S4563**

**Measures Placed on Calendar:** **Page S4563**

**Communications:** **Pages S4563–64**

**Statements on Introduced Bills:** **Pages S4565–76**

**Additional Cosponsors:** **Pages S4576–78**

**Amendments Submitted:** **Pages S4579–88**

**Notices of Hearings:** **Page S4588**

**Authority for Committees:** **Page S4588**

**Additional Statements:** **Pages S4558–63**

**Privileges of the Floor:** **Page S4588**

**Record Votes:** One record vote was taken today. (Total—116) **Page S4541**

**Recess:** Senate convened at 10 a.m., and recessed at 8:04 p.m., until 9:30 a.m., on Wednesday, June 7, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4600.)

## Committee Meetings

(Committees not listed did not meet)

### CASH BALANCE PENSION PLANS

*Special Committee on Aging:* On Monday, June 5, committee concluded hearings to examine the impact on older workers when employers convert from a traditional defined benefit pension plan to a cash balance pension plan, focusing on how to promote pensions without harming participants, after receiving testimony from James A. Bruggeman, Tulsa, Oklahoma,

and Laurel Sweatt, Dallas, Texas, on behalf of the Association of Private Pension and Welfare Plans, both of Central and South West Corporation; Joseph Perkins, Danvers, Massachusetts, on behalf of the American Association of Retired Persons; Karen W. Ferguson, Pension Rights Center, Washington, D.C.; Sylvester J. Schieber, Watson Wyatt Worldwide, Bethesda, Maryland; and John F. Woyke, Towers Perrin, Valhalla, New York, on behalf of the United States Chamber of Commerce.

### EPA ALASKA OFFICE CREATION

*Committee on Environment and Public Works:* Committee concluded hearings on S. 1311, to direct the Administrator of the Environmental Protection Agency to establish an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska, after receiving testimony from Senator Murkowski; Romulo L. Diaz, Jr., Assistant Administrator for Administration and Resources Management, Environmental Protection Agency; Michele D. Brown, Alaska Department of Environmental Conservation, and Ken Freeman, Resource Development Council, both of Anchorage, Alaska.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded hearings on the nomination of Michael G. Kozak, of Virginia, to be Ambassador to the Republic of Belarus, John Martin O'Keefe, of Virginia, to be Ambassador to the Kyrgyz Republic, John F. Tefft, of Virginia, to be Ambassador to the Republic of Lithuania, and W. Robert Pearson, of Tennessee, to be Ambassador to the Republic of Turkey, after the nominees testified and answered questions in their own behalf. Mr. Pearson was introduced by Senator Frist.

### HIGH PERFORMANCE COMPUTER EXPORT CONTROL

*Committee on Governmental Affairs:* On Friday, May 26, committee concluded hearings to examine export control implementation issues with respect to high performance computers and the potential harm to national security by requiring the decontrol of sensitive technologies, after receiving testimony from Harold J. Johnson, Associate Director, International Relations and Trade Issues, National Security and International Affairs Division, General Accounting Office; Robert J. Lieberman, Assistant Inspector General for Auditing, Department of Defense; Dan Hoydysh, Unisys Corporation, Washington, D.C., on behalf of the Computer Coalition for Responsible Exports; and Gary Milhollin, University of Wisconsin Law School, Madison, on behalf of the Wisconsin Project on Nuclear Arms Control.

**CAMPAIGN FINANCE**

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts resumed oversight hearings to examine the 1996 campaign finance investigations, receiving testimony from Lee J. Radek, Chief, and Joseph Gangloff, Principle Deputy Chief,

both of the Public Integrity Section, and Neil Gallagher, Assistant Director, National Security Division, Federal Bureau of Investigation, all of the Department of Justice; and William Esposito, former Deputy Director, Federal Bureau of Investigation, Department of Justice.

Hearings continue on Wednesday, June 14.

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## House of Representatives

### *Chamber Action*

**Bills Introduced:** 12 public bills, H.R. 4579–4590; 1 private bill, H.R. 4591; and 4 resolutions, H.J. Res. 99 and H. Con. Res. 344–346, were introduced.

