PROVIDING FOR CONSIDERATION OF H.R. 4942, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 563 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 563

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except against section 153. No amendment to the bill shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII, pro forma amendments for the purpose of debate, and the amendments printed in the report of the Committee on Rules accompanying this resolution. Each amendment printed in the Record may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. Each amendment printed in the 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 division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

Mr. Speaker, House Resolution 563 is a modified open rule providing for consideration of H.R. 4942, the District of Columbia Appropriations Bill for fiscal year 2001.

The rule waives all points of order against consideration of the bill and provides for 1 hour of general debate divided equally between the chairman and the ranking minority member on the Committee on Appropriations.

The rule waives clause 2 of rule XXI, prohibiting unauthorized appropriations, legislative provisions or reappropriations in an appropriations bill, against provisions in the bill except as noted in the rule.

The rule makes in order only those amendments that have been preprinted in the CONGRESSIONAL RECORD and those amendments printed in the Committee on Rules report. All points of order are waived against the amendments printed in the Committee on Rules report.

These amendments shall be offered by the Member designated in the report and only at the appropriate point in the reading of the bill. The amendments in the report shall be decreed as read and shall be debatable for the time specified in the report to be equally divided between a proponent and an opponent. Finally, the amendments printed in the report 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 permits the chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides a motion to recommit, with or without instructions, which is the right of the minority.

Mr. Speaker, House Resolution 563 is a modified open rule, similar to those considered for other general appropriations bills. Any Member who wishes to offer an amendment to the District of Columbia appropriations bill and has preprinted the amendment in the RECORD will have an opportunity to do so.

In order to better manage the debate, the Committee on Rules has structured the debate on four specific amendments. An amendment offered by the gentleman from Oklahoma (Chairman ISTOOK) would reprogram funds from a survey of the District's tax policies to help fund Metrorail construction.

Another amendment, to be offered by the gentleman from Kansas (Mr. TIAHRT), would prevent needle exchange programs from operating within 1,000 feet of schools, day care centers, playgrounds, public housing or other places where children play and spend time during the day.

The gentleman from Indiana (Mr. SOUDER) plans to offer an amendment to prohibit the use of funds to finance needle exchange programs in the District. This language mirrors a provision in the D.C. appropriations bill that passed the House last year.

Finally, an amendment by the gentleman from California (Mr. BILBRAY) would prohibit individuals under the age of 18 from possessing tobacco in the District. The amendment imposes the same restrictions on tobacco use by minors that are in force in most States, including Maryland and Virginia.

Under this rule, the House will have the opportunity to exercise its responsibility to address these important social issues facing the District. Rather than avoiding controversial issues like needle exchanges and tobacco use by minors, Members of this House will be accountable to their constituents and the people of the District. I am pleased that this open rule will bring these honest policy disputes out into the open so that Americans will know where their Representatives stand on these issues that affect them right in their towns and neighborhoods.

Mr. Speaker, H.R. 4942 appropriates a total of $414 million in Federal funding support for the District. I applaud the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the subcommittee, and the gentleman from Virginia (Mr. MORAN), the ranking Member, for their hard work to produce this solid legislation. This is a responsible bill that makes the Federal Government a partner in D.C. government and helps our Nation's Capital move closer to the success and independence that its residents deserve.

On a separate note, this is the last of 13 appropriations bills that must be considered each year. The Committee on Appropriations has once again performed admirably, working within the responsible budget limits while managing the available resources to best serve the American people. Congress is on track to have all spending bills complete before the end of the fiscal year, having again preserved the Social Security surplus, provided tax relief for working Americans, and maintain important funding priorities that millions of Americans depend on.

Mr. Speaker, H.R. 4942 was favorably reported out of the Committee on Appropriations, as was this fair rule by the Committee on Rules. I urge my colleagues to support the rule so we can proceed with general debate and consideration of this legislation.

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

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

Mr. Speaker, the District of Columbia finds itself last, but certainly not least, in the appropriations lineup for fiscal year 2001. This is the last of 13 appropriations bills, but it is the bill which accords the least amount of respect to the residents of this city.

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Year after year, the Republican majority has gone out of its way to turn

what should be an easy task into an unnecessarily difficult one. This year is no different; and for that reason, Mr. Speaker, I rise in opposition to this rule and in opposition to the bill.

