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House of Representatives

The House met at 10 a.m.

The Reverend Monsignor James G. Kelly, St. Margaret's Church, Buffalo, New York, offered the following prayer:

Heavenly Father, Lord of creation, all praise and thanks to You for the commission and gifts which You have given to us Your children to continue Your work in the world through the formation and fostering of civilization on this earth. Praise and thanks to You for this blessed Republic of ours and for the women and men who serve willingly and generously in its governance. Look with favor on the elected Members of this House of Representatives, bless them and guide them that they may not only enact laws that are just but also be the voice of those who have no voice, the most vulnerable and marginal of our society. Help these men and women to be persons who lead through the example of honesty, reverence for our traditions and integrity. Praise and thanks to You, our God, forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. LAFALCE) come forward and lead the House in the Pledge of Allegiance.

Mr. LAFALCE 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The gentleman from New York (Mr. LAFALCE) will be recognized for 1 minute. All other 1-minutes will be postponed until the end of the day.

WELCOMING THE REVEREND MONSIGNOR JAMES G. KELLY

Mr. LAFALCE. Mr. Speaker, I want to both welcome and thank Monsignor Jim Kelly from St. Margaret's Roman Catholic Church on Hertel Avenue in Buffalo, New York, for coming here this morning and offering the opening prayer.

When I was a very young man coming out of law school, I was hired by one of the most prominent firms in Buffalo, Jackle, Fleischman, Kelly Swart, and Ausberger. It was Monsignor Kelly's dad, Harry Kelly, one of the best trial lawyers western New York has ever seen, who gave me my initial start. His sister Therese and her husband Tom bought a home just two doors away from the home that I lived in on Starin Avenue in the Town of Tonawanda.

The name Kelly is very, very Irish, but he ministers with great care and love and compassion to the parishioners of St. Margaret's, which is over 70 percent Italian American. He, in addition to that, tries, probably harder than anyone else, to promote peace and justice within the Diocese of Buffalo, because he is the Chairman of the Peace and Justice Commission for the Diocese of Buffalo.

Monsignor Kelly, we welcome you here today and we also say to you, one day late, Happy Birthday.

DISAPPROVAL OF NORMAL TRADE RELATIONS TREATMENT TO PRODUCTS OF VIETNAM

Mr. THOMAS. Mr. Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 55) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 55 is as follows:

H.J. RES. 55

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 1, 2001, with respect to Vietnam.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to the order of the House of Wednesday, July 25, 2001, the gentleman from California (Mr. THOMAS) and the gentlewoman from California (Ms. SANCHEZ) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to yield one-half of my time to the gentleman from Michigan (Mr. LEVIN) the ranking member of the Subcommittee on Trade of the Committee on Ways and Means and that he be permitted to yield the time as he sees fit.

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

There was no objection.

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

Mr. Speaker, I rise in strong opposition to House Joint Resolution 55 and, therefore, in support of extending Vietnam's Jackson-Vanik waiver. I believe this waiver represents the best hope for continued political and economic reform in Vietnam and, therefore, greater market access for American companies in one of Southeast Asia's most important emerging economies.

These three key issues come to bear on this question: Has Vietnam made

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progress in emigration? Have we continued despite great difficulty improving and committing ourselves to accounting for our servicemen still missing in action? And on free and equal access to trade and investment opportunities for American companies?

In each case, I believe the answer is yes. As we enter a new decade of bilateral cooperation, efforts to normalize relationships on both sides are bearing fruit.

Mr. Speaker, I was part of the first trade delegation ever to go to Vietnam under the leadership of then chairman of the Subcommittee on Trade Mr. Gibbons of Florida. We ventured to Hanoi and to Ho Chi Minh City. Although conditions, especially in the north of Vietnam, were relatively bleak, even at that time you could see the potential of then more than 75 million individuals who had an extremely high literacy rate and who seemed to be more than willing to work hard. The thing that struck me the most was the fact that there was an enormous number of foreigners in the country working on various trade arrangements. What was most striking is that virtually none of them were American. It was a clear indication that Vietnam, notwithstanding the difficulties we have with the government structure and notwithstanding the concerns that many of us have about the complete ability to account for our servicemen and women missing in action, that the United States if we continued our then current position was going to miss out; miss out not only in terms of economic opportunities but miss out in shaping this country which I believe will have a significant and positive impact in Southeast Asia.

Promoting emigration is at the core of the Jackson-Vanik structure. Vietnam, I believe, has taken significant steps to liberalize its emigration practices. Among other achievements, it has cleared for interview all but 73 of the nearly 21,000 individuals who have applied for consideration under the Resettlement Opportunity for Vietnamese Returnees program.

In addition to that, we really believe that the continued improvement in this area of human rights depends upon extending the Jackson-Vanik waiver, to let us positively influence the direction of Vietnam's economic and political future.

We in addition to this Jackson-Vanik waiver will today in the Committee on Ways and Means be considering a bilateral trade agreement between Vietnam and the United States. That will afford us further opportunities both as trading partners and a growing relationship which will eventually hopefully move to a strong friendship, a remembrance of our past relationships with a commitment to make sure in Southeast Asia this does not occur, because frankly I believe that Vietnam will be one of the key nations in Southeast Asia as it continues to grow in its trade relationships around the world. We saw with Thailand in 1997 how one country's instability can quickly spread to others. I believe over the next several decades, Vietnam can be an anchor for economic improvement in Southeast Asia but probably more important a laboratory in how we can move toward a more democratic structure in a regime that currently cannot be determined to be democratic.

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

Ms. SANCHEZ. Mr. Speaker, I ask unanimous consent that I be allowed to yield half of my time to my friend, the gentleman from California (Mr. ROHRABACHER) so that he may be permitted to yield time as he sees fit.

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

There was no objection.

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

I would like to begin by saying that I have been now twice as a Congresswoman to Vietnam. I represent the largest Vietnamese segment of population outside of Vietnam in Orange County, California. Today's issue of the Jackson-Vanik is really an issue about emigration and our ability to make sure that reunification of families is happening here in the U.S., those who want to leave Vietnam and have been approved by the United States and their ability to get the right papers out of the Vietnamese government in order to make it here and come and join their families.

As the person who represents the largest group of Vietnamese people here in America, certainly our office gets to deal with all the problems of emigration between these two countries, the United States and Vietnam. That is really what this Jackson-Vanik waiver is about, whether the country of Vietnam is working in a positive manner to help us get that family reunification done. I would like to say that from our experience, and I will get into it in a little while, they have not. In fact, they are obstructing our ability to reunify our families here in the United States.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN), another one of my California colleagues who has been working very much with the Vietnamese community.

Ms. LOFGREN. Mr. Speaker, I rise in support of H.J. Res. 55, a resolution denying the President's waiver for Vietnam from Jackson-Vanik freedom of emigration requirements. I urge my colleagues to vote in favor of this resolution.

I am proud to represent a community, Santa Clara County, that has been greatly enriched by the contributions of its Vietnamese American residents. For many years as an immigration attorney, a local elected official, and now as a Member of Congress, I have had the opportunity to work with these Americans on two issues close to their hearts and to mine, immigration and human rights. So it is these two issues that are at the forefront of my own thoughts as we discuss trade with Vietnam.

I continue to hear constantly stories about religious persecution, political repression, and unwarranted detentions coming from the Vietnamese American community in San Jose and from contacts overseas. That is why several weeks ago I along with the gentlewoman from California (Mrs. DAVIS) and the gentlewoman from California (Ms. SANCHEZ) hosted a hearing on human rights in Vietnam here in the Capitol.

Let me tell you what we learned at that hearing:

Religious persecution is common in Vietnam despite the guarantees in chapter V, article 70 of the Vietnamese Constitution that citizens shall enjoy freedom of belief and religion.

Portions of the Vietnamese penal code indirectly contradict guarantees of religious freedom. For example, Vietnamese citizens can be prosecuted for ''undermining national unity'' and ''promoting divisions between religious believers and nonbelievers.'' Additionally the government of Vietnam has consistently violated article 18 of the International Covenant on Civil and Political Rights that ''everyone shall have the right to freedom of thought, conscience and religion.''

This is borne out by the treatment that the Catholic church, the Buddhists and the Christian Montagnards have experienced at the hands of the Communist government.

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In the course of this debate, we must not forget the names of those fighting for freedom in Vietnam:

Father Nguyen Van Ly, Father Chan Tin, Le Quang Liem, Father Nguyen Huu Giai, Father Phan Van Loi, the Venerable Thich Huyen Quang, the Venerable Thich Quang Do, Rev. Thich Tri Sieu, and Rev. Thich Tue Si.

Mr. Speaker, we must make sure that we use this tool that we have. I am a firm believer in trade, but I also know that we have individual relationships with each country, and we must use the tools available to us. We have a window of opportunity with Vietnam, and I know that if we insist that Vietnam improve its human rights record as a condition of trading with America, we would gain human rights advances in Vietnam.

So I think it is a tragic mistake for the United States to decline to use this tool that is available to us that would be effective in gaining freedom for those who are oppressed because of their religious beliefs in Vietnam.

For the priests and the devout who are persecuted today in Vietnam by the Communist government, I can only offer my embarrassed apologies that President Bush and this Republican leadership would turn a deaf ear to your suffering.

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

Mr. Speaker, I join in opposition to this resolution, and I support the waiver for another year. We should be clear what is before us today. This waiver relates to the availability of export-related financing from OPIC and Ex-Im and the Department of Agriculture, and not broader than that.

Last year's vote in favor of the resolution was 93 and opposed 332. It was a bipartisan vote, with 23 Democrats voting in favor of it. I do not see any reason why we should step back. I do not think there is any rationale for moving backwards instead of sustaining this approach.

Our relationship with Vietnam, as we all know so well, has been a very complicated one. The war was indeed a bitter one and a deep and bitter experience for this country. We had very difficult relations with Vietnam for good reasons.

Then, in the nineties, a decision was made to lift the trade embargo that had been in place for 20 years, and in 1995 we opened a U.S. embassy in Hanoi, and it was in 1998 that the waiver of this nature first occurred. Since then, the waiver has been upheld.

There has been some progress, progress in terms of missing in action issues that are of deep concern to us. Recently nine Vietnamese died helping us in the search for U.S. MIA's. There has also been some improvement in emigration. It is far from perfect, but I do not think anybody would say the situation today is the same as it was 4 or 5 years ago.

I think that we need to find, as we did last year with China, a combination of engaging and pressuring of Vietnam, and it seems to me that to pass this resolution does not find at all the right combination.

We are endeavoring to help promote a free market economy in Vietnam. There are some steps in that direction.

We are going to be considering, as the chairman said earlier, a bilateral trade agreement in the Committee on Ways and Means this afternoon. That was negotiated about a year ago, and has only recently been submitted to us for action.

In that bilateral trade agreement, we will be considering a number of issues. It does not, in my judgment, address all the issues that need to be considered in our economic relationship with Vietnam. At some point there is going to be a desire to negotiate a textile and apparel agreement.

As I have expressed to the administration and to colleagues on my committee, and will express again this afternoon, it is vital as we go forth in our relationship with Vietnam that we consider all of the relevant economic and trade-related issues, including those of labor markets and the economy. The bilateral agreement before us this afternoon does not fully do that, though I favor moving ahead with it, with the proviso I have mentioned.

But the issue today before us is whether we should continue this waiver, whether it is a useful and, as I think, important part of the continuing efforts to find the right combination in our relationship with this country. It remains a command economy, there is no doubt about it. It remains a country where there is command by a central party over much of Vietnamese life. There is no doubt about it.

Therefore, we have to continue to press on the economic end in a broad way; we have to continue to press in terms of human rights, never give that up. But voting for this resolution today I think misses the best way to do that, and, therefore, while understanding and indeed lauding the concerns of those who support this, I would urge that we continue the path that was set a number of years ago of engaging and pressuring Vietnam.

The vote last year was really an overwhelming one, and I think the evidence since then indicates we should continue that approach and not step backwards.

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

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

Mr. Speaker, I have introduced House Joint Resolution 55, a resolution disapproving the extension of the President's waiver for the corrupt communist regime in Vietnam on the Jackson-Vanik provision of the Trade Act of 1974.

During the past 12 months, despite previous Presidential waivers, the communist regime in Vietnam has actually increased its brutal repression, especially against religious leaders and other members of the clergy; it has increased its repression of those who are advocating democracy; and it has increased its repression against ethnic tribal minorities.

When we take a look, especially at that last category, today, as we speak, the Montagnards, who were great allies of the United States of America, who risked their lives in order to save thousands of Americans, are under severe attack by the government of Vietnam. Yet we sit here and extend to them, again, a waiver on their conduct? I do not think so.

This Member of Congress spent some time with the Montagnards in 1967. I was in a small camp near Pleiku, Vietnam, and I found the Montagnard people, although they are very short people, to be some of the most courageous people in the world. Yet they cast their lot with us, and we abandoned them at that time at the end of the war. In 1967, probably some of those Montagnards were responsible for my life.

I did not spend a great deal of time up there, it was part of a political operation in the highlands of Vietnam, but I will say this: These people who risked their lives for us and then were abandoned at the end of the war, I remember thinking, whatever happened to those people? In 1975, I remember asking myself that.

Well, today, let us not abandon those people who fought for democracy in Vietnam again. Let us not abandon America's friends, again, by giving a waiver to a corrupt and tyrannical dictatorship that now controls Vietnam.

Mr. Speaker, what does this waiver really do? By the way, we are talking about waivers. I would like to thank my colleague from Michigan for outlining exactly what it does do and what we are really talking about today. Are we talking about breaking relations with Vietnam? No, this waiver would not do that. By rejecting this waiver, we would not be isolating Vietnam.

We are not talking about embargoing Vietnam. That is not what rejecting this waiver is all about. We are not even talking about whether American companies will be able to sell their products in Vietnam. That is not what rejecting this waiver would do.

What we are talking about today and what this debate is really all about is if we reject this waiver, we are preventing American businessmen who want to build factories in Vietnam, we are preventing them from an eligibility, from having eligibility for taxpayer-funded subsidies and loan guarantees. As my friend from Michigan stated, what we are really talking is OPIC and Export-Import bank loan guarantees and their credit.

What does that mean? That means the American people are going to be, through their tax dollars, subsidizing American businessmen for taking advantage of slave labor, meaning labor that cannot unionize, cannot demand its own wage, cannot quit. We are going to subsidize American businessmen to close their factories in the United States and set up their factories in Vietnam.

Does that make any sense? I do not think it makes sense to do that with a democratic country, much less to a country that is a dictatorship and stands for everything that America is supposed to be against.

Extending American tax dollars to subsidize or insure business with Communist Vietnam is bad business in and of itself and a betrayal of American values. Bad business, because of what? Well, why do these businessmen who want to set up these factories need these subsidized and guaranteed loans in the first place? I will tell you why they need that, because private banks will not give them the loans at the rates they need, because it is too risky for these American businessmen to set up their factories in Vietnam, because Vietnam is a corrupt dictatorship that nobody can count on. If it is bad business for American banks, should we put the taxpayers' money at risk? I do not think so.