**Pages H3924–25**

**Reports Filed:** Reports were filed today as follows:

Filed on June 1, H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001 (H. Rept. 106–644);

Filed on June 1, H.R. 4577, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001 (H. Rept. 106–645);

Filed on June 1, H.R. 4578, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001 (H. Rept. 106–646);

H.R. 3605, to establish the San Rafael Western Legacy District in the State of Utah, and for other purposes, amended (H. Rept. 106–647);

H.R. 4435, to clarify certain boundaries on the map relating to Unit NC01 of the Coastal Barrier Resources System (H. Rept. 106–648);

H.R. 3176, to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii (H. Rept. 106–649);

H.R. 3535, to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning, amended (H. Rept. 106–650);

H.R. 8, to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, amended (H. Rept. 106–651).

H. Res. 514, providing for consideration of H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001 (H. Rept. 106–652);

H. Res. 515, providing for consideration of H.R. 4577, making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for fiscal year ending September 30, 2001 (H. Rept. 106–653); and

H. Res. 516, providing for consideration of H.R. 3605, to establish the San Rafael Western Legacy District in the State of Utah (H. Rept. 106–654).

**Pages H3923–24**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Biggert to act as Speaker pro tempore for today.

**Page H3871**

**Recess:** The House recessed at 10:31 a.m. and reconvened at noon.

**Page H3871**

**Recess:** The House recessed at 1:46 p.m. and reconvened at 6 p.m.

**Page H3885**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Designating the Washington, D.C. Opera as the National Opera:*** H.R. 4542, to designate the Washington Opera in Washington, D.C., as the National Opera;

**Pages H3872–75**

***Commending the United States Congressional Philharmonic Society:*** H. Con. Res. 229, expressing the sense of Congress regarding the United States Congressional Philharmonic Society and its mission of promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the love and expression of musical performance;

**Pages H3875–76**

***Celebrating the Importance of African-American Music:*** H. Res. 509, amended, recognizing the importance of African-American music to global culture and calling on the people of the United States to study, reflect on, and celebrate African-American music (agreed to by a ye and nay vote of 382 yeas with none voting “nay”, Roll No. 234);

**Pages H3876–78, H3889–90**



**Les Aspin Post Office Building:** H.R. 4241, to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the "Les Aspin Post Office Building" (passed by a ye and nay vote of 378 yeas to 6 nays, Roll No. 235); **Pages H3878–80, H3890**

**Matthew F. McHugh Post Office:** H.R. 3030, to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the "Matthew F. McHugh Post Office" (passed by a ye and nay vote of 385 yeas to 2 nays, Roll No. 236); and **Pages H3880–82, H3890–91**

**Shark Finning Prohibition Act:** H.R. 3535, amended, to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning (passed by a ye and nay vote of 390 yeas to 1 nay, Roll No. 237). **Pages H3882–85, H3891–92**

**Suspensions—Further Proceedings Postponed:** The House postponed further proceedings on the following motions to suspend the rules that were debated on Tuesday, June 6. Proceedings will resume on Wednesday, June 7.

**Carlsbad, New Mexico Irrigation District Land Transfer:** S. 291, to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District; **Pages H3885–86**

**Wellton-Mohawk Irrigation District, Arizona Land Transfer:** S. 356, to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District; **Pages H3886–87**

**Pine Island Unit in Currituck and Dare Counties, North Carolina Boundary Adjustment:** H.R. 4435, to clarify certain boundaries on the map relating to Unit NC01 of the Coastal Barrier Resources System; and **Page H3887**

**Kealia Pond National Wildlife Refuge, Hawaii:** H.R. 3176, to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii. **Pages H3888–89**

**Freedom to E-File Act:** The House agreed to the Senate Amendment to the House amendments to S. 777, to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other

similar information—clearing the measure for the President. **Pages H3892–93**

**Congressional Gold Medal to the Late Charles M. Schulz:** The House agreed to the Senate amendments to H.R. 3642, to authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world—clearing the measure for the President. **Page H3893**

**Amendments:** Amendments ordered printed pursuant to the rule appear on pages H3926–29.

**Quorum Calls—Votes:** Four ye and nay votes developed during the proceedings of the House today and appear on pages H3889–90, H3890, H3890–91, and H3891–92. There were no quorum calls.