Mr. Speaker, last year the D.C. appropriations was considered six times before finally becoming the engine that drove the omnibus appropriations bill. I must ask, is there a good reason the Republican majority seems to want to repeat that exercise again this year?

The bill is loaded with the usual social riders the Republican majority seems willing to impose on the residents of the District, but not on their own constituents. Again the bill contains veto bait such as barring the District from using its own local funds to provide abortion services to low-income residents, or implementing its own domestic partnership law.

But to add insult to injury, this rule makes in order two amendments that the delegate from the District of Columbia specifically asked the Committee on Rules to deny. These two amendments, one relating to the issue of needle exchange and one relating to the sale of tobacco to minors, are perennial Republican favorites on this bill. But, Mr. Speaker, these are the amendments the elected government of the District of Columbia, as well as the gentlewoman from the District of Columbia (Ms. NORTON), oppose.

Mr. Speaker, the chairman of the Committee on Rules has pointedly through the consideration of 12 appropriation bills denied Members the right to offer amendments that required a waiver of clause 2 of Rule XXI; but when it comes to the District, the chairman and the Republican majority of the committee send out an engraved invitation to any Member who has a particular legislative ax to grind.

Mr. Speaker, is it any wonder the District Government has proposed license plates for its residents that proclaim ''Taxation Without Representation''?

Mr. Speaker, I oppose this rule for the simple reason that the Republican majority has again set up this appropriation for an unnecessary protracted legislative debate. I urge my colleagues to vote no on this rule and on the bill. Let us put some common sense and some respect into this process.

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

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume to take a moment to point out to my colleague from Texas that no Democrat submitted a request for a waiver on amendment. The ones that were denied were only Republican amendments.

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

Mr. CUNNINGHAM. Mr. Speaker, first of all I would like to thank the ranking minority Member, the gentleman from Virginia (Mr. MORAN). He and I have become very close friends in this body. It does not mean like two Irishmen we do not disagree on occasion passionately, but I want to thank him. We disagree on some issues in this particular bill. I do not agree with everything in the bill; but like everything that comes forward in this House, it is a good bill overall.

The Constitution of the United States of America, and we were all sworn and held up our hand to support the Constitution, which says that all legislation, all legislation, for the D.C. area, is from this body. We were all sworn to uphold that. If we uphold the Constitution of the United States, we will support this bill because we are legislating in the best interests.

I would say to my friends on the other side that for 30 years you controlled this House, and if you take a look what happened to Washington, D.C., in those 30 years of neglect, look at the systems that are typical of the United States, you look at education. Members of Congress, the President, the Vice President, all send their children to private schools. Why? Because the D.C. system has been so terrible.

But I want to tell you, I have been in some of those schools; and I have seen some wonderful dedicated teachers and schools. But where you have roofs that are caving in, that the fire department has to shut down those schools, that we do not have the support over that 30 years for education systems, something is wrong.

We came in and appointed boards. Another bright light is Mayor Williams. He has got a monumental task at hand to get through that bureaucracy that he has; but if you look at education and what we have done, we fully funded charter schools. When my own party in the last Congress wanted to reduce the amount of funds for the public schools, we fought, the gentleman from Virginia (Mr. MORAN) and I, and said we reward schools for going in the right direction. We do not penalize them. Together we were able to come up with full funding for the public school systems and charter schools. I think that is a positive, and that is in this bill as well.

I look at the economy. When you have month-to-month leases because you have got some members in this bureaucracy taking money under the table on a month-to-month lease, we fought together to have those leases extended so we could get business to invest in Washington, D.C.

We can make this waterfront the best waterfront in the whole country, like San Diego or San Francisco or the others. But you cannot when you have got drugs going down there; and we have worked together, not only there but to clean up the Anacostia River, the worst river in the United States for pollution. The fecal count is the highest in any river in the United States. We are working together on a bipartisan fashion with the Mayor and on both sides to fix that. These are very positive things that we are working on.

But I would say to my friend that there are things in this bill that I disagree with, and that my colleagues disagree with; but overall it is a good bill, and it moves not only the legislation forward, but in the long run it is the best for the D.C. residents. I would ask for full support of this.

I thank the gentleman from Oklahoma (Chairman ISTOOK) for his work with the ranking minority Member.