It is not only bad business, but it is a betrayal of American values. The communist regime represents a repressive and corrupt dictatorship that is reprehensible and contrary to everything we believe in. They do not share our values and have not shown the slightest willingness to change.

We keep hearing, well, there has been progress. There has not been progress. There has been retrogression, just like we have seen in Communist China; retrogression. When we extend loan guarantees and we help out the regime, these gangsters do not say, oh, gee, how nice; maybe we should actually have some liberalization because they have been so nice to us.

No. They think we are a bunch of saps. They do not think we have the courage of our convictions. That is what is going on.

One last issue, the POW issue. There has been no progress on the POW issue. America spends $1 million every time there is a dig for remains of some American serviceman killed in Vietnam and left behind, $1 million. They are making a profit off of that. But they have done nothing but put obstacles in our way of finding out what happened to the 200 Americans who were reported and seen alive in captivity, but never came home after the war. Roadblock after roadblock.

I have made demands every year that we see the records of the prisons in which Americans were kept during the Vietnam War so that we can verify by those records that all of those people got home. Guess what? Those records have never been made available. Of course, the explanation is they were all destroyed by B–52 raids at the end of the war. Give me a break. They have not been forthcoming about POW's. They have, in fact, put roadblocks up in the way.

We should not reward this repressive regime by guaranteeing American businessmen's investments in their country. Of course, the American businessmen will make hundreds of millions of dollars, if not billions. The Vietnamese regime will benefit. But the Vietnamese people themselves will continue to suffer this repression, and the American taxpayer is going to be taken for a ride.

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

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

Mr. Speaker, there is no question, given the tragic history of the relationship in recent decades between the United States and Vietnam, that there would not be strong personal feelings.

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We have to approach this legislation looking at it on the whole but, because of that, Mr. Speaker, I would like to serve notice that at the end of the debate, we intend to ask for a recorded vote so that all Members may express their own particular position on this issue.

As the gentleman from Michigan indicated, he has a concern beyond a bilateral trade agreement with the Government of the United States and Vietnam; and I want to indicate to him that I look forward to exploring with him and other Members of Congress the appropriateness of negotiating an incentive-based textile and apparel agreement with Vietnam, which I believe will begin to address the very concerns that the gentleman from California (Mr. ROHRABACHER), my friend and colleague, indicated about the fact that if, in fact, there is going to be economic progress in Vietnam on the basis of American investment and involvement, that the Vietnamese people themselves also benefit.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT), but prior to that, I ask unanimous consent to yield the balance of my time to the gentleman from Illinois (Mr. CRANE) and that he control the balance of the time.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Speaker, I rise today to urge my colleagues to oppose the resolution disapproving the President's extension of the Jackson-Vanik waiver for Vietnam.

Mr. Speaker, it has been 7 years since we ended our trade embargo and began the process of normalizing relations with Vietnam. Over these few years, good progress has been made. From its accounting of U.S. POWs and MIAs, to its movement to open trade with the world, to its progress on human rights, Vietnam has moved in the right direction. Granted, Vietnam certainly is not there yet, but Vietnam is moving in the right direction.

Mr. Speaker, House Joint Resolution 55 is the wrong direction for us to take today. Who is hurt if we pass this resolution today? We are.

It is the wrong direction for U.S. farmers and manufacturers who will not have a level playing field when they compete with their European or Japanese counterparts in Vietnam. It is the wrong direction for our joint efforts with the Vietnamese to account for the last remains of our soldiers and to answer finally the questions of their loved ones here, and it is the wrong direction for our efforts to influence the Vietnam people, 65 percent of whom were not even born when the Vietnam War was being waged.

Let us not turn the clock back on Vietnam; let us continue to work with them and, in doing so, teach the youthful Vietnamese the value of democracy, the principles of capitalism, and the merits of a free and open society.

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

The gentleman from California (Mr. THOMAS) mentioned that we would be taking a recorded vote on this; and part of that, he mentioned, is because of the emotions that many of the Members in this House feel over the Vietnam war and situation. I am one of those whom the Vietnam war, in many ways, bypassed, having been a very young child during that time; but I do know that my emotions are very strong on this because I do represent a group of people who are trying to reunify their families.

Probably, nobody else has as many cases open, over 1,000; and probably nobody in this Chamber has two Vietnamese-speaking people who deal only with the reunification of families in our home district office. Many of my colleagues do not get to see what I get to see or see the cases that come before us, the cases like my colleague from Michigan mentioned that there has been positive change with respect to emigration from Vietnam to the United States.

I will tell my colleagues that 5 years ago when I started as a Congresswoman, one had to get an exit visa from the Vietnamese government before the United States would clear you for entrance into the United States. That has changed. Now, you get cleared by the United States, and then you go to the Vietnamese government and you ask for an exit visa, an ability to leave their country. When you go to that point, if you are in Vietnam, it usually costs you a $2,000 or $3,000 bribe in order to get that exit visa.

The annual wage for the annual household income in Vietnam today is about $300 a year, which means that if one is being asked for a $2,000 or $3,000 bribe in order to get an exit visa in order to come to the United States after you have been approved by the United States, there is just not a way that math works out, which means we have lots of open cases and people who are not able to come over, even though we in the United States said, yes, they are eligible under the laws passed to come and be reunited with their families in the United States.

This is why this issue is so important, because this is giving financial instruments to people who want to do business in Vietnam because Vietnam's government has opened up and has helped us on the emigration issues, but they have not done that. They have made it, in some cases, more difficult.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California, both for her passion and leadership on this issue.

It is difficult, Mr. Speaker, to stand up against those veterans who have served in Vietnam, many of them who are pursuing this trade opportunity; but I think it is important to explain the extent of what the waiver actually means.

I am glad my colleagues who have debated this have already mentioned that we have been engaged in trade with Vietnam for a number of years. We are trading with Vietnam. On the basis of that trade, one would expect, and the American people would expect, that as we engage with Vietnam and we are not engaging in trade in Cuba, that we would see a decided and definitive

change; that those in this country who we represent from Vietnam who are seeking reunification of their family members, that the country and the leadership in Vietnam would be eager to cooperate and collaborate so that loving families could be reunited.

This waiver is to waive the emigration requirement, and that is where we are suffering. Those who want to leave Vietnam in freedom are not being allowed to do so. How much more trade and engagement do we need to be involved in to have the leadership of Vietnam see the light?

Since 1982, authorities have detained, without trial, an 82-year-old patriarch of the Unified Buddhist Church. He is in poor health and requires immediate medical care; I said 82 years old. Today we will greet Gao Zhan home from China with a medical condition, a young woman who should not have been held in China, yet we are doing trade there. But here there is an 82-year-old man in jail, and they refuse to release him.

So there are questions that are pending in Vietnam. Based upon their lack of sensitivity to human rights, their lack of sensitivity to religious freedom, and the fact that we are engaged with them, it seems that they are making no decided efforts to change.

I believe that this particular resolution is an appropriate one, sends a message. If we trade with people, they need to understand that we believe in human rights and religious freedom.

Mr. Speaker, I rise in support of H.J. Res. 55. This resolution puts the principles of the United States first, and is required of this House in light of both the Jackson-Vanik amendment to the 1974 Trade Act and recent events affecting our diplomatic relationship with this developing nation.

Mr. Speaker, United States' law requires that permanent normal trade relations be granted to non-market economies that the president can certify have free emigration. Absent this showing, the President can waive the provisions of the amendment if doing so will promote emigration in the future.

Mr. Speaker, last year the U.S. signed a sweeping bilateral trade agreement with Vietnam. The World Bank estimates that this would increase U.S. imports from Vietnam $800 million from last year—a gain of 60%. The year 2000 trade imbalance with Vietnam was $496.9 million.

Mr. Speaker, the year 2000 review of human rights in Vietnam by the State Department noted that Vietnam has made improvements in its human rights record. Despite these improvements, the State Department still rated Vietnam as ''poor'' overall on human rights.

The State Department noted that the Vietnam Government continues to repress basic political freedoms, is intolerant of dissenting viewpoints, and selectively represses the religious rights of its citizens.

The Speaker last week I voted for the revocation of China's waiver authority under the 1974 Trade Act. In that case we were faced with a formerly hostile nation, a severe trade imbalance, and a nation unwilling to accept either the winds of change or the obligations of international citizenship.

In the instant case, Mr. Speaker, we have a similar situation. A formerly hostile nation with a large trade surplus and a questionable human rights record is up for trade waiver authority review. Although I rise in favor of this resolution, I do not seek to disparage the gains Vietnam has made in re-engaging the world. I seek a consistent balance between our trade priorities and the principles we use to steer this nation. We cannot continue to hold ourselves out as a nation of laws and turn our back on our convictions at every economic opportunity. We also need a faster response to our MIA's so their families can have closure.

Mr. Speaker, I rise in support of this resolution because our trade policy must be balanced with a sense of moral leadership. We should not hold our trade relationship over Vietnam, nor should we allow globalization to commit us to policies against our best sense as a nation. Vietnam has done much, but it can do more. Other countries may turn a blind eye to issues such as the rights of workers and the environment, but we are not other nations.

Mr. Speaker, I urge all members to vote in favor of H.J. Res. 55, disapproving trade waiver authority with respect to Vietnam. It is time to begin thinking about what trade should mean; huge deficits for the U.S. for the sake of a few reforms is not the answer.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Illinois (Mr. EVANS), who has been deeply involved in this issue.

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding. I urge my colleagues to oppose the resolution before us today.

This vote really is about how we best can achieve change in Vietnam. I believe the record stands for itself. We have achieved progress by engagement, by encouraging Vietnamese cooperation on important issues, such as human rights and political economic reform.

I can speak personally about this progress. I have been to Vietnam and seen the work of the Joint Task Force-Full Accounting, our military presence in Vietnam tasked with looking into the issue of missing servicemen and women. I have visited these young people and they are among the best and well-motivated group of soldiers I have ever met. Every day, from the searches of the jungle battle sites to the excavation of crash sites on precarious mountain summits, they put themselves in harm's way to recover our missing. In talking with them, it was clear to me that they were performing a mission that they truly believed in.

On April 7 of this year, the danger became all too real. On that day, seven American members of the Joint Task Force, along with nine Vietnamese, lost their lives in a helicopter crash as they were on their way to a recovery mission. The tragedy was a huge blow to the recovery efforts, as we lost both Americans and Vietnamese who had been deeply involved in finding our missing. We should remember our deceased as American heroes who gave their lives in pursuit of a mission they believed was a high honor and sacred duty.

If we pass this resolution of disapproval, we will be hindering that mission. The only way we can carry out this mission is to effectively have a presence in Vietnam, and to maintain the presence means reciprocating on the promises that we have made to reward the Vietnamese cooperation. Passing this resolution would definitely send the wrong signal to Vietnam, not to mention the brave American men and women who are still searching in the rice paddies and mountains of Vietnam.

Mr. Speaker, this is the 4th year that this House will vote on a resolution of disapproval. Since we first voted on this, the House has, each time, with growing and overwhelming support, voted down the resolution. Let us stay the course. Let us support our Joint Task Force-Full Accounting. Let us support our nation's bipartisan policy which has only furthered our goals toward a more open and cooperative Vietnam. Please vote against the resolution.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in support of H.J. Res. 55, Disapproving the Extension of Immigration Waiver Authority to Vietnam.

The resolution on the House floor today addresses the issue of whether the government of the Socialist Republic of Vietnam allows free and open emigration for its citizens. In 1999, President Clinton granted Vietnam a waiver of the Jackson-Vanik Amendment on this condition. Unfortunately, little improvement has been made since.

Boat People, SOS, an organization headquartered in my district, informed me that the official Communist government in Vietnam is still riddled by corruption. Additionally, the government continues to export thousands of political prisoners and former U.S. Government employees from participating in the U.S. refugee programs. Applicants, in some cases, are forced to pay $1,000 or more in bribes to gain access to these programs; this in a country where the average annual salary is $250.

The corruption that exists in the Vietnamese Communist government also undermines U.S. exchange programs. Our programs offer exceptional Vietnamese students the opportunity to study in the United States. However, the Vietnamese government excludes those students whose parents are not members of the Communist cadre. Thus, many qualified students are denied the opportunity to study in the U.S. exchange programs simply because their parents are not card-carrying members of the Communist

party. This bias is one of many examples of the apartheid system that the government has implemented to punish those who do not agree with their ideology.

On the human rights front, the government has released some political prisoners, but many more individuals, including religious leaders, remain imprisoned indefinitely. Meanwhile, the government continues to arrest others who dare to speak out against them.

The Vietnamese Communist government simply does not tolerate basic civil liberties, such as the right to free speech, the right to freely exercise one's religion, and the right to peaceably assemble. Reports reveal that the Vietnamese police have forced many religious groups who renounce their beliefs or face the threat of imprisonment, beatings, or torture. When I visited Vietnam in 1998, a Catholic priest told me the Communist government does not even allow him to wear his vestments in public.

Even more egregious is the government's persecution of the Hmong. Over 10,000 of them have had to flee their ancestral lands in the north, traveling 800 miles in the south central highlands in Dak Lak Province because of government harassment and persecution. Many of them were arrested as ''illegal migrants'' or charged with practicing and ''illegal religion'' as part of the government crackdown on Hmong Christians.

Mr. Speaker, I urge approval of the resolution.

While the Vietnamese government may claim to have made strides, I would like to share with you evidence to the contrary. For example, four prominent individuals are presently imprisoned or under house arrest for practicing their religions. They are: Venerable Thich Huyen Quang, Patriarch of the Unified Buddhist Church of Vietnam; the Venerable Thich Quang Do; Father Nguyen Van Ly; and Mr. Le Quang Liem of the banned Hoa Hoa Buddhish Church.

In addition, Dr. Nguyen Dan Que a prominent prisoner of conscience who was released in late 1998, remains under house arrest in Saigon; while Professor Doan Viet Hoat and Mr. Le Chi Thien former prisoners of conscience who had been imprisoned for over 20 years for promoting democratic ideals, were forced to leave Vietnam as a condition of their release.

Additionally, since the fall of Saigon, the Government of the Socialist Republic of Vietnam has been systematically abusing the rights of the indigenous Montagnard peoples of Vietnam's central highland. There have been reports of summary executions, mysterious disappearances, arbitrary arrests, interrogations, beatings, torture, and forcible relocations of the Montagnard people from their traditional homes.

In 1999, the Vietnamese Communist Government ordered and carried out the destruction of a sacred religious site of the Khmer Krom in the former city of Saigon. They destroyed the Pali School building, and desecrated the Bodhi Tree where the remains of Khmer Krom soldiers—who fought bravely with the U.S. Special Forces during the war—are buried. To this day, the Khmer Krom continue to be harassed and persecuted for their role in the conflict.