**Adjournment:** The House met at 10:30 a.m. and adjourned at 10:54 p.m.

## Committee Meetings

### COMMERCE, JUSTICE, STATE, AND JUDICIARY APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Commerce, Justice, State, and Judiciary approved for full Committee action the Commerce, Justice, State, and Judiciary appropriations for fiscal year 2001.

### INDEPENDENT COUNSEL ACT—JUSTICE DEPARTMENT IMPLEMENTATION

**Committee on Government Reform:** Held a hearing on the Justice Department's Implementation of the Independent Counsel Act. Testimony was heard from the following officials of the Department of Justice: Lee Radek, Public Integrity Section Chief; and Neil Gallagher, Assistant Director for Terrorism, FBI; and William Esposito, former Deputy Director, FBI, Department of Justice.

### "DRUGS IN THE MAIL: HOW CAN THEY BE STOPPED?"

**Committee on Government Reform:** On May 26, the Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on "Drugs in the Mail: How Can They be Stopped?" Testimony was heard from the following officials of the Department of Justice: Joseph D. Keefe, Special Agent in Charge, DEA; and W.K. Williams, Assistant Section Chief, Drug Section, Criminal Investigative Division, FBI; Kevin Dellicolli, Director, Cyber Smuggling, Office of Investigations, U.S. Customs Service, Department of the Treasury; Kenneth Newman, Deputy Chief Postal Inspector, Criminal Investigations, U.S. Postal Service; and public witnesses.

**FEDERAL FINANCIAL MANAGEMENT  
IMPROVEMENT ACT COMPLIANCE**

*Committee on Government Reform:* Subcommittee on Government Management, Information, and Technology held a hearing on Compliance with the Federal Financial Management Improvement Act of 1996: Agencies Continue to Struggle. Testimony was heard from Joshua Gotbaum, Executive Associate Director and Controller, Office of Federal Financial Management, OMB; Jeffrey C. Steinhoff, Assistant Comptroller General, Accounting and Information Management Division, GAO; Thomas P. Skelley, Director, Budget Service and Acting Chief Financial Officer, Department of Education; Arnold G. Holz, Chief Financial Officer, NASA; and Karen C. Alderman, Executive Director, Joint Financial Management Improvement Program.

**OVERSIGHT—AMERICAN BATTLE  
MONUMENTS COMMISSION AND THE  
WORLD WAR II MEMORIAL**

*Committee on Government Reform:* Subcommittee on National Security, Veterans Affairs, and International Relations held an oversight hearing on the American Battle Monuments Commission and the World War II Memorial. Testimony was heard from David L. Clark, Director, Audit Oversight and Liaison, Accounting and Information Management Division, GAO; Maj. Gen. John P. Herrling, USA (Ret.), Secretary, American Battle Monuments Commission; former Senator Robert J. Dole of Kansas, Co-Chairman, U.S. World War II Memorial Project; and representatives of veterans organizations.

**DEFENSE APPROPRIATIONS**

*Committee on Rules:* Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001. The rule waives all points of order against consideration of the bill. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill and prohibiting reappropriations in a general appropriations bill). The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Lewis of California and Murtha.

**LABOR, HHS, AND EDUCATION AND  
RELATED AGENCIES APPROPRIATIONS**

*Committee on Rules:* Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 4577, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001. The rule waives all points of order against consideration of the bill. The rule provides that the amendments printed in part A of the Rules Committee report accompanying the resolution shall be considered as adopted. The rule waives clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in an appropriations bill) against provisions in the bill, as amended, except as otherwise specified in the rule. The rule provides that the amendment printed in part B of the Rules Committee report may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendment printed in part B of the report. The rule also waives clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation) against amendments offered during consideration of the bill. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Porter, Upton, Ryan of Wisconsin, Wilson, Obey, Roemer and Davis of Florida.

**SAN RAFAEL WESTERN LEGACY DISTRICT  
AND NATIONAL CONSERVATION ACT**

*Committee on Rules:* Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 3605. San Rafael Western Legacy District and National Conservation Act. The rule waives all points of order against consideration of the bill. The rule makes in order the Committee on Resources amendment in the nature of a substitute, now printed in the bill, as an original bill for the purpose of amendment, which shall be open for amendment at any point.