Mr. FROST. Mr. Speaker, I yield 8 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me time.

I want to begin as we embark upon the D.C. appropriation by thanking the gentleman from Oklahoma (Mr. ISTOOK) for his hard work on this bill. The gentleman and I have had disagreements on this bill, but I appreciate his efforts to work out some of those disagreements with me. I want to thank the gentleman from Virginia (Mr. MORAN) for his strong advocacy and work for the District as well.

Mr. Speaker, I rise to oppose a rule shot through with financial, operational, and social intrusions that should concern no one unless you happen to be a resident of the District of Columbia. D.C. is once again bringing up the rear of the appropriations. Here is hoping that the number 13 in the appropriations cycle has nothing to do with bad luck.

This should be the easiest of the 13 appropriation bills. Few Members have or should bother to acquire familiarity with the complicated, necessarily parochial operations of a big American city that is not their own.

Mr. Speaker, I oppose this rule because the bill before us is full of avoidable problems any city would have to find objectionable.

First, movement of available funds from D.C. priorities to others chosen by the subcommittee without any consultation with the District.

Second, movement of riders, and not only social riders, but riders that are so old that they are laughably out of date or redundant because the provisions are already in the D.C. code or Federal law. Anyone scrutinizing the D.C. appropriation would find attachments so dated or irrelevant as to cast doubt on the committee's work product.

With a lot of hard work and sacrifices, the District has emerged from insolvency, but the city has no State to fall back on and has urgent needs it cannot possibly fund. City officials requested funding from the President for some urgent priorities. The White House chose to fund just a few of them.

The city understands, of course, that the subcommittee's 302(b) allocation was cut, and, therefore, all the District's priorities could not be fully funded. The city fully understands that the shortfall was beyond the subcommittee's control. Those funds must, in our judgment, be restored. However, at the very least, the District cannot be expected to endorse transfer of whatever funds are left over after

the cuts to items not in the first tier of the city's own urgent priorities.

The White House funded the state functions that are now Federal responsibilities and added $66.2 million for priorities negotiated and ratified by city officials. A cut of $31 million from the 302(b) allocation left only $34.8 million.

Instead of redistributing the scarce remaining funds to the District's stated priorities, $13.85 million for new matters was actually added to the D.C. appropriation. How can items be added to an appropriation that has been cut? The only way to do this, of course, is to cut funding for the priorities the city has stated it must have. Yet, new items were added, for example, funding for the Arboretum, a Federal facility funded by the Agriculture Department that never before has appeared in a D.C. appropriation. Adding new items guaranteed that the District's priorities would be downgraded and defunded.

What was left after a combination of cuts and new additions was predictable: $7 million instead of $25 million for D.C.'s top economic priority, a New York Avenue subway station, now in great jeopardy; $14 million instead of $17 million for the D.C. College Access Act, despite a letter from Mayor Williams requesting funding for juniors and seniors previously excluded only because it was erroneously thought there would be insufficient funding. The subcommittee says to the District, pay for critical items like the New York Avenue Metro station, not from Federal funds, but from interest on D.C. funds held by the Control Board.

This requirement remains in the bill, despite a letter from the Control Board Chair, Alice Rivlin, that says that such funds no longer exist, but, to quote her words, ''have already been included by the District as a source of funds to support governmental operations.''

The requirement to pay for the subway from interest remains in the bill, despite the fact that D.C. could never pay for the great majority of a subway station's cost itself and was able to make a commitment to use its own funds for a station only because the OMB and the private sector had each committed to pick up one-third of the cost.

Mayor Williams wrote to Chairman ISTOOK: ''In the case of the New York Avenue Metro, the reduction in Federal funds has sent a chilling message to the business community who have expressed interested in bringing business to the District. The $22 million cut greatly imperils the District's ability to secure the private funds that were to be leveraged by the public allocation. Local businesses have made investments in the city based on this project. Without full funding, the success of this effort is jeopardized. I urge you to restore full funding.''

It is one thing for the subcommittee to make cuts; it is quite another for the subcommittee to nullify the District's carefully thought-out priorities. Adding funding controversy to the attachments disputes that always surround this appropriation has not helped this bill, for we also will waste a lot of time discussing riders today. It is wasted time because, in the end, the riders have caused a veto of the bill; and to get the bill signed at all, they are removed or substantially changed.