In February of this year, thousands of Christian Montagnards peacefully demonstrated in the three of the four Central Highland provinces. In response, the Vietnamese Communist Government deployed military forces into the area, cutting off telephone communications, banning diplomatic international organizations from visiting the region, and terrorizing the Montagnard population. There have also been numerous reports of jungle executions. The situation in the highlands has deteriorated to the extent that many Montagnards are now fleeing into Cambodia. Amnesty International, Human Rights Watch, Refuge International, and the United Nations High Commissioner for Refugees have all called for urgent action to protect them.

Mr. Speaker, in light of these offenses, I believe H.J. Res. 55 is an important bill that deserves the support of every Member, and I urge my colleagues on both sides of the aisle to vote in favor of this resolution.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Speaker, shortly after the last election in November of last year, I traveled to Hanoi. I spent about a week there on a volunteer surgical mission. I found the people to be friendly and courteous. Make no mistake, though: the Communist government is not friendly to freedom. There is very little freedom of speech. There was a lot of soccer on TV, but there was not much discussion, and as the gentleman from Virginia just pointed out, the government has done bad things.

The question is, how do we affect a change in that? I oppose this resolution because I think the communication between Americans doing business in Vietnam brings a fresh perspective and information to the people of Vietnam.

□ 1045

I think that trade will actually help bring down that Communist government and that the communications between Americans doing business in Vietnam will actually end it. And the opening up of the communication that is necessary for that shows the Vietnamese what a true democracy is like.

There were lots and lots of questions that we all fielded on that surgical mission about what it is like to live in a democracy, and that is very useful. So cultural interchanges, professional interchanges, and, I think, business interchanges will actually help promote the type of democratic changes that we all want to see. For that reason, I oppose this resolution. I think we should continue trade with Vietnam just like we are doing with China.

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

A comment to the good doctor. This is not a trade vote. The bilateral trade agreement I know is going through the Committee on Ways and Means, and we can discuss the issues of trade and whether working with the people of Vietnam will allow for more open issues with respect to human rights and other things that I think we should be concerned about as a Nation. But this really is about does Vietnam allow its people to emigrate to the United States, does it work with us on issuing visas. And if it does a good job with that, we, in return, allow them, allow our business people to have these government programs that allow for financing and doing business in that country. That is the real issue.

Again, I believe that the government of Vietnam has not been forthright in its policies of emigration. Currently, religious persecution, human rights violations, economic restrictions, we know that they all still exist in Vietnam. And one does not have to go to Vietnam to see it. We hear it, we read it in reports that come back, reports from the United States Department of State as well as witnesses that we have had here, dialogue with our colleagues here. And the dialogue on Vietnam reveals the government still pursues a policy of repressing free expression and religious choice.

Those that oppose the government's mandates continue to be the target of mental and economic terrorism, and the administrative detainment of political and religious leaders who disagree with that Communist party platform still occurs. The U.S. State Department's 2000 Country Report on Vietnam states that the government's human rights record in Vietnam remains poor. It says that there are serious problems regarding religious freedom and the advancement of human rights.

In April of this year, the United States Commission on International Religious Freedom, a body that was created by this Congress in 1998 to monitor religious freedom in other countries, recommended that we withhold our support for most International Monetary Fund and World Bank loans to that government of Vietnam until it agrees to make substantial improvements in the protection of religious freedom. Our own body that we created has told us in a report just this past April that we should not be doing these types of financing mechanisms for that government until it cleans up its act.

Contrary to the Vietnamese government's pretense that it has no political or religious prisoners, many Vietnamese continue to languish in prisons because of their beliefs. The detention of these religious leaders, whether or not they tell us where they are or whether they put them under house arrest and do not let them leave their homes, is persecution. Police arbitrarily arrest and detain citizens for reasons including the peaceful expression of political and religious views and sometimes even beat them when they are arrested.

The judiciary is not independent. The government denies citizens the right to fair trials. The government continues

to grossly violate human rights by incarcerating prisoners of conscience. Pro-democracy activists, scholars, and poets are still in prison for crimes such as using freedom and democracy to ''injure the national unity.'' Vietnam continues to deny freedom of religion.

Mr. Speaker, this past year, I traveled to Vietnam; and I had the opportunity to meet with four of the six leading dissidents in Vietnam for human rights and for advocation of collective bargaining in the workplace, Professor Nguyen Thanh Giang, who used to be a member of the Communist party and then was kicked out because he did not support what this government is doing with respect to religious freedom and basic human rights; Mr. Pham Que Duong; and Mr. Hoang Minh Chinh. I met with all of them, and we discussed this whole issue of trade. The issue is that human rights violations continue, and there has been no movement.

Our reports say time after time that there is no movement on human rights. Even our own Ambassador, Pete Peterson, when he was out in my district in front of the Vietnamese community, when he was pressed for details about what positive things had happened in human rights, could not come up with one answer, at least not when he was in front of people who understand and have their families back there.

I also visited with the Most Venerable Thich Quang Do, someone I nominated to win the Nobel Peace Prize. There are 28 of my colleagues in this House who also signed that letter asking for that. Right now he is under arrest. It is not the first time in his life; it probably will not be the last time in his life. But it simply happens over and over and it does not change. If an individual is with the Buddhists, and they do not like that, then they have problems. If someone is with the Catholic faith, and they do not like what that individual is doing, if they are going out to help flood victims, they are put under house arrest. Right now, they have Father Ly under persecution simply because he went to try to help flood victims in the Delta area.

Nevertheless, Vietnam continues over and over to insist it has no political or religious prisoners. I urge my colleagues to vote for this resolution. It is time we became aware of what is really happening in Vietnam.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to this resolution and urge Members to continue the MFN status for Vietnam, as we have done in the past with an overwhelming and bipartisan majority.

I, like many Members of Congress, have had an opportunity to travel to Vietnam and to visit with governmental leaders and with private citizens there, and with workers and others that are a part of that community, and with our former ambassador, Pete Peterson, who has been one of the most passionate supporters of improved political and economic relations with Vietnam. He has devoted countless hours to improving these relationships and to addressing the key issues that are before us today, and I think we ought to salute his tenure as our first ambassador to Hanoi.

I think we have to understand that, in fact, progress has been made. Many of my colleagues have raised a number of troubling subjects to us that I think we have to continue to bear down on and understand that problems do exist, but I think also in my discussions with Ambassador Peterson and with people in Vietnam, improvements, in fact, I believe, have been made. Enough? No, not at all. Do we need further progress? Clearly we do on the issues of emigration.

I also have had an opportunity to witness the Joint Task Force's efforts to locate and identify and to recover the remains of our many missing soldiers and airmen and see this extraordinary effort that is taking place. We are, hopefully, building a new and a positive relationship with Vietnam, which is the 12th largest population in the world and plays a key role in political and economic security in Southeast Asia.

Last year, Congress enacted legislation that I helped write creating a program to promote higher education exchanges between our countries. We should continue to build on these efforts because they are in the best interests of both nations. At the same time, we must be very clear, and many of our colleagues have touched upon these subjects here today, we must continue to work with this government and to include this government to assure the rights of all working people to form independent unions and engage in collective bargaining as provided under the rules of the International Labor Organization.

Vietnam clearly must accelerate its policies to ensure freedom of religion and political expression. We need to continue to work with several local and international environmental organizations to reduce the water pollution and protect the threatened species and generally ensure that economic development is not undertaken at the expense of the Nation's natural resources, which not only affects Vietnam but the entire region.

Free trade unionism, improved environmental policies, expanded political religious rights for all Vietnamese. These are all legitimate factors for securing improved and lasting trade relations with the United States and other democracies, and we should continue to work for those in Vietnam. But we must understand that this is a step that allows us to continue to engage with the Vietnamese on these matters, and we also know that there are other instruments that are waiting in terms of trade agreements, bilateral agreements, and, obviously, at some point, Vietnam's seeking, down the road, to engage with the WTO. Clearly, these thresholds must be continued to be raised as we grant those other relations.

So I think it is incumbent upon all of us to understand here and in Vietnam that this debate is about an evolving relationship, not about an acceptance of the status quo that we have today.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), one of the most distinguished foreign policy leaders or perhaps the most distinguished foreign policy leader in the House of Representatives and former chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman for his kind introduction, and I am pleased to rise in strong support of H.J. Res. 55, resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam. I commend my good friend, the gentleman from California (Mr. ROHRABACHER), for his continual oversight of Vietnam and for introducing this important initiative.

Amnesty International has reported to us that the government of Vietnam continues to prevent independent human rights monitors from visiting Vietnam, and dozens of prisoners of conscience remained in prison and have remained there throughout the year 2000, and some are still in prison. Restrictions on released prisoners continue to be harsh. Political dissidents, independent labor leaders, and religious critics of the government have been subjected to imprisonment, to beatings, to torture, to surveillance, harassment, and denial of basic freedoms, including the freedom of expression.

In September, five members of the Hoa Hao Buddhist Church, and we met some of them in our committee just the other day, were sentenced to between 1 and 3 years imprisonment on trumped-up charges, where they still remain.

The State Department points out that the government of Vietnam prohibits independent political labor and social organizations. Such organizations exist only under government control. The Vietnamese government also restricts freedom of religion and significantly restricts the operation of religious organizations other than those entities that have been approved by the State. Dissident groups of Buddhists, Hoa Hao, and Protestants, in particular, face harassment by authorities.

Accordingly, we should not be rewarding the Vietnamese Communist dictatorship with trade benefits at this time. It is an insult to the thousands of

American and Vietnamese men and women who were wounded or died in the war fighting for democracy, the rule of law, and for human rights.

Mr. Speaker, I urge my colleagues to fully support this resolution.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from Seattle, Washington (Ms. DUNN), who graciously permitted the transfer of Boeing's headquarters to my home town of Chicago.

Ms. DUNN. I thank our gracious chairman for yielding me this time and thereby allowing me the opportunity to speak.

Mr. Speaker, I rise in opposition to this joint resolution to disapprove normal trade relations with Vietnam. I believe that we need to continue our policy of economic engagement with Vietnam.

□ 1100

President Clinton already signed a historic bilateral agreement that will require Vietnam to open its markets, to reduce tariffs, to ease barriers to our products in the United States and our services.

I am very pleased that the Committee on Ways and Means will be considering this agreement today in committee.

Twenty-six years after the end of the war, many of us are still haunted by Vietnam. It touched my generation. I saw boys go away from college and from our communities to fight in Vietnam; and we also saw our colleague, SAM JOHNSON, and former ambassador to Vietnam, Pete Peterson, our good friends, people we care about, who served our Nation honorably in Vietnam and made terrible sacrifices as prisoners of war. But I believe we can honor their service while still strengthening our economic relations with Vietnam.

Renewing normal trade relations does not diminish our commitment to address POW/MIA issues. I am from Seattle, and we have a large Asian/Vietnamese community. Many have become citizens, contributing to our communities. I do not think establishing normal trade relations with Vietnam diminishes the commitment that we all believe in our communities and in this Congress to POW/MIA issues, to human rights issues, and to issues of religious liberty.

Trade is an effective tool to pressure Vietnam to make economic and social reforms. I ask my colleagues today to oppose this bill and to support trade with Vietnam.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, this is an issue that really is a very central issue that we ought to be discussing on many levels. That is the question of what relationship we are going to have with the rest of the world.

I am one of those people who was involved in the Vietnam War, not in-country, but I saw what happened; and there are lots of reasons why we ought to keep them isolated. Yesterday we had an argument here about Cuba. We have tried to isolate them. We have isolated them for 50 years. It has not done any good. We tried it with China. It did not do any good. We finally opened up to them.

Now we have the Vietnamese. Let us isolate them, and somehow they will change. It will not do any good. The only way we are going to get anything done is when we begin to embrace and involve yourself with them. Nobody who is going to vote against this resolution is in agreement with communism. We do not agree with what the Vietnamese government is doing, but we have a difference of opinion about how we involve ourselves in bringing about that change.

My colleagues talk about the terrible Communist government and all these awful things. The next issue we are going to do on the floor here, sort of an irony, is that we are going to come out and pass a martial law rule in the House of Representatives.

The rules of the House are to protect the minority, and we do not have any problem standing up here and running over the minorities, and then we stand back and say, those awful people over there in that country who run over those minorities. So we have to be careful about being consistent.

If we do not want to deal with China, I can understand that; and there were some of my colleagues who are very consistent. They do not want to deal with China. They do not want to deal with Vietnam. They do not want to deal with Cuba. Those people I can understand. But the ones who pick and choose really need to do some thinking.

Why are we having this martial law in the next issue up here? The reason we are having it is because the leadership of the House wants to deal with a crisis. There is a real crisis out there. They have had a hurricaine in Texas. So we have to come out here and ram through help for people in Texas.

The White House says we should not do anything for the Indians. A hundred thousand houses flattened. Thirty thousand people killed. The United States can give $5 million to India, and that is fine.

I heard one of my colleagues say, we cannot let down the Montagnards. They were our allies. What about the people in El Salvador who we dragged through a whole war? Now they have an earthquake, the worst earthquake in the history of El Salvador, and the White House says, no, we are not going to help these El Salvadorans. They are living in the wrong place. They should have moved to Texas or Florida or somewhere we would help them.

The question of how we are going to relate and how we are going to get our people into these countries and how we are going to bring about change is a very complicated one.

I was in China when China was very tight, back in 1977. I have seen enormous changes. Has it gone far enough? No, it has not. Has Vietnam changed? Yes. Far enough? No. But the question is, at this point should we step back and say these folks are not doing it our way enough so we are not going to deal with them?

My view is nothing works that way. That is why I will vote to oppose this resolution. Not because I endorse communism or anything about that regime, but because we will never bring about any change simply by forcing, trying unilaterally for the United States to economically squeeze them into our mold. They will get there because the forces that we have are very powerful, and they will bring it about.

Vote against this kind of resolution.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), who knows this issue is mainly about subsidizing American businessmen for building factories in Vietnam.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of this resolution.

Mr. Speaker, let us not kid ourselves. The government of Vietnam is not making progress on human rights. On the contrary, in recent months the government has substantially increased the frequency and the severity of its human rights violations and just recently, beginning in late winter, began a new and very cruel crackdown on the Montagnards, torturing, murdering, cordoning off. Mr. Speaker, this is the reality on the ground in Vietnam.

Let me also point out to my colleagues that there is no real religious freedom allowed by the government of Vietnam. The Unified Buddhist Church, the largest religious denomination in the country, has been declared illegal by the government, and over the last 25 years its clergy have often been imprisoned and subjected to other forms of persecution.

The patriarch of the Unified Buddhist Church, 83-year-old Thich Huyen Quang, has been detained for 21 years in a ruined temple, an isolated area in central Vietnam. Most Venerable Thich Quang Do, the executive president of the Unified Buddhist Church, has been in detention for many years and was recently rearrested when he sought medical care for Thich Huyen Quang.