The rule provides that the amendment printed in the report of the Committee on Rules accompanying the resolution shall be considered as read and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Hansen and Cannon.

## Joint Meetings

### HIGH-TECH SUMMIT

*Joint Economic Committee:* Committee began hearings on the High-Technology National Summit to examine issues that are related to ensuring the continuation of its robust role in our economic health, focusing on the necessity for education system changes, trade and deregulation issues, and what actions the government should take regarding these issues, receiving testimony from Andrew S. Grove, Intel Corporation, and William Larson, Network Associates, both of Santa Clara, California; William H. Gates, Microsoft Corporation, Redmond, Washington; Carol Bartz, Autodesk, Inc., San Rafael, California; John Warnock, Adobe Systems, Inc., San Jose, California; Mark Leavitt, MedicaLogic/Medscape, Inc., Hillsboro, Oregon; and Jay Walker, Walker Digital and Priceline.com, Stamford, Connecticut.

Hearings will continue tomorrow.

### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D526)

S.J. Res. 44, supporting the Day of Honor 2000 to honor and recognize the service of minority veterans in the United States Armed Forces during World War II. Signed May 26, 2000. (P.L. 106–205)

H.R. 154, to allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal land. Signed May 26, 2000. (P.L. 106–206)

H.R. 371, to expedite the naturalization of aliens who served with special guerrilla units in Laos. Signed May 26, 2000. (P.L. 106–207)

H.R. 834, to extend the authorization for the Historic Preservation Fund and the Advisory Council on

Historic Preservation. Signed May 26, 2000. (P.L. 106–208)

H.R. 1377, to designate the facility of the United States Postal Service located at 9308 South Chicago Avenue, Chicago, Illinois, as the “John J. Buchanan Post Office Building”. Signed May 26, 2000. (P.L. 106–209)

H.R. 1832, to reform unfair and anticompetitive practices in the professional boxing industry. Signed May 26, 2000. (P.L. 106–210)

H.R. 3629, to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III. Signed May 26, 2000. (P.L. 106–211)

H.R. 3707, to authorize funds for the site selection and construction of a facility in Taipei Taiwan suitable for the mission of the American Institute in Taiwan. Signed May 26, 2000. (P.L. 106–212)

S. 1836, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alabama. Signed May 26, 2000. (P.L. 106–213)

## CONGRESSIONAL PROGRAM AHEAD

Week of June 5 through June 10, 2000

### Senate Chamber

On *Wednesday*, Senate will continue consideration of S. 2549, National Defense Authorization.

During the remainder of the week, Senate may consider any other cleared legislative and executive business, including appropriations bills when available.

### Senate Committees

(Committee meetings are open unless otherwise indicated)

*Committee on Banking, Housing, and Urban Affairs:* June 8, Subcommittee on International Trade and Finance, to hold oversight hearings to examine multilateral development institutions, 9:30 a.m., SD–538.

*Committee on Energy and Natural Resources:* June 7, business meeting to consider pending calendar business, 9:30 a.m., SD–366.

June 7, Subcommittee on Forests and Public Land Management, to hold hearings on S. 2300, to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; S. 2069, to permit the conveyance of certain land in Powell, Wyoming; and S. 1331, to give Lincoln County, Nevada, the right to purchase at fair market value certain public land in the county, 2:30 p.m., SD–366.

June 7, Subcommittee on Water and Power, with the Committee on Indian Affairs, to hold joint hearings on S. 2508, to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement

of the claims of the Colorado Ute Indian Tribes, 2:30 p.m., SR-485.

June 8, Subcommittee on Forests and Public Land Management, to hold hearings on H.R. 359, to clarify the intent of Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance and operation of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated in that Public Law; H.R. 468, to establish the Saint Helena Island National Scenic Area; H.R. 1680, to provide for the conveyance of Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest; S. 1817, to validate a conveyance of certain lands located in Carlton County, Minnesota, and to provide for the compensation of certain original heirs; S. 1972, to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park; and S. 2111, to direct the Secretary of Agriculture to convey for fair market value 1.06 acres of land in the San Bernardino National Forest, California, to KATY 101.3 FM, a California corporation, 9:30 a.m., SD-366.