The chairman indicated these riders simply reflected those transmitted by the President from prior years. OMB has worked with the District to remove riders from prior years that are outdated, no longer relevant or are already included in D.C. or Federal law; and the city has moved to make other riders permanent that should be permanent a part of D.C. law. The Chair must prefer long and wasteful debates, because he has reinserted into the bill not only the very few that were social riders, but all the redundant, outdated, and irrelevant riders as well.

What is the point, if we ever were striving to get a bill that could be signed? When even steps to remove patently irrelevant material provokes disagreement, we seem well on our way to a veto of the D.C. bill.

I had hoped for better this year. Please oppose this rule.

Mr. LINDER. Mr. Speaker, I yield such time as he might consume to the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the subcommittee.

Mr. ISTOOK. Mr. Speaker, I thank the gentleman for the opportunity to speak.

Mr. Speaker, I rise in support of this rule, which enables us to go forward with this bill which, in addition to the District of Columbia's own tax revenue, and budget allocates $414 million from the taxpayers in the rest of the United States of America to the District of Columbia.

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Now one might have thought, from listening to people, that we are not doing anything for the District of Columbia, and here is $414 million, Federal money from the rest of the country, not going to New York City, not going to Chicago or Los Angeles or Oklahoma City, we do not make direct appropriations to those communities or to any others, only the District of Columbia. This is in addition to its own tax revenues and budget, in addition to qualifying for Federal grants from all sorts of other sources. In addition to those, the District of Columbia gets $414 million directly from the Federal Government. We do it year after year. Why? Because the District of Columbia is not just another city. It is the Nation's capital, so designated in the United States Constitution.

As the Nation's Capital, it has a very different relationship.

Now, I heard the gentlewoman from the District of Columbia (Ms. NORTON) in this House say, and I think these were the words, that what happens here should not concern anyone not a resident of D.C., and said people should not be concerned with a city not their own. If that were the case, we would not be talking about $414 million for Washington, D.C., but we are because Washington, D.C. is not just another city.

The Constitution specifies it is the Capital of the United States of America, and as the Capital it has a distinct position. Article I, section 8 of the U.S. Constitution says that exclusive control over all legislation, in all cases whatsoever, for the District of Columbia resides right here in the Congress of the United States, because the Founding Fathers knew that the Nation's Capital would be distinct, would be different.

One thing they wanted to be sure was that the Nation's Capital was in harmony with the rest of the country. We do not want one thing going on in what is supposed to symbolize and represent America that is totally foreign to the rest of the country. We do not want one set of standards in the Nation's Capital that is inconsistent with Federal law or that is inconsistent with the values of the Nation.

So to create that consistency, the Constitution says legislative control over the Nation's city belongs to the Nation.

I realize that is difficult sometimes for people that live here to recognize why it is set up that way, but to say that this should not concern people who are not residents or this is a city that does not belong to the rest of the country, I have to disagree. When one comes here and they see the best of Washington, they visit the Capitol, they see the Lincoln Memorial, the Washington Monument, the Jefferson Memorial, the new memorials to FDR, to Korean veterans, the Vietnam veterans, the one underway for World War II veterans, they see those things and they get a sense, they get an inspiration from it. Then to be told, oh, no, they are not a part of this, this is not their city, sure it is. It is the Nation's city.

That is why we do things and will do things here today, to try to make sure that Washington, D.C. is in harmony with the Nation. If we are not the Nation's city would we have the hundreds of thousands of people that are employed here because the Federal Government is located here? No, the District of Columbia would not have that guarantee of employment, of revenue, of opportunity that comes with it. It would not enjoy that.

The District also would not have the burdens that come with it; the Presidential inauguration, for example, coming up. One of the things in this bill is approximately $6 million to reimburse D.C. for special expenses that it will have when the presidential inauguration occurs, the security needs, all the influx of Americans coming here for the presidential inaugural. Now some cities would be saying, hey, that is great for business, that is great for

tourism; we do not need the extra money to pay for these additional costs; that revenue itself is going to be enough.

We have not taken that approach with D.C. We have said they have an extra burden. We want to help them with it. So some of the money which the gentlewoman complains about, and says I wish it were applied some place else, is to reimburse the District of Columbia for this expense when they have to have all of the overtime, all the extra work by their transit people, their public safety people, their people that work with waste disposal, with cleaning up afterward. It is a big expense, and we are trying to be responsible in taking care of that.