The Hoa Hao Buddhist Church has also been under severe repression. According to the U.S. Commission on International Religious Freedom, ''this organization is made up of almost entirely,'' that is to say, the governing body of it, ''of members of the Communist party,'' and they have not recognized and have not been recognized by the majority of the Hoa Haos.

Let me just say, recently Father Ly gave testimony to the U.S. Commission

on Religious Freedom. We know what happened when he gave that testimony, and it was written testimony. He did not come here and present it. He, too, was arrested by the government of Vietnam and is being held.

So Catholic priests in Vietnam who speak out against religious persecution, sorry, they are going to be arrested and persecuted. That is the government that we are subsidizing.

Mr. Speaker, we have to take the side of human rights and the oppressed, and not stand with the oppressor. Let us see some real progress before we lavish trade on the government of Vietnam.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I served in Vietnam as a young marine. I met many extraordinary, wonderful people in Vietnam. I have visited Vietnam as a Member of Congress. I have had many, many conversations with Pete Peterson, the distinguished ambassador to Vietnam. My conclusion is this: Those Vietnamese, young and old, who are being persecuted religiously, basic human rights violations, torture, et cetera, are painfully, patiently waiting the return of the Americans to once again, but in a much different way, and perhaps much more effective, bring the opportunity for freedom to Vietnam to prevail.

Mr. Speaker, communism cannot exist against a tidal wave of hope, knowledge and a clear avenue of opportunity. The Jackson-Vanik waiver offers a portion of that avenue to open up. I urge a ''no'' vote on this opposition to Jackson-Vanik.

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

Mr. ROHRABACHER. Mr. Speaker, who will close?

The SPEAKER pro tempore (Mr. SWEENEY). The Chair will recognize for closing speeches in the reverse order of the original allocations. Thus, Members should expect to close out their time in the following sequence: the gentleman from California (Mr. ROHRABACHER), the gentleman from Michigan (Mr. LEVIN) and the gentleman from Illinois (Mr. CRANE). The time of the gentlewoman from California (Ms. SANCHEZ) has expired.

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

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, this is an emotional issue for many of us. I have seen a lot of my friends die in Vietnam, as has my friend, the gentleman from Texas (Mr. SAM JOHNSON), who was a POW for six and a half years. Even we have different feelings on this particular issue, and it is hard.

I look, and people outside the United States could look, and point out the bad things about the United States. The gentleman from New Jersey (Mr. SMITH) did about Vietnam.

Look at a young African American that was drug down a country road, drug to his death. Look at the inequities to minorities in our judicial system sometimes. I acknowledge those and say we want to trade with the United States. But there is so much good. Most of the people who live in Vietnam today were not alive during the war.

The gentleman from Kentucky (Mr. ROGERS) asked me to go to Vietnam a couple of years ago and raise a flag over Ho Chi Minh City. I told him, no, I do not go on CODELS; and it would be too hard for me to go back. But I did go. I am glad I did.

Mr. Speaker, if you walk on the streets of Vietnam today, those people welcome Americans openhandedly. They want a chance, much like the people in Tiananmen Square did. I met the prime minister, and I asked him, why will you not get involved in trade that President Clinton is trying to get you involved in?

He said, Congressman, I am a Communist. If those people have things, I will be out of business as a Communist.

I said, trade is good. If we look at it that way, there is no movement with Saddam Hussein. There is no movement in Cuba with Fidel Castro, but there is in Vietnam.

Yes, there are a lot of pitfalls with this. I have a constituent that was arrested in Vietnam. I ask my colleagues to think about if we have a country like Vietnam that definitely are Communists, but they have made movement like the gentleman from Washington stated, I think we ought to support that trade and deny this resolution.

The SPEAKER pro tempore. Does the gentleman from Illinois (Mr. CRANE) have any further speakers?

Mr. CRANE. No, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California (Mr. ROHRABACHER) is recognized for his closing.

Mr. ROHRABACHER. Mr. Speaker, I yield 1½ minutes to myself to close.

Mr. Speaker, what are we debating here? Let us once again be reminded. Rejecting this waiver means one thing in policy. One policy decision is being made today, and that is whether or not we are going to subsidize American businessmen, take taxpayer dollars and guarantee the loans that they are getting and give them a lower rate of interest in order to set up factories in a Communist country, in Vietnam.

Mr. Speaker, I do not think that is a good idea for Democratic countries, and it certainly is not a good idea for dictatorships like Vietnam. Vietnam does not deserve a subsidy for American businessmen to set up factories, closing their factories in the United States, so these businessmen can take advantage of the slave labor in Vietnam. They do not deserve it.

As we have heard, Pete Peterson, one of our former colleagues, a former POW, could not come up with one example of where Vietnam was progressing in the right direction after all of these years of engagement.

We are not talking about trade. We are not talking about isolating Vietnam. We are talking about subsidizing businessmen to set up factories there. That is immoral as long as that country is such a dictatorship.

Let me add, this same government continues to stonewall us on the POW issue. Although they let us dig, we can dig, and they get millions of dollars for letting us dig in Vietnam for the bones of the 200 Americans left that we knew were in captivity at one point in Vietnam. They have put roadblock after roadblock which continues to prevent us from finding out what happened to those last 200 American POWs.

Mr. Speaker, I ask my colleagues to support my reject of the Jackson-Vanik waiver for this dictatorship in Vietnam.

Mr. Speaker, I include for the RECORD a letter addressed to me.

QUINN EMANUEL LOS ANGELES,
Los Angeles, CA, July 17, 2001.

Re U.S.-Vietnam Trade Agreement.

Hon. DAN ROHRABACHER,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN ROHRABACHER: I represent Mr. Dac Vi Hoang, a former Vietnamese businessman who fled Vietnam recently to escape persecution. I am writing to you to offer the testimony of Mr. Hoang regarding the political corruption and economic repression that stifle free enterprise in Vietnam.

Mr. Hoang was a prominent Vietnamese entrepreneur who owned Thanh My, Inc., an international exporter of lacquerware. Thanh My, Inc. enjoyed astounding success as a private corporation in the midst of a Communist regime, with annual sales of U.S. $3 million and 400 employees. Than My was internationally recognized as the first private corporation in Vietnam to receive permission to sell its shares to a foreign entity (although that permission was eventually revoked by the Vietnamese government).

Mr. Hoang accomplished this success despite having spent five years in a Vietnamese re-education camp because of his participation as an intelligence officer in the South Vietnamese army and cooperation with American armed forces during the Vietnam War. Mr. Hoang was severely tortured, both mentally and physically, while he underwent his ''re-education.''

The prominence Mr. Hoang achieved motivated him to advocate on behalf of private enterprise in Vietnam. In so doing, he repeatedly criticized, both privately and publicly, the repression of private enterprise and the economic policies of the Vietnamese government. This activity led to warnings, threats, and surveillance by the Vietnamese government. Eventually, Mr. Hoang received information that his arrest was imminent.

Mr. Hoang and his immediate family fled to the United States soon thereafter and they currently are seeking political asylum before the United States Immigration Court in Los Angeles. Mr. Hoang was one of the wealthiest people in Vietnam, and now he has nothing except the prospect of freedom in this Country. The hearing on his case was originally scheduled for July 13, 2001, but was continued until January 20, 2002 at the request of the I.N.S.

Attached is Mr. Hoang's declaration to the U.S. Immigration Court and a newspaper article that describes his plight. Mr. Hoang has continued to criticize the Communist regime in Vietnam since his arrival in this Country,

and his comments have been widely broadcast in the media. Mr. Hoang was recently interviewed by Radio Free Asia, which broadcasts in Vietnam. If Mr. Hoang's testimony is relevant to the U.S.-Vietnam trade agreement ratification process, please do not hesitate to contact me at the telephone number listed above, or via e-mail at slr@quinnemanuel.com.

Respectfully yours,

SANDRA L. RIERSON.

□ 1115

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

Mr. Speaker, Vietnam represents another challenge, how we integrate a command economy and a command society into the rule of law. It needs the right combination of engagement and pressure. I do not think trade is a magic wand. It is more than about market access. It is about labor market issues. It is about environmental issues. It is about a widened nature of issues. It is not an either/or proposition. We need to move forward on these issues, not backwards.

To vote ''yes'' on this is to vote to move backwards. I think it would be a mistake. I urge a ''no'' vote.

Mr. CRANE. Mr. Speaker, I yield myself the balance of my time. I rise in strong opposition to H.J. Res. 55 and in support of extending Vietnam's Jackson-Vanik waiver. Failure to extend the waiver here at the threshold of congressional consideration of the U.S.-Vietnam bilateral trade agreement would send terribly mixed diplomatic signals and would undermine the great economic reforms now gaining momentum in Vietnam.

On emigration, the central issue for the Jackson-Vanik waiver, more than 500,000 Vietnamese citizens have entered the United States under the orderly departure program in the past 10 to 15 years. As a result of steps taken by Vietnam to streamline its emigration process, all but 73 of the nearly 21,000 individuals who have applied for consideration under the Resettlement Opportunity for Vietnamese Returnees program have been cleared for interview.

Another critical issue in our bilateral relationship with Vietnam continues to be the fullest possible accounting of U.S. MIAs. As of last week, the fate has been determined for all but 41 of the so-called ''last known-alive'' cases. Future progress in terms of the ability of U.S. personnel to conduct excavations, interview eyewitnesses and examine archival items is dependent upon continued cooperation by the Vietnamese.

The effect of the Jackson-Vanik waiver at this time is quite limited, enabling U.S. exporters doing business in Vietnam to have access to U.S. trade financing programs provided that Vietnam meets the relevant program criteria. Nevertheless, the significance of Vietnam's Jackson-Vanik waiver is that it permits us to stay engaged with Vietnam and to pursue further reforms on the full range of issues on the bilateral agenda.

Extending Vietnam's waiver will give reformers within the government much-needed support to continue economic reforms. Therefore, I urge a ''no'' vote on H.J. Res. 55.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong opposition to House Joint Resolution 55, which would deny Normal Trade Relations (NTR) with Vietnam, the world's 13th largest nation with a population of 80 million people. I urge our colleagues to vote against the measure.

Mr. Speaker, the decision before us is much like the debate we had recently over trade relations with China. In the case of Vietnam, as with China, many opponents of NTR focus on the serious human rights violations committed by the Communist government. These are valid and compelling criticisms, as in Vietnam the practice of religion is routinely restricted and political freedom is brutally suppressed, especially public dissent.

However, these human rights abuses, as well as our concerns over minimum labor standards and environmental protection, will not be addressed by America continuing to turn its back to Vietnam.

I believe engaging with Vietnam by support of Normal Trade Relations and the Bilateral Trade Agreement will not only create new and fair business opportunities for America but, more importantly, will bring about significant political and social progress in Vietnam. Committing the Vietnamese Government to enact market-oriented reforms will enhance respect for the rule of law, ultimately leading to a more democratic society that respects and protects the rights of its citizens. Additionally, this will lay the foundation for Vietnam's eventual entry into the World Trade Organization, further reinforcing Vietnam's obligation and duty to conduct itself as a civilized and responsible member of the international community.

In supporting Normal Trade Relations for China last week, Mr. Speaker, I found particularly persuasive and enlightening the voices of those Chinese dissidents who have been persecuted and imprisoned for years—individuals who are among China's harshest and most vocal critics.

Prominent Chinese democracy activists such as Bao Tong, Xie Wanjun, Ren Wanding, Dai Qing, Zhou Litai and Wang Dan have urged the United States to extend China Normal Trade Relations as it would hasten China's entry into the WTO, forcing China's adherence to international standards of conduct and respect for the rule of law. Moreover, they argue that closer economic relations between the U.S. and China allows America to more effectively monitor human rights and push for political reforms in China.

Mr. Speaker, the wisdom of these courageous Chinese dissidents also applies in the case of Vietnam.

For a year, Hanoi's leaders have delayed signing the Bilateral Trade Agreement with us precisely because they fear economic reform and U.S. engagement will undermine the socialist foundation and monopoly on power of their Communist regime.

Mr. Speaker, the Communist leadership in Hanoi is right to be fearful. Normalizing trade relations between our nations will allow America to engage—promoting democracy and spurring political, social and human rights progress in Vietnam that in the long-run cannot be controlled nor stopped. I strongly urge our colleagues to engage the people of Vietnam, and oppose the legislation before us.

Mr. BEREUTER. Mr. Speaker, this Member rises in opposition to the H.J. Res. 55, which would disapprove the Bush Administration's extension of the waiver of Jackson-Vanik trade restrictions on Vietnam. Therefore, in voicing this opposition to the resolution, it is important for us to recognize what the Jackson-Vanik waiver does and does not do.

By law, the underlying issue here is about emigration. Based on Vietnam's record of progress on emigration and its continued cooperation on U.S. refugee programs over the past year, renewal of the Jackson-Vanik waiver will continue to promote greater freedom of emigration. Disapproval would, undoubtedly, result in the opposite.

The Jackson-Vanik waiver also symbolizes our interest in further developing relations with Vietnam. Having lifted the trade embargo and established diplomatic relations five years ago, the United States has tried to work with Vietnam to normalize incrementally our bilateral political, economic and consular relationship. This is in America's own short-term and long-term national interest. It builds on Vietnam's own policy of political and economic re-integration into the world. This will be a lengthy and challenging process. However, now is not the time to reverse course on gradually normalizing our relations with Vietnam.

Vietnam now continues to cooperate fully with our priority efforts to achieve the fullest possible accounting of American POW–MIAs. The Jackson-Vanik waiver contributes to this process.

The Jackson-Vanik waiver certainly does not constitute an endorsement of the Communist regime in Hanoi. We cannot approve of a regime that places severe restrictions on basic freedoms, including the right to organize political parties, freedom of speech, and freedom of religion. On many occasions, with this Member's support, this body passed resolutions condemning just such violations of civil and human rights.

The Jackson-Vanik waiver does not provide Vietnam with any new trade benefits, including Normal Trade Relations (NTR) status. With the Jackson-Vanik waiver, the United States has been able to successfully negotiate and sign a new bilateral commercial trade agreement with Vietnam. Congress will have an opportunity to decide in the future whether to approve it or not and whether to grant NTR to Vietnam. But, that is a separate process. The renewal of the Jackson-Vanik waiver only keeps this process going—nothing more.

Also it is important to note that the renewal of the Jackson-Vanik waiver does not aututomatically make American exports to Vietnam eligible for possible coverage by U.S. trade financing programs. The waiver only allows American exports to Vietnam to be eligible for such coverage.

Mr. Speaker, the Vietnam War is over and we have embarked on a new, though cautious and expanding, relationship with Vietnam. Now is not the time to reverse course. Accordingly, this Member urges a ''no'' vote on the resolution of disapproval.