June 8, Subcommittee on National Parks, Historic Preservation, and Recreation, to hold oversight hearings to review the final rules and regulations issued by the National Park Service relating to Title IV of the National Parks Omnibus Management Act of 1998, 2:30 p.m., SD-366.

*Committee on Foreign Relations:* June 7, business meeting to consider pending calendar business, 11 a.m., SD-419.

June 7, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold oversight hearings to examine satellite export controls, 2:30 p.m., SD-419.

June 8, Subcommittee on European Affairs, to hold hearings to examine Kosovo one year after the bombing, 10 a.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* June 8, to hold hearings to examine gender-based wage discrimination, 10 a.m., SD-430.

*Committee on Indian Affairs:* June 7, with the Committee on Energy and Natural Resources, Subcommittee on Water and Power, to hold joint hearings on S. 2508, to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, 2:30 p.m., SR-485.

*Committee on the Judiciary:* June 7, Subcommittee on Antitrust, Business Rights, and Competition, to hold hearings on competition and safety in the delivery of anesthesia services, 2 p.m., SD-226.

June 8, Full Committee, business meeting to consider S. 2448, to enhance the protections of the Internet and the critical infrastructure of the United States; S. 353, to provide for class action reform; and S. 2406, to amend the Immigration and Nationality Act to provide permanent authority for entry into the United States of certain religious workers, 10 a.m., SD-226.

## House Chamber

### *Wednesday and the Balance of the Week:*

Subject to rules being granted, consideration of H.R. 3605, San Rafael Western Legacy District and National Conservation Act; H.R. 4576, DOD Appropriations; H.R. 4577, Labor, Health and Human Services, and Education Appropriations; H.R. 4461, Agriculture, Rural Development, FDA, and Related Agencies Appropriations; H.R. 4516, Legislative Branch Appropriations; and H.R. 8, Death Tax Elimination Act.

## House Committees

*Committee on Appropriations,* June 7, to mark up the VA, HUD and Independent Agencies appropriations for fiscal year 2001, 10 a.m., 2359 Rayburn.

June 8, Subcommittee on Treasury, Postal Service, and General Government, to mark up fiscal year 2001 appropriations, 9:30 a.m., B-308 Rayburn.

*Committee on Banking and Financial Services,* June 7, Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises, hearing on Capital Markets and the New Economy, 10 a.m., 2128 Rayburn.

June 8, full Committee, to mark up the following bills: H.R. 3886, International Counter-Money Laundering Act of 2000; and H.R. 4419, Internet Gambling Funding Prohibition Act, 11 a.m., 2128 Rayburn.

*Committee on the Budget,* June 8, hearing on the "Corporate Welfare Reform Commission Act, Unjustified Business Subsidies and Legislation aimed at Addressing Them," 12 p.m., 210 Cannon.

June 9, Housing and Infrastructure Task Force, hearing on Government's Failure in Disposing of Obsolete Ships, 10 a.m., 210 Cannon.

*Committee on Commerce,* June 8, Subcommittee on Energy and Power, hearing entitled: "National Energy Policy: The Future of Nuclear and Coal Power in the United States," 1 p.m., 2123 Rayburn.

June 8, Subcommittee on Oversight and Investigations, hearing on Counterfeit Bulk Drugs, 11 a.m., 2322 Rayburn.

*Committee on Government Reform,* June 7 and 8, hearings on Cancer Care for the New Millennium-Integrative Oncology, 1 p.m., 2154 Rayburn.

June 8, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on Counterdrug Implications of the U.S. Leaving Panama, 10 a.m., 2247 Rayburn.

June 8, Subcommittee on Government Management, Information, and Technology, oversight hearing on the Implementation of the Debt Collection Improvement Act, 10 a.m., 2154 Rayburn.

*Committee on the Judiciary,* June 8, Subcommittee on Commercial and Administrative Law, hearing on H.R. 534, Fairness and Voluntary Arbitration Act, 10:30 a.m., 2141 Rayburn.