Washington, D.C., in addition to $414 million of Federal money from the rest of the country under this bill, still qualifies the same as any other municipality and school district in the Nation to receive Federal grants, Federal assistance, Federal funds that help their schools. In addition, they get transportation grants.

One of the riders of which the gentlewoman complains is to improve the ability of Washington, D.C. to fully qualify for grants from the Environmental Protection Agency, because they do have pollution problems, especially the Anacostia River. We provided special funding to help with cleaning that up. We are doing these things because we do believe Washington, D.C. belongs to all of us. We do not all live here. There is a difference between people who live here and people who do not, but that difference is not to say that the Nation's Capital does not belong to all of us. It does belong to all of us. It must belong to all of us, and if we want to have pride in the country we have to have pride and confidence in what is happening in Washington, D.C.

If we find out that the District is going off in a totally different direction and thereby become the symbol for the whole country, we have to make sure that it is in tune instead. So sometimes the local officials do things and Congress says, no. If you were in New York, if you were Chicago, if you were Detroit, if you were Phoenix, if you were Tampa, if you were Wisconsin's Madison, any of these other communities, we would not do that because they are not the Nation's Capital.

They do not belong to all of us, but we will do some things differently.

This rule makes in order an opportunity to consider those things, and Members have had the opportunity to present them.

Now I heard the gentlewoman from the District of Columbia (Ms. NORTON) say, well, we have riders on the bill and some of them have been there too long. Well, what was not mentioned was we went through and we dropped 25 provisions that have been carried year after year after year after year in this bill that we did not see where they served any further purpose. We knocked out 25 of them.

Now, are there some others that still need to go? We are going to look at them and continue to make deletions as we go through the process. If something is actually outdated or covered by some other provision of law, we will continue working with people to do that. But the ones that remain are the ones in harmony with what I have explained, that distinct relationship between the Nation's Capital and the Nation. It is not just another city.

We have in this bill, and this is a program adopted last year, we have in this bill millions of dollars to provide assistance to any student who has graduated from public school, or private school for that matter, in the District of Columbia. I think the cutoff date is since 1998. This program provides them assistance up to $10,000 a year to go to college. We have not done that for any other community in the country.

We think there are good reasons why we have set it up, because there is not a State education system and there are definitely education problems, major ones, here in the District of Columbia. That program was started last year and every penny necessary for every student who qualifies is fully funded in this bill, plus a reserve fund of about an extra 12 percent.

We hear people say but the President requested more. Well, last year we appropriated $17 million for the program. Guess what? Now that we have had a year to get the program in motion to find out how much it really costs, we found out that $14 million does the job. So there is a $3 million carryover. So we do not need to appropriate as much next year, but we have still gone 12 percent beyond what they figured they needed next year just to be sure.

Just because we do not give the same amount of money as the President requests does not justify coming here and saying, oh, our budget is being cut. No, that simply is not true. We are not cutting a single penny from the budget submitted by the District of Columbia with the control board that has been helping it out with oversight. Not a single penny is cut from their budget. We have approved their budget, and we have $414 million of Federal money beyond that.

The Federal Government, a couple of years ago, assumed new responsibilities. We are in charge of funding the court system. We are in charge of funding the probation and parole services. We are in charge of funding the prison system. That consumes most of the $414 million, and we fund that in here.

Yes, sometimes Federal agencies submit budgets to us, and we make adjustments, but we have not adjusted the District's own budget.

Now let us talk about this Metro station. We have put over $7 million of Federal money in this bill and allocated an additional $18 million from an account where the District deposits funds it gets from the Federal government and collects interest on those and other funds. We have said they can use the rest. Last year it was Congress that made the decision on how to use that same fund, to assist the District with buy-outs of its employees because they have a big problem with too many workers not doing enough work. To try to reduce the size of the work force the Mayor, Anthony Williams, who is a good man and a good mayor, says he needs to reduce the size by buying out people's contracts. And we provided money from the same fund last year, done by this Congress, to help them with what the Mayor said was his top priority.

This year, we are told the top priority is the Metro station, we said fine, we will make that money available from that same fund for the Metro station, and suddenly we are told, oh, we are meddling; that they should not have to use that fund for the metro construction.