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to this resolution and urge my colleagues to uphold the current Jackson-Vanik waiver.

The Jackson-Vanik provision of the 1974 Trade Act was intended to encourage communist countries to relax their restrictive emigration policies.

The Jackson-Vanik waiver specifically granted the President the power to waive the restrictions on U.S. government credits or investment guarantees to communist countries if the waiver would help promote significant progress toward relaxing emigration controls.

Mr. Speaker, Senator Scoop Jackson was a staunch anti-communist. Yet, he was willing to consider to incentives to encourage the Soviet Union to relax its emigration policy.

In 1998, Charles Vanik, former Member and co-author of the Jackson-Vanik provision, sent me a letter expressing his strong opposition to the motion to disapprove trade credits for Vietnam and urged the Congress to uphold the current waiver.

Vietnam is experiencing a new era, driven by a population where 65 percent of its citizens were born after the war. Vietnam today welcomes U.S. trade and economic investment.

The Vietnamese Government has made significant progress in meeting the emigration criteria in the Jackson-Vanik amendment. Through a policy of engagement and U.S. business investment, Vietnam has improved its emigration policies, cooperated on U.S. refugee programs, and worked with the United States on achieving the fullest possible accounting of POW/MIAs from the Vietnam War.

Despite problems of corruption and government repression, there is reason to believe that our presence in Vietnam can improve the situation and encourage its government to become more open, respect human rights and follow the rule of law.

The economic incentives provided in Jackson-Vanik are all one-sided favoring U.S. firms doing business in Vietnam. I am among many of my colleagues who support approval of the U.S.-Vietnam Bilateral Trade Agreement that will be marked up by the Ways and Means Committee later today. This bilateral agreement will advance U.S. economic interests and further integrate Vietnam into the global economy.

Recently departed U.S. Ambassador to Vietnam, Pete Peterson, our esteemed former colleague and former POW, has been one of our nation's strongest advocates for expanding trade with Vietnam. Renewing the Jackson-Vanik waiver will increase market access for U.S. goods and services in the 12th most populous country in the world.

Disapproval of this waiver will only discourage U.S. businesses from operating in Vietnam, arm Soviet-style hardliners with the pretext to clamp down on what economic and social freedoms the Vietnamese people now experience, and eliminate what opportunity we have to influence Vietnam in the future.

Mr. Speaker, we have debated and soundly rejected similar disapproval resolutions in past years. I urge my colleagues to do the same today and uphold the presidential waiver of the Jackson-Vanik requirements.

The SPEAKER pro tempore (Mr. SWEENEY). All time for debate has expired.

Pursuant to the order of the House of Wednesday, July 25, 2001, the joint resolution is considered as having been read for amendment, and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this vote on the passage of House Joint Resolution 55 will be followed by a vote on the motion to suspend the rules and pass H.R. 1954, the Iran-Libya Sanctions Act extension.

The vote was taken by electronic device, and there were—yeas 91, nays 324, answered ''present'' 1, not voting 17, as follows:

[Roll No. 275]

YEAS—91

Aderholt
Andrews
Baca
Ballenger
Barcia
Barr
Bartlett
Barton
Berry
Bonilla
Bonior
Brown (OH)
Brown (SC)
Burton
Buyer
Chabot
Coble
Collins
Conyers
Cox
Culberson
Davis, Jo Ann
Davis, Tom
Diaz-Balart
Doolittle
Duncan
Everett
Flake
Gilman
Goode
Graham
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hastings (FL)
Hayes
Hayworth
Hilleary
Hoekstra
Holden
Honda
Jackson-Lee (TX)
Jenkins
Johnson, Sam
Kennedy (RI)
Kucinich
LoBiondo
Lofgren
McIntyre
Menendez
Mink
Norwood
Otter
Paul
Pickering
Pitts
Pombo
Riley
Rivers
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Sanchez
Sanders
Scarborough
Schaffer
Shows
Smith (NJ)
Solis
Souder
Strickland
Stump
Stupak
Tancredo
Taylor (MS)
Taylor (NC)
Traficant
Visclosky
Wamp
Watson (CA)
Watt (NC)
Weldon (FL)
Weldon (PA)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—324

Abercrombie
Ackerman
Akin
Allen
Armey
Baird
Baker
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Boehlert
Boehner
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goodlatte
Gordon
Goss
Granger
Graves
Greenwood
Grucci
Gutierrez
Hall (OH)
Hansen
Harman
Hart
Hastings (WA)
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Roemer
Rogers (KY)
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Spratt
Stark
Stearns
Stenholm
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Waters
Watkins (OK)
Watts (OK)
Waxman
Weiner
Weller
Wexler
Whitfield
Wicker
Wilson
Woolsey
Wu

ANSWERED ''PRESENT''—1

Kaptur

NOT VOTING—17

Bachus
Blumenauer
Blunt
Chambliss
Cubin
Deal
Ehrlich
Emerson
Fletcher
Gekas
Houghton
Hunter
Jones (NC)
Lipinski
McNulty
Snyder
Spence

□ 1144

Messrs. ALLEN, DELAY, GIBBONS and LEWIS of California and Mrs. MEEK of Florida changed their vote from ''yea'' to ''nay.''

Ms. SOLIS, Mrs. JO ANN DAVIS of Virginia and Messrs. WAMP, HONDA, BERRY, FLAKE and BONILLA changed their vote from ''nay'' to ''yea.''

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 55, the joint resolution just passed.

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

There was no objection.

□ 1145

(Mr. THOMAS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include therein extraneous material.)

COMMUNICATION FROM THE SPEAKER OF THE HOUSE REGARDING THE IRAN AND LIBYA SANCTIONS ACT

Mr. THOMAS. Mr. Speaker, I am in receipt of a letter dated July 24 addressed to me as chairman of the Committee on Ways and Means signed by the Speaker of the House.

The letter says that ''If the President submits a report, pursuant to the 'ILSA Extension Act of 2001' that contains a recommendation stating that the Iran-Libya Sanctions Act should be terminated or modified, and if a bill is introduced that would terminate or modify ILSA, as recommended by the President, within 60 legislative days of the filing of the President's report, then I will use my authority under Rule XII, clause 2(c)(5) to place a time limit of not more than 45 days on all committees to which such legislation is referred.''

Mr. Speaker, I include for the RECORD the letter just referenced.

WASHINGTON, DC,
July 24, 2001.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to Rule XII, clause 2(c)(5), the Speaker may subject the referral of a bill to a committee of primary jurisdiction to appropriate time limitations. If the President submits a report pursuant to the ''ILSA Extension Act of 2001'' that contains a recommendation stating that the Iran and Libya Sanctions Act (''ILSA'') should be terminated or modified, and if a bill is introduced that would terminate or modify ILSA, as recommended by the President, within sixty legislative days of the filing of the President's report, then I will use my authority under Rule XII, clause 2(c)(5) to place a time limit of not more than forty-five days on all Committees to which such legislation is referred.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.

ILSA EXTENSION ACT OF 2001

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1954, 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 New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1954, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 6, answered ''present'' 1, not voting 17, as follows:

[Roll No. 276]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Conyers
Hilliard
LaFalce
McKinney
Paul
Rahall

ANSWERED ''PRESENT''—1

Bonior

NOT VOTING—17

Blumenauer
Blunt
Cubin
Deal
Ehrlich
Emerson
Fletcher
Gekas
Houghton
Hunter
Jones (NC)
King (NY)
Lipinski
McNulty
Radanovich
Snyder
Spence

□ 1206

Mr. CONYERS changed his vote from ''yea'' to ''nay.''

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 title was amended so as to read:

''A bill to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GEKAS. Mr. Speaker, earlier today I missed rollcall votes No. 275 and No. 276 on H.J. Res. 55, Disapproving Normal Trade Relations with Vietnam and H.R. 1954, The Iran Libya Sanctions Act. During the vote I was in a part of the Capitol building where the occurrence of floor votes was not indicated by the light/bell system. I request that the RECORD reflect that had I been on the floor, I would have cast a vote against H.J. Res. 55 and in favor of H.R. 1954, which I have cosponsored.

CONGRATULATIONS TO HOUSTON SOLAR RACE TEAM ON WINNING WINSTON SOLAR CHALLENGE

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

Mr. WICKER. Mr. Speaker, as we prepare to debate national energy policy, a solar-powered car race which concluded yesterday calls attention to the uses of alternative energy sources.

The Winston Solar Challenge is an educational competition among high school teams from across our Nation. The winner will compete in the world competition this November in Australia.

This 8-day race covered a 1,400 mile course from Texas to Indiana. The competition concluded late yesterday with the winning team finishing more than 271 miles in front of their closest competitor. I am immensely proud that the winner of this race is from the city of Houston, Mississippi, located in my district.

Under the guidance of advisers Danny Lantrip and Keith Reese, the team includes Captains Trey Ellison, Andy Goode, and members Daniel Black, Clay Bishop, Adam Duncan, Marshall Faulkner, Chris Free, Jason Mallone, Josh Moore, Casey Smith, Nikkie Smith, Bryan White, Jimmy Jones, and Jeannie Moore.

Congratulations to the Houston Solar Race Team on an extraordinary performance and a job well done. The city of Houston, Chickasaw County, the entire State of Mississippi, and now the United States of America are proud of you.

RECESS

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1317

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 1 o'clock and 17 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2620, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107–164) on the resolution (H. Res. 210) providing for consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 209 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 209

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of July 26, 2001, providing for consideration or disposition of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

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

Mr. Speaker, last night the Committee on Rules met and reported this resolution waiving clause 6(a) of rule 13, requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules. The resolution applies the waiver to a special rule reported by the Committee on Rules on or before the legislative day of Thursday, July 26, 2001, if the rule provides for consideration of the first 2002 VA–HUD appropriations bill.

Mr. Speaker, as my colleagues are aware, the Committee on Appropriations has completed its work and filed H.R. 2620, the fiscal year 2002 VA–HUD appropriations bill and the Members have had the opportunity to review this legislation which addresses some of our Nation's most pressing needs. In fact, yesterday the Committee on Rules received testimony on this bill from a number of Members in anticipation of reporting a rule to bring this legislation before the House.

Adoption of this rule now will simply allow us to consider the appropriations package today rather than holding up this bill until tomorrow or even next week.

Mr. Speaker, I urge my colleagues to support this rule and allow the House to complete its work on the business at hand.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this martial-law rule. I oppose the process that it represents where the Committee on Rules meets in the midnight hour rather than opening its deliberations in the daytime.

The hearing for this measure was held yesterday afternoon at 3 p.m. We have had more than adequate time to prepare the rule. I am at a loss to explain why we are once again preparing to circumvent the rules of the body and ram this controversial measure, martial law, down the throats of our colleagues. What aversion does this leadership have to regular order?

The ''martial-law measure'' we are considering is an extremely heavy-handed process and, under the Rules of the House, a two-thirds vote is required to consider a rule on the same day that the Committee on Rules reports it. But martial-law procedures allow us to bring a rule to be considered on the same day it is reported with a majority, rather than two-thirds vote.

Frankly, this process is baffling to many of us. For the first time in years, we are using this heavy-handed procedure on an appropriations bill, making its initial pass through the House. If anyone could explain the real reason why we find ourselves in this position, I look forward to hearing it. I urge my colleagues to vote ''no'' on martial law.

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

Ms. PRYCE of Ohio. Mr. Speaker, I have no further speakers, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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.

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 216, nays 200, not voting 17, as follows:

[Roll No. 277]

YEAS—216

Abercrombie
Aderholt
Akin
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Nethercutt
Ney
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—200

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

NOT VOTING—17

Armey
Blumenauer
Carson (OK)
Cubin
Ehrlich
Houghton
Istook
Lipinski
McNulty
Myrick
Northup
Schaffer
Snyder
Spence
Tancredo
Udall (NM)
Waters

□ 1351

Mr. BERRY and Ms. ESHOO changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MCNULTY. Mr. Speaker, I was absent earlier today to attend the funeral of a member of my family and I missed rollcall votes number 275, 276 and 277.

Had I been present and voting, I would have voted yes on rollcall 275, yes on rollcall 276, and no on rollcall 277.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, the Committee on Rules is planning to meet next week to grant a rule which may limit the amendment process on the Legislative Branch appropriations bill for fiscal year 2002. The bill was ordered reported by the Committee on Appropriations this morning and is expected to be filed later today.

Any Member wishing to offer an amendment must submit 55 copies of the amendment and one copy of a very brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol no later than 12 noon on Monday, July 30. Members should draft their amendments to the bill as reported by the Committee on Appropriations. The text is available at the Committee on Appropriations.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

PROVIDING FOR CONSIDERATION OF H.R. 2620, DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 210 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 210

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. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, 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 as follows: beginning with'', except that'' on page 64, line 12, through ''drinking water contaminants'' on line 17. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendment printed in the report of the Committee on rules accompanying this resolution 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 not be subject to amendment, and shall not be subject to a demand for division of the question in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. 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.

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

Mr. Speaker, House Resolution 210 is an open rule which provides for 1 hour of general debate, equally divided between the chairman, the gentleman from New York (Mr. WALSH), and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), on H.R. 2620, the fiscal year 2002 Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations bill.

The rule waives all points of order against consideration of the bill. After general debate, any Member wishing to offer an amendment may do so as long as it complies with the regular rules of the House. The rule makes in order one amendment printed in the report accompanying the rule and waives all points of order against that amendment.

The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI for legislating on an appropriations bill and prohibiting nonemergency designated amendments to be offered to an appropriations bill containing an emergency designation.

Finally, the rule permits the minority to offer a motion to recommit with or without instructions.

Mr. Speaker, this bill provides yet another example of a carefully crafted bill from the Committee on Appropriations that strikes a balance between fiscal discipline and social responsibility. I would like to commend the chairman and the ranking member, and all the members of the Committee on Appropriations, for making the tough decisions required to produce a thoughtful bill that meets our most important priorities.

While we can never agree on everything, this is a good bill which we can all agree addresses some of our Nation's most pressing needs. It takes care of our veterans, it addresses the Nation's critical housing needs, it helps to preserve and protect our environment, it invests in scientific research, and continues our exploration into space.

This legislation maintains our commitment to our Nation's veterans, who selflessly place themselves in harm's way so that we may enjoy the very freedoms which we so cherish. Our veterans deserve our thanks, but more importantly they deserve and have earned the benefits in this bill.

This year, the fiscal year 2002 Veterans-HUD appropriations bill provides an additional $1 billion over last year's increase for Veterans Medical Health Care, bringing the total to $21.3 billion.

□ 1400

I am proud to inform my colleagues and, more importantly, our veterans that we have increased Veterans Medical Health Care by $4 billion over the course of the last 3 fiscal years.

This bill increases Veterans Medical and Prosthetic Research yet again, by $20 million, and provides an extra $128 million over last year's funding levels for the Veterans Benefit Administration to expedite claims processing.