June 8, Subcommittee on Immigration and Claims, hearing on the following bills: H.R. 3295, CT-43A Federal Employee Settlement Act; and H.R. 1371, to amend the Federal tort claims provisions of title 28, United

States Code, to repeal the exception for claims arising outside the United States, 10:45 a.m., 2226 Rayburn.

*Committee on Resources*, June 7, to mark up the following bills: S. 439, to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988, to adjust the boundary of the Toiyabe National Forest, Nevada; H. R. 946, Graton Rancheria Restoration Act; S. 1374, Jackson Multi-Agency Campus Act of 1999; H.R. 2773, Wekiva Wild and Scenic River Act of 1999; H.R. 2778, Taunton River Wild and Scenic River Study Act of 1999; H.R. 2833, Yuma Crossing National Heritage Area Act of 1999; H.R. 2919, National Underground Railroad Freedom Center Act; H.R. 3084, to authorize the Secretary of the Interior to contribute funds for the establishment of an interpretative center on the life and contributions of President Abraham Lincoln; H.R. 3236, to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes; H.R. 3241, to direct the Secretary of the Interior to recalculate the franchise fee owed by Fort Sumter Tours, Inc., a concessioner providing service to Fort Sumter National Monument in South Carolina; H.R. 3657, to provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California; H.R. 3661, General Aviation Access Act; H.R. 3817, to redesignate the Big South Trail in the Comanche Peak Wilderness Area of Roosevelt National Forest in Colorado as the "Jaryd Atadero Legacy Trail;" H.R. 4070, to direct the Secretary of the Interior to correct a map relating to the Coastal Barrier Resources System Unit P31, located near the city of Mexico Beach, Florida; H.R. 4115, to authorize appropriations for the United States Holocaust Memorial Museum; and H.R. 4408, to reauthorize the Atlantic Striped Bass Conservation Act, 11 a.m., 1324 Longworth.

June 7, Subcommittee on Forests and Forest Health and the Subcommittee on National Oaks and Public Lands, joint oversight hearing on Fire Management on Federal Lands, 2 p.m., 1334 Longworth.

June 8, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following measures: H.R. 4286, to provide for the establishment of the Cahaba River National Refuge in Bibb County, Alabama; and H.Res. 415, expressing the sense of the House of Representatives that there should be established a National Ocean Day to recognize the significant role the ocean plays in the lives of the Nation's people and the important role the Nation's people must play in the continued life of the ocean, 10 a.m., 1334 Longworth.

June 8, Subcommittee on National Parks and Public Lands, hearing on the following bills: H.R. 3520, White Clay Creek Wild and Scenic Rivers System Act; H.R.

3745, Effigy Mounds National Monument Additions Act; and H.R. 4404, to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, 10 a.m., 1324 Longworth.

*Committee on Rules*, June 7, to consider H.R. 8, Death Tax Elimination Act, 3 p.m., H-313 Capitol.

*Committee on Small Business*, June 7, hearing on Regulatory Reform Initiatives and Their Impact on Small Business, 10 a.m., 2360 Rayburn.

June 7, Subcommittee on Rural Enterprises, Business Opportunities and Special Small Business Problems, hearing on the Future of Round II Empowerment Zones, 2 p.m., 2360 Rayburn.

June 8, Subcommittee on Government Programs and Oversight, hearing on Women in Business, 10 a.m., 2360 Rayburn.

June 8, Subcommittee on Regulatory Reform and Paperwork Reduction, hearing on the Quality of Regulatory Analyses, 10 a.m., 311 Cannon.

*Committee on Transportation and Infrastructure*, June 7, Subcommittee on Coast Guard and Maritime Transportation, hearing on Coast Guard Fiscal Year 2000 Operational Cuts, 2:30 p.m., 2167 Rayburn.

June 8, Subcommittee on Ground Transportation, hearing on H.R. 4441, Motor Carrier Fuel Cost Equity Act of 2000, 10 a.m., 2167 Rayburn.

June 8, Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Requirements Governing EPA Grants, 1:30 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, June 8, Subcommittee on Oversight and Investigations, hearing on the Department of Veterans Affairs services for women veterans, 10 a.m., 334 Cannon.