Contrary to what has been claimed by some people before, that fund is not part of the District's budget. The District has not put any budget here that says this is a part of our budget to spend it. What they have done, since we said we will put it on their top priority then, they have come up with a laundry list and say, oh, we want to spend it on some different things instead. Some of those things are bonuses for people working in the Mayor's office. Some of those things are severance pay, perhaps golden parachutes, for this control board that has been helping with the fiscal responsibility in helping D.C. get its budget back in balance, which they have done and they deserve a lot of credit for that, both D.C. and the control board, because they were in deficit for so many years and now they are in their 4th year of having a budget surplus; and we want that to continue.

As this control board goes out of existence, they want to double their budget in their last year, double their budget in their last year. They want to go into this fund, which we say ought to go to the New York Avenue Metro station, and they say no, we ought to help double the budget in the last year for the control board so we can have all of these real nice severance pay packages for them.

That is what this debate is about. We have funded the priorities of the District. Every penny that is necessary for what has been authorized in this college assistance program is in the bill, paid for. We have provided the money for the New York Avenue Metro station. Now we were told those are the top two priorities, and we have been responsible and handled them responsibly. Had this been the top two priorities for any other city in the country, do my colleagues think they would get a direct Federal appropriation for it like this? No. They might qualify for Federal assistance through different grant programs and apply for this and so forth, but they would not just get it handed to them on a silver platter, saying because they are Washington, D.C.

we are going to do something more for them. We are trying to be responsible and do that, and it really galls me to hear some people in the District griping; ''well, this is being done for us but we want more.''

The rest of the country does not appreciate that. The rest of the country, if they see somebody from Washington, D.C. in their State and the license plate says ''Washington, D.C., taxation without representation,'' what will they think? Something very different than people in the District will think. Others around the country will think, yes, they are taking my money and I am not getting enough representation for it.

Let us have some perspective here. We have a special responsibility for the Capital of the United States of America. It has severe drug problems. It has severe crime problems. It has some decrepit public schools that need improvement for the future of our kids. It has major management problems and a huge bureaucracy that has more confusion and more complexity than the Federal bureaucracy, but still it is the Nation's Capital and we are doing things trying to help D.C. come back and rebound.

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And I hear people come up on this Floor and try to pretend, oh, you are not doing this and you are not doing that. Take a look at what we are doing. This is a good bill. It deserves support from every Member of this body. It deserves support from people who say, I do not want to give money to Washington, D.C., because I do not like a lot of the things they do there. I understand that; I do not like a lot of things the District does either. But it is the Nation's Capital; it was set up differently under the Constitution. They do not get the same tax base that some people do because of all of the Federal land here.

There are restrictions on construction, for example, of high-rise buildings that do not exist elsewhere, because of national security issues. The District is different. We should be helping the District, whether one is on the right, or on the left, or in the middle. We are doing the right thing with this bill. Because it gives us a fair chance to consider the differences, the rule should be adopted, and the bill as well.

I thank the gentleman for yielding to me.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). The Chair notes a disturbance in the gallery in contravention of the law and the Rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, this rule should be rejected.

Let me first say to the chairman of the subcommittee, I appreciate his feelings that are inspired by the Federal monuments, whether it be the F.D.R. Memorial, the Vietnam Memorial, the Washington Monument, or the Lincoln Memorial. Of course, that is all on Federal land, it is owned by the Federal Government, it is run by the Interior Department through the National Park Service. That is not at issue here.

What we are talking about here is the people who live within the District of Columbia who buy their own home, who are responsible for maintaining their own property, who elect their own representatives, and would like their representatives to be able to represent them, but would not like the Congress necessarily to be overruling their elected representatives, because they have no democratic right to hold us accountable, and that is the problem with this bill. The legitimately elected representatives of the District of Columbia are being overridden by Members of Congress who will never be held accountable for what they do to the District of Columbia.

In terms of the budget, we made a deal back in 1997. Basically, because the District of Columbia has no State to support it, there are certain functions that we agreed we would pick up, and those functions are being shortchanged in this bill to the tune of $31 million. The bill is even $22 million less than last year's level. For those reasons, plus four specific reasons, I think this rule should be rejected.