Finally, H.R. 2620 provides $100 million for Veterans Extended Care Facilities, an increase of $50 million over the President's request.

Mr. Speaker, along with providing for the needs of our veterans, this legislation makes available important resources to help the most vulnerable in our society with a very basic need: placing a roof over their heads.

Low-income families will benefit through this bill's investment in the Housing Certificates Program, which provides funding for Section 8 renewals and tenant protection.

A $1.8 billion increase over last year's funding level will allow for the renewal of all expiring Section 8 contracts and provide needed relocation assistance at the level requested by our President. A total of $15.7 billion is provided for this important program in fiscal year 2002. This includes $197 million to fund some 34,000 new Section 8 vouchers.

In my district in Columbus, Ohio, we know all too well how crucial this housing assistance is for families who are trying to lift themselves up and improve their lives.

Other needed housing programs that help our elderly, that help people with AIDS and that help the disabled are also receiving increases over last year's funding levels in this report.

H.R. 2620 also looks toward the future by preserving and protecting our environment for the next generations to enjoy.

The bill targets funding and places an emphasis on State grants to protect the water that we drink and the air that we breath.

The State Revolving Fund for Safe Drinking Water is increased by more than $25 million from last year's level, the Clean Water State Revolving Fund is funded at $1.2 billion, equal to last year's level, and, finally, State Air Grants are increased $8 million over last year.

Mr. Speaker, this legislation provides important funding which maintains our commitment to the exploration of space and the improvements of science.

I am pleased to say that the National Science Foundation is increased by some 9 percent or $414 million above the last fiscal year. This will go a long way to try to help foster scientific discovery, promote basic research, as well as increase science education.

NASA also receives an increase that will bring total funding to more than $15 billion. It fully funds the space shuttle operations and increases funding for the International Space Station programs. This will enable the United States of America to maintain our superiority in space exploration and aeronautical research.

Finally, Mr. Speaker, this bill addresses an unexpected shortfall within the Federal Emergency Management Agency by providing $1.3 billion in emergency designated funding.

While, as a fiscal conservative, I am generally opposed to the use of emergency designations on appropriations bills, this bill and the amendment made in order under this rule provides that the funds will only be made available if it is determined that they are necessary for FEMA to meet the needs of the communities adversely affected by disaster. These funds simply represent an insurance policy for some of our Nation's hardest hit communities.

Mr. Speaker, this is a good bill, and it deserves our support. It takes a responsible path towards addressing our Nation's most pressing needs and priorities. I urge all of my colleagues to support this straightforward and noncontroversial rule, as well as this must-do piece of legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague from Ohio for yielding me the customary half hour and I yield myself such time as I may consume.

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

Ms. SLAUGHTER. Mr. Speaker, I have strong concerns about the rule and the process it represents. As I stated earlier, the Committee on Rules and the current leadership are developing a compulsive aversion to regular order. In what has become standard operating

procedure, the Committee on Rules emerged only moments ago to consider what should be a noncontroversial open rule on an appropriations bill making its initial pass through this Chamber.

The underlying bill is too important for this country to be treated so cavalierly. The gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) deserve rich praise for their work, particularly in adding funds to the President's anemic budget for science. The President's budget requested a meager 1.2 percent increase for the National Science Foundation, barely half the amount necessary to cover inflation. The Committee wisely added $368 million to the President's request, an amount which will allow on-going research in basic physics, chemistry, mathematics and engineering.

I was particularly pleased and gratified to see the inclusion of $8 million for a proposed Infotonics Center of Excellence in my district of Rochester, New York. This project will utilize my region's established expertise in optics, the science of light, that is critical to the future economic success of New York State. This will be a cooperative research and development facility where academic researchers, industry leaders such as Kodak, Xerox and Corning, and small companies can pool their resources and expertise. With this funding, we can begin to bridge the gap between basic research and product manufacturing focusing in optics, fiberoptics and the emerging field of photonics, transmitting data by light.

I also want to thank the chairman for the increase in funding for HUD's Office of Lead Hazard Control funding. I was pleased that 50 of my colleagues signed my letter requesting this increase, and I look forward to continuing to work with the Committee as this funding works its way through the appropriations process. Many older houses and apartments still contain lead-based paint.

Research shows that children with elevated blood lead levels are seven times more likely to drop out of school and twice as likely to fall behind their peers in language acquisition. In my district of Rochester, New York, 37 percent of the children tested have more lead in their blood than the Centers for Disease Control and Prevention say is safe. This increased funding will be a critical step in addressing this problem.

Many Members on this side of the aisle have expressed concern over veterans medical care and public housing programs that serve the country's most vulnerable citizens and families. Unfortunately, an inadequate overall allocation has forced the majority to rely on budgetary gimmicks to stay within the subcommittee's budget ceiling. These gimmicks include almost $1 billion of delayed obligations and ''pretend'' budget allocations such as the recommendation to eliminate funding for the Corporation for National and Community Service, a recommendation which the chairman announced prior to reporting the bill that he intends to reverse in conference.

These problems will cause the VA-HUD bill to be the first of the seven appropriations bills reported by the Committee that may not share broad bipartisan support.

Mr. Speaker, this country has the resources to care for its veterans and to provide adequate housing for the poor, the elderly and the disabled.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I rise in support of the rule for the VA-HUD Appropriations bill.

I share the concerns of some Members that the designated emergency spending within the bill is at odds with our broader imperative to uphold the principles of fiscal discipline, and I applaud my colleagues for their conviction. Yet, at the same time, it is imperative that we ensure FEMA has the necessary funds to be prepared for disasters and emergencies.

Every year emergencies and catastrophes arise that draw down the account FEMA maintains to fund expenses stemming from emergency response efforts. In Houston, we just got hit with several feet of water in one day. Houston, if you have not been there, is built on a plain. There is only so much water that our system can accommodate. We got hit with a lot more than that. Now we are facing billions of dollars in damages. That is catastrophic damage. It is the exact reason that we classify some events as legitimate emergencies.

Mr. Speaker, I have opposed and will continue opposing attempts to manipulate the process by lumping wasteful spending in with the legitimate expenses that we incur by responding to actual emergencies, but that is not the case here. The FEMA account generally has emergency funds in contingency reserve to deal with true emergencies, and the flooding from Tropical Storm Allison caused a real emergency in Houston and all through the South. We know that cleaning up the damage has nearly wiped out FEMA's funding, so several weeks ago on this floor I opposed the partisan fear tactics that were used by some of my colleagues on other side of the aisle.

Mr. Speaker, the fact remains that FEMA has the funds necessary to carry out their duties for the remainder of this fiscal year. FEMA has the funds to make it through the year. The responsible thing to do is to restore the funds to the account. It will enable FEMA to assist Houston's recovery, and as we move into hurricane season it will enable FEMA to stand ready to meet any short-term contingency as well.

Mr. Speaker, I appreciate the work of the gentleman from New York (Mr. WALSH) as we move through this process, and I ask my colleagues to vote for the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, so far, with the six appropriations bills which have passed the House, we have seen bipartisan support for every single one of them. This is the first bill that will generate considerable opposition, and I want to explain why.

The fault does not lie with the gentleman from New York (Mr. WALSH) or the subcommittee. He has done the very best job he could possibly do, given the allocation that he was given. The problem is that the allocation is too low, and that forces the bill to be at least a half billion dollars lower than it should be for veterans health care, and it cripples the enforcement of clean air and water laws across the country.

It forces the bill to provide inadequate funding for housing for poor kids. It forces the bill to eliminate the National Service Corps, which even the subcommittee itself admits is not a serious initiative, but they had to do it to, quote, ''fit into the so-called budget rules''. It forces a number of other reductions which everyone understands in the end are essentially irresponsible.

Why does it do that? It does it because the tax bill passed earlier in the year by this Congress sucked up every single dollar on the table, which meant that we had nothing left to deal with the long-term problems of Social Security, of Medicare, of education, of veterans medical care, of environmental protection or any other national priority.

Essentially, the House majority prevented the House from facing the real world trade-offs between tax cuts of the most well-off people in our society and other crucial funding for middle income and lower income people.

Mr. Speaker, that is why I asked the Committee on Rules to make in order an amendment. Since they are providing numerous other waivers, I asked them to make in order an amendment that would allow us to add $300 million to veterans health care, add $382 million to housing, add $311 million to the National Service Corps, add enough to restore the 65 EPA environmental enforcement positions that they have cut.

And we paid for it without cutting into the Medicare surplus, without adding to the deficit, by simply scaling back the size of the tax cut for people with incomes of over $330,000, by dropping it from 39.6 to 39.1 percent instead of the 38.6 percent that the House passed earlier this year.

Mr. Speaker, the folks we are talking about have seen their after-tax income grow by $414,000 per family over the last 20 years. I do not think that it is asking of them too much to say, instead of getting an average tax cut of $53,000, to only get a tax cut of about $25,000. I hardly think that is going to put them in the poorhouse.

If we had that amendment before us, we would be able to try to use that money, which would be $1.3 billion, use a billion of it in this bill for veterans health care, for housing, for environmental enforcement and the like, still leaving $300 million available for additional education and defense priorities.

That to me is what we ought to do, but the rule did not allow it. So I will be asking each and every one of my colleagues to vote against the previous question on the rule so that we can offer this amendment to allow the House to choose whether giving a $53,000 tax cut to people who make $1 million or more a year is more important than enforcing our environmental laws, more important than giving veterans the medical care they need, more important than providing decent housing for poor kids.

Mr. Speaker, I think the moral choice is obvious. I would hope that the House would allow us to face these trade-offs. The problem with the budget that has been passed is that, very skillfully, these trade-offs have been avoided. We have not been allowed to exercise real-world choices. It is time that we grow up and make these choices.

□ 1415

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from New York (Mr. WALSH) chairman of the Subcommittee on VA, HUD, and Independent Agencies.

Mr. WALSH. Mr. Speaker, I thank the gentlewoman for yielding me this time and for her leadership on this rule and for guiding this bill through the House for the third year in a row. I hope we are as lucky this year as we have been the last two.

I think we have a good bill, Mr. Speaker. It is a work product that incorporates bipartisanship in its truest form. The gentleman from West Virginia (Mr. MOLLOHAN) and I have worked hand in hand. Our staffs have worked hand in hand and worked together on priorities. We had a manager's amendment in the full committee that the gentleman from West Virginia helped to write. We incorporated that, and the bill was passed out of committee on a voice vote. So both parties, all Members, supported the bill.

I think it is obviously a very complex bill. There are a lot of different issues in the bill. Perhaps the most important, as always has been the case, is Veterans. The authorizing committee asked for additional funds in medical care discretionary funds, and we provided a billion dollars over and above what was provided last year. So in the past 3 years, we will have increased veterans' medical care by just over $4 billion. That is a very substantial increase. It is a tremendous commitment on the part of the Congress to provide funds to the veterans. In each case, we have met or exceeded the President's request dating back from the previous administration.

We also provided over $400 million for construction. This is a direct response to Members who felt that medical care centers around the country were in need of repair, major construction. This is a huge commitment that has not been duplicated in many, many years. So I think we have made a real effort here to put the funds where they need to be in Veterans.

We have also provided an additional $175 million above last year to provide for veterans' claims processing. This is Secretary Principi's highest goal, to provide those resources. We are going to help him to meet that commitment to get those waiting times down for veterans' claims processing.

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

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

Mr. YOUNG of Florida. I appreciate what the gentleman has said in response to what we have already done by increasing the President's budget request for these extremely important issues. I know that we would like to do more. But we are doing the best we can to keep all of our bills within our budget number. We cannot go over that budget number.

What I wanted to say to our colleagues is that the Obey amendment might have been more acceptable except for one little problem, which I will refer to in a minute. All of our committees in the House, jealously guard their areas of responsibility and their areas of jurisdiction. The gentleman from Wisconsin is one of the outstanding leaders in doing that for the Committee on Appropriations, to preserve our prerogatives, and our responsibilities. The problem with the amendment that the gentleman from Wisconsin wanted to have made in order and he offered in the full committee, relates to two sentences:

''Paragraph 2 of section 1 of the Internal Revenue Code of 1986 relating to reduction in rates after June 30, 2001 . . .'', This is the tax bill, ''. . . is amended by adding after the table the following: in the case of taxable years beginning during calendar year 2002, the preceding table shall be applied by substituting 39.1 percent for 38.6 percent.''

That would change the tax law. The Committee on Ways and Means rightfully is protecting their responsibility and their prerogatives, in being opposed to this. I think it is incumbent upon us if we intend to maintain the integrity of all of our committee structures, that this is the reason we were not able to accept this amendment.

I appreciate the gentleman yielding. I also appreciate the good work that he and the gentleman from West Virginia have done to produce a really good bill.

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

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

Mr. OBEY. I thank the gentleman for yielding. Let me simply say that I am concerned with the integrity of this Congress. And I think we can start demonstrating that integrity by being willing to make the specific trade-offs that we have to make in the real world. The problem that we have is that the tax bill was passed before we ever had a budget. That was a clever device by which the House was shielded from having to choose whether it was more important to cut taxes by a specific amount for high-income folks or whether it was more important to use some of that money for veterans, for education, or for other high priorities. We have been denied every other way to make those trade-offs evident, so this is the only avenue left open to us. It may not be perfect, but it is a whole lot better than not joining the issue at all.

Mr. WALSH. I thank the ranking member for his comments. I would remind him that the Congress, both House and Senate, voted for that tax cut; and it is the law of the land.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. I thank the gentlewoman for yielding me this time.

Mr. Speaker, the rule before us today is an open rule that allows all amendments provided for under the House rules to be offered. It also waives all points of order against provisions included in the committee-passed bill.

Of particular importance and interest, it waives points of order against a provision offered in full committee by the gentleman from Texas (Mr. DELAY). This provision would provide $1.3 billion for the Federal Emergency Management Agency designated as emergency funding. We all know about the disaster that Tropical Storm Allison brought to Texas and the Gulf Coast.

Other States, Mr. Speaker, have also recently experienced federally declared disasters. My own State of West Virginia is struggling to recover from recent flooding. Twenty-two counties have been included in the Federal disaster declaration and a recent estimate for West Virginia has placed the damage cost in excess of $175 million.

We know that the storm season is just beginning, and FEMA has told us that they will need additional funding. We need to provide it to ensure that communities that suffer disasters are able to receive Federal assistance in a timely manner.

While we in the minority would have preferred providing this funding in the fiscal year 2001 supplemental bill that was recently considered, the administration blocked that effort. However, in the statement of administration policy with regard to this bill, on the topic of emergency funding, they have indicated that they do not object now to the House including the emergency funding in this bill for fiscal year 2002. I am pleased that the Committee on Rules protected this provision.