*Committee on Ways and Means*, June 8, to mark up the following measures: H.J. Res. 90, withdrawing the approval of the United States from the Agreement establishing the World Trade Organization; and the Debt Reduction and Reconciliation Act of 2000, 2 p.m., 1100 Longworth.

### Joint Meetings

*Commission on Security and Cooperation in Europe*: June 8, to hold hearings on the human rights situation of the Romani minority in the OSCE region where Roma face widespread discrimination in public places, education, housing, and employment, as well as other human rights violations, 2 p.m., SR-485.

*Joint Economic Committee*: June 7, to continue hearings on the High-Technology National Summit, focusing on removing barriers to the new economy, 10 a.m., SH-216.

# Resumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED SIXTH CONGRESS

The first table gives a comprehensive resumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 24 through May 31, 2000

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	59	55	..
Time in session .....	429 hrs., 43'	399 hrs., 11'	..
Congressional Record:			
Pages of proceedings .....	4,506	3,870	..
Extensions of Remarks .....	..	882	..
Public bills enacted into law .....	14	29	43
Private bills enacted into law .....	1	..	..
Bills in conference .....	6	11	..
Measures passed, total .....	144	222	366
Senate bills .....	36	16	..
House bills .....	28	100	..
Senate joint resolutions .....	6	4	..
House joint resolutions .....	1	2	..
Senate concurrent resolutions .....	17	7	..
House concurrent resolutions .....	15	31	..
Simple resolutions .....	41	62	..
Measures reported, total .....	*113	*146	259
Senate bills .....	71	4	..
House bills .....	24	86	..
Senate joint resolutions .....	1	..	..
House joint resolutions .....	1	..	..
Senate concurrent resolutions .....	4	..	..
House concurrent resolutions .....	1	7	..
Simple resolutions .....	11	49	..
Special reports .....	4	4	..
Conference reports .....	1	5	..
Measures pending on calendar .....	201	73	..
Measures introduced, total .....	794	1,288	2,082
Bills .....	670	1,058	..
Joint resolutions .....	8	13	..
Concurrent resolutions .....	41	104	..
Simple resolutions .....	75	113	..
Quorum calls .....	5	2	..
Yea-and-nay votes .....	115	129	..
Recorded votes .....	..	102	..
Bills vetoed .....	1	..	..
Veto overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 24 through May 31, 2000

Civilian nominations, totaling 308 (including 142 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	77
Unconfirmed .....	225
Withdrawn .....	6
Other Civilian nominations, totaling 1,499 (including 778 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	1,121
Unconfirmed .....	378
Air Force nominations, totaling 4,967 (including 15 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	4,961
Unconfirmed .....	3
Returned to White House .....	3
Army nominations, totaling 1,774 (including 204 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	1,749
Unconfirmed .....	23
Returned to White House .....	2
Navy nominations, totaling 1,666 (including 10 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	849
Unconfirmed .....	815
Returned to White House .....	2
Marine Corps nominations, totaling 945 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed .....	910
Unconfirmed .....	35

#### Summary

Total Nominations carried over from First Session .....	1,150
Total Nominations received this session .....	10,009
Total Confirmed .....	9,667
Total Unconfirmed .....	1,479
Total Withdrawn .....	6
Total Returned to White House .....	7

\*These figures include all measures reported, even if there was no accompanying report. A total of 76 reports have been filed in the Senate, a total of 155 reports have been filed in the House.



*Next Meeting of the SENATE*

9:30 a.m., Wednesday, June 7

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of S. 2549, National Defense Authorization, with votes to occur on certain amendments beginning at approximately 1 p.m.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, June 7

## House Chamber

**Program for Wednesday:** Consideration of H.R. 3605, San Rafael Western Legacy District and National Conservation Act (open rule, one hour of debate);

Consideration of H.R. 4576, DOD Appropriations, FY 2001 (open rule, one hour of debate); and

Consideration of H.R. 4577, Labor, HHS, and Education Appropriations, FY 2001 (open rule, one hour of debate).

## Extensions of Remarks, as inserted in this issue

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