First of all, it protects four Republican amendments, which are all of the Republican amendments that were offered. Those Republican amendments, if they were treated the same way as the Democratic amendments, would be subject to a point of order. The Democratic amendments are all subject to a point of order. The gentlewoman from the District of Columbia (Ms. NORTON) wanted to offer a ''Democracy'' amendment. I think she has some very compelling arguments, and I totally agree with those arguments; but they are going to be ruled out of order. We cannot bring them up, we cannot get a vote on them, because they are not protected. Why? Because they were Democratic amendments.

Secondly, two of these Republican amendments that could have been ruled out of order are wholly contrary to what we would do to our own citizens in the jurisdictions that we are legitimately elected to represent. The Tiahrt needle exchanges amendment inserts new language that will kill the District's private needle exchange program that is run by a local nonprofit organization. It negates it. We are going to show that. It means that, despite what the House full Committee on Appropriations did, this program, run by a private organization, will not be able to operate. No Federal and no local public funds are involved in this program, and yet we are going to ensure that it cannot even operate.

The Bilbray smoking amendment would impose Federal penalties and sanctions on children caught smoking. That is a well-intentioned thing to do, but no other jurisdiction in this country faces a similar Federal penalty for children caught smoking. We would never do that to any district we represent. It is clearly legislating on an appropriations bill. There is not one Member of this body that would impose this restriction on any citizen that elects them directly to represent them.

Third, it protects the bill against a point of order that could be raised against a whole host of provisions in this bill that are legislating on an appropriations and have no business in an appropriations bill. We do not have those type of legislative restrictions on any other appropriations bills. They are punitive provisions put in to fix one-time situations and left in there.

Lastly, these amendments are a clear violation of the spirit of District home rule, offering amendments that prohibit the District from implementing local initiatives where no Federal funds are involved. It is an abuse of congressional power. With the passage of the 1997 D.C. Revitalization Act that eliminated direct Federal payments to the district, the context and circumstances with which Congress might have justified past intervention is now gone. Federal taxpayer funds are not involved, we should not be involved, and that means we should vote against the rule.

Mr. FROST. Mr. Speaker, I urge a no vote on the rule.

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

Mr. LINDER. Mr. Speaker, I urge all of my colleagues to support this rule so we can begin the important debate on the Washington, D.C. Appropriations bill for 2001.

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

The previous question was ordered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair notes a disturbance in the gallery in contravention of the law and the Rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

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

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

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

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

The Sergeant at Arms will notify absent Members.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair notes a disturbance in the gallery in contravention of the law and Rules of the House. The Sergeant at

Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The vote was taken by electronic device, and there were—yeas 217, nays 203, not voting 14, as follows:

[Roll No. 442]

YEAS—217

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

NAYS—203

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—14

Barton
Cubin
Ewing
Gilman
Granger
Jenkins
Jones (OH)
Klink
Lewis (CA)
McDermott
McIntosh
Roemer
Smith (WA)
Vento

b 1344

Messrs. KUCINICH, CROWLEY and THOMPSON of California and Mrs. MALONEY of New York, Ms. BROWN of Florida and Mrs. CLAYTON changed their vote from ''yea'' to ''nay''.

Mr. SMITH of Michigan and Mr. SHOWS changed their vote from ''nay'' to ''yea''.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. McDERMOTT. Mr. Speaker I was unavoidably detained by official business and unable to vote on H. Res. 563. I would have voted against H. Res. 563 (rollcall No. 442).

f

PERSONAL EXPLANATION

Ms. GRANGER. Mr. Speaker, due to attendance at a funeral, I was not present for several rollcall votes today.

Had I been present, I would have voted ''aye'' on rollcall 439, 440 and 442. I would have voted ''no'' on rollcall 441.

b 1345

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

f

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 563 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill H.R. 4942.

b 1346

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

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

Mr. Chairman, this is the appropriation bill that we consider each year for the District of Columbia, the Capital of the United States of America. In addition to local monies and in addition to monies that the District receives, just as other communities and other States do through different Federal programs for transportation, for education, for public assistance, for Medicaid and Medicare; in addition to all of those, this bill appropriates $414 million for the District of Columbia to operate its prisons, its courts, and the program of supervising those that are on some form of probation or parole.

And even beyond that, this makes additional monies available for a number of special items in the District of Columbia, such as the new expansion of the metro system, the subway system