I am disappointed that the Committee on Rules did not grant a waiver making in order an amendment to be offered by the gentleman from Wisconsin (Mr. OBEY), ranking member of the full Committee on Appropriations. His amendment would have provided $1 billion in additional resources to adequately fund many of the accounts in this bill that are admittedly underfunded. As an offset, the amendment would have decreased the recently enacted reduction in the highest marginal tax rate by just .5 percent. While I might consider this a minor change, for those who supported the tax cut, it has the implication of shifting millions of dollars from the highest-income citizens in our land to benefit some of the neediest citizens and neediest communities in our land.

Because this amendment was not made in order, I support efforts to defeat the previous question so that the rule can be amended to permit the Obey amendment to be considered by the House.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I would like to thank the gentlewoman from Ohio for yielding me this time, especially in light of the fact that I am rising in opposition to this rule. I would point out that it is a very reluctant opposition. This is the first time that I have opposed a rule since I have been in Congress.

The fact is in recent years we have been spending too much money. The result of that is that we are in grave danger, as a result of the spending increases we have had in recent years and the economic downturn, that within a few short years we could be back to raiding Medicare and raiding Social Security. We made a promise we would not do that. This rule makes that problem worse. It makes that danger worse. Let me explain why.

This bill, as we know, adds $1.3 billion in funding for FEMA. Above and beyond the $1.4 billion ordinary funding for FEMA, there is 1.3 billion additional FEMA dollars that have an emergency designation. The significance of the emergency designation is that that money does not have to be offset. So that means it is in addition to the entire budget. It is above and beyond all that we are going to spend in 2002. House rules forbid putting an emergency designation into a nonemergency bill. This rule breaks that rule. It waives that provision.

Why was that done, again I ask? It was to make sure that this did not have to be offset. That is what is wrong with this. Those of us who are going to oppose this rule do not do so because we necessarily oppose the FEMA funding. What we oppose is the fact that we are not going to be able to strike the emergency designation and require this to be offset; and as a result, we are going to increase the risk that we may, in fact, end up raiding Medicare or Social Security at some time in the near future.

I would also point out the President did not request this. Normally when the President requests an emergency, he sends a letter requesting emergency funding and designates a specific event. The President did not do that. In fact, he issued a statement of administration policy. I will quote briefly. It says:

''The administration appreciates Congress' attentiveness to the needs of FEMA. The administration is not, however, prepared to commit to a specific level of contingent emergency appropriations at this time.''

That is exactly what this does. It puts in an extra $1.3 billion. I urge my Democratic colleagues who object to not being able to offer an amendment, do not vote against the previous question only to vote for the rule. You ought to vote against the rule if you do not agree with this rule. I urge my Republican colleagues likewise.

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

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

Mr. MCDERMOTT. Mr. Speaker, I rise to also oppose the rule. The gentleman from Pennsylvania (Mr. TOOMEY) and I must read different things, but let me tell you why. This place passed out a tax cut way out there and now everybody stands up and says, ''We don't have enough money to do what's necessary.''

We are in such a fix that the leadership from Texas has to bring us out here and put us under martial law. Why? Because they want to have $1.3 billion in relief to Texas. Now, yesterday on the Foreign Ops bill, we could pass all this money, 300 and some odd million dollars to wipe out drugs in Colombia. But in this bill, because we need $1.3 billion, we take $310 million in drug money, fighting drugs, out of the public housing in this country. We worry about it in Colombia but not in our own cities. We wipe out AmeriCorps for $445 million. We are getting closer to that $1.3.

The issue here is what is an emergency. The White House says that what goes on in India, where they knocked down 100,000 houses and 30,000 people died, we can give them $5 million. That is how much the great and generous and rich United States can do. In El Salvador, where they have had the worst earthquake in history, we give them nothing.

So now the message here is to those Ecuadorians and San Salvadorans is get in a bus and get to Texas, because if there is any problem, it will get taken care of in Texas. The gentleman from West Virginia (Mr. MOLLOHAN) says that West Virginia has a few problems. Folks, get in the car and get to Texas, because that is what we are going to take care of. We are not going to take care of anything else. We are not going to take care of CDBG. We are cutting money out of there. Of course we passed this community money into the churches so we all better write a letter to our churches, send more money, because you are not going to get it from the Congress.

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

Mr. BISHOP. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I wish to take this opportunity to thank the members of the Committee on Appropriations for their hard work on the bill. I offered an amendment in the Committee on Rules which was not granted a waiver and that is very, very disappointing, because my amendment would appropriate no additional funds and it would only authorize the use of existing funds for an important program. It would have authorized the Director of the Federal Emergency Management Agency to establish a minority emergency preparedness demonstration program to research and promote the capacity of minority communities throughout the country to get data, information, and awareness education through grants, contracts, or cooperative agreements with eligible nonprofit corporations. These nonprofits would do research on the status of emergency preparedness and disaster response awareness in African American and Hispanic communities across the country, in rural areas, suburban areas and determine how they are impacted by natural and man-made disasters and emergencies.

□ 1430

Also, they would be authorized to develop and promote awareness of emergency preparedness programs in minority communities and to develop competent educational materials that could be disseminated in these communities and to organizations and institutions.

This was a good bill. It would be very helpful, particularly since in the past year there were 51 disasters in 33 different states, and this year there have been 23 disasters in 22 different states. The impact on minorities has been established by FEMA at 2½ times greater on minorities than any other group.

This is a very, very much-needed operation, given the disasters we have had; and I am very, very disappointed that the rule does not allow a waiver to allow consideration of my amendment, which has been printed and is in the RECORD.

I urge ultimate passage of the bill, but if we can defeat the rule and perhaps allow consideration of this amendment, I certainly would be appreciative. It would be good for America, good for African American and Hispanic communities that are impacted so greatly by our floods, tornadoes and natural disasters where there have been tremendous fatalities and loss of life over the past few years.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would encourage the gentleman that just spoke to offer that amendment when the time comes.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I appreciate the gentlewoman yielding me time.

Mr. Speaker, we are now in the eighth of 13 appropriations bills, and, as we drive this process to conclusion, I think it would be smart to stop and look at the fuel gauge.

That is what we have here, a gas gauge. We started out with a full tank, flush with surpluses, $95 billion this year. We did our resolution, 302(a), and gave $4 billion more than the baseline, so you take that out. We did a budget resolution with a placeholder number for defense. Now we are having to come back and put in a real number for defense, and, in outlay terms, it is $12 billion.

Because we did not adequately provide for defense and because we did not provide at all for emergencies, even though the chairman of our committee wanted to institutionalize that, it appeared that a bigger tax cut was feasible. So the tax cut for this year takes out $75 billion, but for a gimmick I will mention in just a minute. So when you factor in those changes you get down to $3 billion. That is how close we are to being empty.

Now, one thing saves us, and that is we did an artificial one-time transfer of funds from September 15 to October 1. The problem is, when we go home in August, that money may disappear when CBO does its update of the budget and economy. If that is true, we will really be running right on empty. That is all we have got left to provide for emergencies, to provide for other priorities that come along in this process before it is completed. That is what is wrong with the tax cut.

What happened? I do not blame the subcommittee at all. I did not get up to criticize the subcommittee. I think they have done as well as they could do with what was allocated.

But we pointed out if you went with this budget with these tax cuts and this allocation, this was going to happen to veterans. We could not fund fully the basic needs of the Veterans Health Care Program. It has happened. It has come to pass. We have less than they need. They have done a good job in trying to plus it up as well they could, but there is not enough there.

In the Housing Program, how could one pick a program that helps the vulnerable more than housing? We have a $20 billion backlog in capital requirements and maintenance needs. What are we doing? Taking a half billion dollars out of it. The housing projects are a haven for drugs. We are eliminating the Public Housing Drug Elimination Program.

This is a consequence of having a budget where we did not adequately provide for emergencies, we did not adequately provide for defense, we fooled ourselves about the size of the tax cut, and now we are inheriting the consequences. You see the fruits of this in the bill before us today.

I commend the committee for doing the best they could with what they have got, but these are the consequences of the tax bill that we adopted just a couple of months ago.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, the consideration of this appropriations bill and the rule attendant to it presents somewhat of a serious dilemma to all of us who are approaching this issue very carefully. On the one hand, it elicits only a sense of praise for the subcommittee chairman, the chairman of the full committee, the ranking members, for the way in which they have squeezed as much as they have into this bill, given the limited resources that they had to work with.

But that is essentially the problem. We have choked ourselves off in this country by this enormous tax cut that we passed earlier this year preceding the budget, in the craziest way of approaching fiscal policy I think we have seen in this government in a long, long time. What does that leave us with? It leaves us with some very serious problems we are not addressing.

The gentleman from South Carolina just made the point about housing. We have a $20 billion backlog in housing. We have a housing crisis in this country. Many people, in urban and rural areas across America, find it impossible to get a house. Municipal workers, for example, are not making enough money to afford a house in the present market. This is a housing crisis. There is no place for them to live and raise their families.

Similar things can be said about environmental protection. This bill does the best it can, but it does not provide nearly enough money to protect the quality of the natural environment from toxic discharges and other releases into the ambient air and the general environment.

That is a serious mistake. And why? Because we choked ourselves off with that huge tax cut, and we do not have the resources that we need to attend to vital concerns addressing our people. The same thing can be said about health care. The same thing can be said about our growing crisis in transportation. Look at any of the airports in this country and you can see it very, very clearly. Drive along the roads during rush hour. It becomes readily apparent. We are not doing anything to deal with the need for surface transportation, particularly rail transportation between our major cities.

So, this is a dilemma for all of us. We are not allowing ourselves to deal with these important issues facing the American people.

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

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

Mr. Speaker, the gentleman from New York just spoke of the inability of our budget to handle the needs of our people. I want to speak to the veterans' budget, the veteran parts of this budget, because the same is true there. We simply have let our veterans down in this budget. We have not honored the promise, we have not honored our commitment, we have not honored our contract with our Nation's veterans.

Now, we are fond on the Committee on Veterans' Affairs, at least on the Democratic side, of saying that you do not have a surplus until you have paid your bills, and we have not paid our bills to the Nation's veterans. We had a decade of flat-line budgeting, and, as a result, the quality of medical care declined, the waiting times for appointments expanded greatly, and the new diseases and the diseases of aging veterans could not be handled with the same professionalism as previously. So we have not paid our bills to our Nation's veterans.

Now, the distinguished chairman of the subcommittee said that we added $1 billion to last year's budget. Well, all independent analysts say that $1 billion for our veterans' health care system barely keeps up with inflation and does not allow us to make the gains that we had promised over the last decade.

I am going to make several amendments to this bill when the time is appropriate to bring the level of the budget up to a more appropriate level, especially in health care.

All the veterans' groups in this Nation got together to produce something called the Independent Budget. What they did here was a very professional analysis of what was needed to care for our veterans, not just give me more money here or give me more money there, but let us reduce the waiting times to this number of days by putting this much money in. Let us increase the number of positions in the Benefits Administration so we can decrease the waiting times for adjudication. Let us make sure we can have research that will deal with the new diseases, like hepatitis C and the Persian Gulf War illness. That is what this Independent Budget does, and that is what this Congress ought to do.

So I will be making amendments to increase the health care budget by $1.7 billion, which is what the veterans groups' analysis says. We will try to make improvements in the health research budget. We will try to make amendments to treat such diseases as hepatitis C and also to treat the Filipino veterans of World War II who we have denied care to for the last 50 years.

So we will make those amendments. I hope they will get the similar waiver that you have for emergency funding,

that you have for other items. Let us really keep our commitment to our Nation's veterans.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I rise today in reluctant opposition to the rule. I have not been here long, but this will be the first rule that I have opposed. I am not insensitive to disasters like the one we had in Texas, but I just feel that it would be disaster to ignore the spirit of our own rules and go right back to emergency spending.

We are perilously close to dipping into the Social Security and Medicare surpluses. We promised our citizens that we would not do that. We are close to it. We need not do it.

The problem is not the tax cut, the problem is spending. We have had an average of 6 percent a year growth in spending over the past 3 years. That is the problem. We cannot simply cannot maintain that.

I urge a vote against the rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON), a member of the Committee on Appropriations.

Mr. KINGSTON. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me time.

Mr. Speaker, there you have it. You have got one group in the House who says a $4 billion increase is too much spending. You have another group in the House that says it is not enough spending. You have a group in the House who gauges all reality on how many billions of dollars you can spend. And yet this House has passed a very balanced budget, a budget that funds the priorities. It puts in money for Social Security and Medicare and Medicaid. It pays down the debt. It takes care of our normal obligations of government, such as education, transportation and health care. Then it returns dollars to the hard-working taxpayers, and then it spends money wisely.

Yet this reckless scheme of the Democrats to blame everything on a tax reduction, you know, Georgia is going to get in the form of $300, $500 and $600 checks $1.2 billion in the next couple of weeks. Now, that is $1.2 billion that is going to be spent by normal people, like Joe and Shirley Harrington in Wilmington Island, Georgia, and what they are going to do with that money is do something real glamorous like buy a dryer, or maybe buy some clothes for the kids who are going to be going back to school.

This is not going to be enough money for a nice vacation, the kind of money that the big Washington bureaucrats make up here. But, do you know what, they know how to spend their money more than I do.

That is what the debate is about here today, who should spend that money: the geniuses in Washington, the big bureaucracy who can control people's lives through their spending, or should we empower the citizens of America who earned the money, the people that it belongs to?

We are faced with a very important bill, a very balanced bill, a bill that puts our veterans' health care spending over $1 billion higher than what President Clinton did. I want to repeat that. Veterans' health care provides a $1 billion increase over the last year, and yet I hear my friends saying no to that.

□ 1445

We are also going to put more money in Veterans Administration and medical and prosthetic research, in national cemeteries, in State extended health care facilities, and in veterans' hospitals.

Mr. Speaker, this is very, very important money.

In addition to that, we are going to put money into housing so that the poorest of our citizens can have fair and decent public housing and, there again, it is increased. We are going to put money in to protect the environment; and I, as a member of the Subcommittee on the Interior of the Committee on Appropriations, think it is very important to fund Superfund and to put money in leaking underground storage tanks, and safe drinking water, in clean drinking water State revolving funds. These are all important projects. I want to support them, and that is why I am support the rule.

I think it is important to say also that this committee has had to make some tough decisions. There are still many of us who remember when President Clinton stood in the well of the House and said, I am going to set up AmeriCorps; we are going to start paying volunteers for what they are doing for free. I guess this was some new concept in socialism in America, but people who are volunteers are doing it because they want to do it for free, but President Clinton wanted to pay them. We are saying there has been a lot of waste in that program. We do not think it is wise at this point to continue that risky scheme of paying volunteers.

So I urge my colleagues to support this rule. It does comply with the budget. Our budget, again, takes care of Social Security, Medicare, the normal and needed obligations of government such as education and housing and, in this budget, veterans. Then, it returns a portion of the surplus to the citizens of America, after paying down the debt.

Mr. Speaker, I say to my colleagues, this bill is in compliance with that budget that has passed both Houses, and I urge my colleagues to vote for the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Speaker, I urge Members to oppose the previous question. If the previous question is defeated, the ranking minority member of the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), will offer an amendment to the rule. The amendment will make in order the amendment offered at the Committee on Appropriations by the gentleman from Wisconsin (Mr. OBEY) and also at the Committee on Rules.

The amendment adds $1 billion for veterans medical care, for critical housing programs, and to partially restore funding for the Corporation for National and Community Service, some of the issues that have been spoken to here during the debate on the rule. The money would come from paring back the recently enacted tax cut in the top tax bracket from 38.6 percent to 39.1 percent. That is one-half of 1 percent from the richest Americans to help some of the most vulnerable Americans and communities.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials at this point in the RECORD.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PREVIOUS QUESTION FOR RULE ON H.R. 2620, FY2002 APPROPRIATIONS FOR THE VA/HUD

At the end of the resolution add the following new sections:

''SEC. . Notwithstanding any other provision of this resolution, it shall be in order without intervention of any point of order to consider the following amendment if offered by Representative Obey or his designee. The amendment shall be considered as read and shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent. All points of order are waived against the amendment. The amendment is not amendable and is not subject to a demand for the division of the question.

GENERAL PROVISIONS

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

''SEC. 427. Paragraph (2) of section 1(i) of the Internal Revenue Code of 1986 (relating to reductions in rates after June 30, 2001), is amended by adding after the table the following:

In the case of taxable years beginning during calendar year 2002, the preceding table shall be applied by substituting '39.1%' for '38.65'.''

DEPARTMENT OF VETERANS AFFAIRS, VETERANS HEALTH ADMINISTRATION

In the paragraph ''Medical Care'', strike ''$21,281,587,000'' and insert ''$21,581,587,000'' in lieu thereof

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC HOUSING CAPITAL FUND

In the paragraph entitled ''Public Housing Capital Fund'', strike ''$2,555,000,000'' and insert ''$2,837,000,000'' in lieu thereof

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

After the paragraph entitled ''homeless Assistance Grants: insert the following new section:

''SHELTER PLUS CARE RENEWALS

For the renewal on an annual basis or amendment of contracts funded under the Shelter Plus Care program, as authorized under subtitle F of Title IV of the McKinney-Vento Homeless Assistance Act, as amended, $100,000,000, to remain available until expended: *Provided*, That each Shelter Plus

Care project with an expiring contract shall be eligible for renewal only if the project is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary.''

ENVIRONMENTAL PROTECTION AGENCY, ENVIRONMENTAL PROGRAMS AND MANAGEMENT

In the paragraph entitled ''Environmental Programs and Management'', strike ''$2,014,799,000'' and insert ''$2,021,799,000 in lieu thereof

At the end of the paragraph entitled ''Environmental Programs and Management'', insert:

'': *Provided further*, That the on-board staffing level of the Office of Enforcement and Compliance Assistance shall be maintained at not less than the level authorized for this Office as of December 31, 2000''

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Strike the paragraph following the center head entitled ''National and Community Service programs, Operating Expenses'' and insert the following new section:

''(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community service Act of 1990 (the ''Act'') (42 U.S.C. 12501 et seq.), $311,000,000, to remain available until September 30, 2003: *Provided*, That not more than $50,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.).

Mr. MOLLOHAN. Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question so that we can have an opportunity to vote on this critical amendment.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, this is a good bill; and the Committee on Appropriations has done yeoman's work in balancing a number of very, very important priorities. The gentleman from Florida (Mr. YOUNG), the chairman of the committee; along with the gentleman from New York (Mr. WALSH), the subcommittee chairman; and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, have done a great job.

Mr. Speaker, H.R. 2620 responds to the needs of our veterans. It protects our environment. It keeps the U.S. at the forefront of space exploration. It provides needed funding to ensure new scientific discovery. It addresses our Nation's critical housing needs and, finally, helps more Americans realize the dream of owning their own homes. This we do without reversing tax relief that we just gave to the American people, tax relief which has not even gone into effect yet.

Mr. Speaker, I urge a ''yes'' vote on the rule and the underlying legislation. Support the previous question.

Mr. WELLER. Mr. Speaker, I rise today in strong support of the rule and the bill. For the past four years, my colleague, Mr. TANCREDO, and I have offered and amendment to the VA/HUD Appropriations bill to restore or increase the funding of the State Extended Care Facilities Construction line item. I am extremely happy to report that the Committee has fully funded the program at $100 million for Fiscal Year 2002.

This program is used to renovate and build state nursing homes for veterans. State facilities have proven that they can provide above quality care at a more cost efficient price than the federal government. In Fiscal Year 1998, the VA spent on average $255.25 per resident per day to care for long term nursing care residents, while state veterans homes on average spent $40.00 per resident. This continued in 1999.

Mr. Speaker, the State Extended Care Facilities Construction program addresses the issue of long-term care for our nation's veterans. With the ranks of those requiring VA care growing on a yearly basis, states already face huge financial burdens in helping to care for our veterans. In Illinois, the waiting list for admittance to the LaSalle and Manteno state extended care facilities are as long as two to three years, and many ill veterans go untreated or are under-treated due to the lack of beds.

Additionally, this funding will help pay the millions of dollars in back payments to state care facilities. In Illinois alone, last year over $6 million was owed to the state for construction projects to comply with the Americans with Disabilities Act and other facility updates. This funding helps with the payback of unfunded grant payments, and helps improve the supply of long term care for our veterans in the future.

There are two other programs that were not funded under this bill and it is my hope that we can work with Chairman WALSH and appointed conferees to have these provisions included in the final bill. I am requesting $800,000 through a HUD Special Purpose Grant or Community Development Block Grant to Cornerstone Services to relocate and expand its developmental training center. Cornerstone Services provides progressive, comprehensive services to persons with disabilities promoting choice, dignity, and the opportunity to live and work in the community. For 32 years, Cornerstone has been a leader in providing state-of-the-art services to meet the individual needs of persons with developmental disabilities, mental illnesses, physical disabilities, sensory impairments and dual diagnoses. The Will County-based, not-for-profit delivers developmental, vocational, and behavioral health services in five large agency-owned or leased locations and residential services in numerous agency or consumer-owned leased residences.

I am also requesting $600,000 to Joliet Junior College to assist funding efforts for the Bridging Community, Economic and Workforce Development through Local Partnerships Project. This project embodies many of the key components of Joliet Junior College's mission and philosophy, community development, economic development, and workforce development. The college's division responsible for this initiative is the Institute of Economic Technology. The institute operates a Small Business Development Center, Entrepreneurship Services Center, Dislocated Worker Assistance Center, Business Assistance and Training Center, and a Manufacturing Extension Center. The institute is a national model for business assistance services and economic development.

Both of these programs are desperately needed in my District and I hope that they will be included in the final VA/HUD appropriations bill.

Again, I would like to thank Chairman WALSH and the members of the House Appropriations Committee for committing to this funding, and for honoring our nation's veterans.

Mr. CHAMBLISS. Mr. Speaker, when the people of Georgia's 8th district first elected me to be their representative, I felt that our number one priority as legislators should be to operate the Federal government within its means. My view on this important matter has not changed. I cannot, in good conscience, cast a vote in favor of a pay increase for Members while the Federal government is operating under such strict spending limitations.

I have committed to the folks back in Georgia to getting our Federal government's fiscal house in order. With the economy slowing and our work in Congress to keep government spending in check, it is wrong for us to give ourselves a pay raise. We must keep big government in check and remain fiscally responsible. As I have for the past few years, today I voted to oppose a pay raise for Members of Congress.

By voting against the previous question on the rule, I want to go on record as being opposed to a cost-of-living-adjustment for Members of Congress.

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 204, not voting 10, as follows:

[Roll No. 278]

YEAS—220

Aderholt	Calvert	Doolittle
Akin	Camp	Dreier
Armey	Cannon	Duncan
Baker	Cantor	Dunn
Ballenger	Capito	Ehlers
Barr	Castle	Ehrlich
Bartlett	Chabot	Emerson
Bass	Chambliss	English
Bereuter	Coble	Everett
Biggert	Collins	Ferguson
Bilirakis	Combest	Flake
Blunt	Cooksey	Fletcher
Boehlert	Cox	Foley
Boehner	Crane	Forbes
Bonilla	Crenshaw	Fossella
Bono	Culberson	Frelinghuysen
Brady (TX)	Cunningham	Gallegly
Brown (SC)	Davis, Jo Ann	Ganske
Bryant	Davis, Tom	Gekas
Burr	Deal	Gibbons
Burton	DeLay	Gilchrest
Buyer	DeMint	Gillmor
Callahan	Diaz-Balart	Gilman

Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—204

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

NOT VOTING—10

Bachus
Barton
Blumenauer
Cubin
Houghton
Jackson-Lee (TX)
Jones (OH)
Lipinski
McKinney
Spence

□ 1512

Mr. SCHIFF changed his vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

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

RECORDED VOTE

Mr. TOOMEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 228, noes 195, not voting 11, as follows:

[Roll No. 279]

AYES—228

Aderholt
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Bonilla
Bono
Borski
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Chambliss
Coble
Collins
Combest
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Fattah
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hilleary
Hinojosa
Hobson
Hoeffel
Holden
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
McNulty
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Oxley
Pascrell
Paul
Peterson (PA)
Petri
Pickering
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun (KS)
Sabo
Saxton
Scarborough
Schrock
Sensenbrenner
Sessions
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Slaughter
Smith (NJ)
Smith (TX)
Stump
Stupak
Sununu
Sweeney
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOES—195

Abercrombie
Ackerman
Akin
Allen
Andrews
Baca
Baird
Baldwin
Barrett
Bartlett
Becerra
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Boswell
Boucher
Boyd
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Clay
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Flake
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Herger
Hill
Hilliard
Hinchey
Hoekstra
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Largent
Larsen (WA)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McKinney
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Nadler
Napolitano
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Phelps
Pitts
Pomeroy
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Scott
Serrano
Shadegg
Shays
Sherman
Shows
Skelton
Smith (MI)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns

Stenholm	Tierney	Watson (CA)
Strickland	Toomey	Watt (NC)
Tancredo	Towns	Weiner
Tanner	Turner	Wexler
Tauscher	Udall (CO)	Woolsey
Thompson (CA)	Udall (NM)	Wynn
Thompson (MS)	Velazquez	
Thurman	Waters	

NOT VOTING—11

Barton	Cubin	Souder
Blumenauer	Houghton	Spence
Boehner	Jackson-Lee (TX)	
Clayton	Lipinski	
Cooksey		

□ 1531

Ms. BROWN of Florida and Mr. LAMPSON changed their vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2620 and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from New York?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. YOUNG of Florida. Mr. Speaker, I thank the Chair for allowing me this time to advise the Members that we will do the best we can to expedite the conclusion of this bill today, if possible. It is a lengthy bill, and there are a lot of amendments. If the Members will cooperate and help us in assembling a list of all the amendments we will have to consider, we ask the Members who have amendments to offer to the VA–HUD bill to please present them at least by the close of the general debate on the bill. Hopefully, we would be able to finish this bill tonight.

I would also say that our leadership has made the decision that if we cannot finish the bill tonight that we would come back tomorrow to finish this bill, but we need to finish it before the beginning of next week.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield to the gentleman.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

Let me simply say I share the gentleman's desire to try to find a way to reach some type of understanding on this bill, but we have a practical problem. The problem is that there is considerable feeling on this side of the aisle that it is a might strange to ask for cooperation from the minority in setting time immediately after a martial law approach to this House was just rammed down our throats.

So while I will certainly work with the gentleman and I would urge every Member who has a potential amendment to, by the time general debate is over, get the text of those amendments to both sides so that we have some idea of what the universe of amendments is and we can try to work out a proposed timetable, I am not very optimistic at this point that we can get clearance on our side of the aisle.

I am told, for instance, that our leadership at this point is not contemplating providing clearance, but I would like us to continue to try to work this out. I know the possibility has been raised by myself of trying to get a time limit that would make certain that we would finish this bill. If we cannot finish it today, we could make sure that the timetable assured that we could finish it early on whatever day it was continued to.

I would hope, in light of the requests we have had from both sides, that that would not be tomorrow; that if we could not finish it tonight, it would go over to Monday or Tuesday. But I frankly do not care. I will be here either time. But I think people on the majority side need to understand that it is very difficult to get clearance on this side of the aisle after martial law has just been rammed down our throats. That is not usually the way in which the majority in this House elicits the cooperation of the minority in changing the rules.

Mr. YOUNG of Florida. Mr. Speaker, I would say to the gentleman that I do appreciate his comments and I do appreciate the way we have been able to cooperate on the previous appropriations bills to have the time limit agreements so that no Member would be denied an opportunity to say what they have to say, but that we would try to do it in an expeditious manner.

As our former colleague and dear friend, Moe Udall, used to say on many of these debates, anything that needs to be said has already been said. The problem is not everyone has said it yet.

So with the cooperation of the gentleman from Wisconsin (Mr. OBEY) and both sides, we would be able to expedite the consideration of this and get done today.

Mr. OBEY. Mr. Speaker, would the gentleman continue to yield?

Mr. YOUNG of Florida. Mr. Speaker, I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would simply like to point out to the House that each of the previous regular appropriations bills has been supported on a bipartisan basis by the majority and minority. This is the first bill that we run into trouble on because, in our view, the allocation provided to the bill is insufficient, which means we will be starving housing, we will be starving veterans medical care and environmental enforcement.

Nonetheless, we had indicated our intention to work with the majority to try to work out time limits, but a little thing called martial law has blown that up. And I wish that people who have no responsibility for managing bills in this place, and I am speaking specifically of the leadership on the other side of the aisle, I know they like to wave magic wands and tell the committee to get its work done, but I wish that people who have an interest in seeing that work done in a timely fashion would work in a more cooperative manner with this side of the aisle if they are asking me to be able to get cooperation on this side of the aisle so we can do what the majority leadership wants to do.

It is sometimes hard to help people who do not want to help themselves.

Mr. YOUNG of Florida. Reclaiming my time, Mr. Speaker, I would like to thank Members for the bipartisan support on this rule. It was somewhat contentious, but we are prepared to take up the rule.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 210 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2620.

□ 1538

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. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SHIMKUS 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 New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. WALSH).

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

Mr. Chairman, it is a privilege today to present for House consideration H.R. 2620, the Veterans Affairs, Housing and Urban Development, and Independent Agencies appropriations bill for fiscal year 2002. In the interest of time, I will try to be brief.

I would, however, like to begin by telling my colleagues that I believe this is a good bill and that the Administration has indicated that they support its passage. Just as presented in

each of the past few years, this bill represents a joint effort of both myself and my distinguished colleague and ranking member, the gentleman from West Virginia (Mr. MOLLOHAN).

While we clearly have not agreed on every single aspect of the bill as reported, it nevertheless represents a true collaboration of effort for which I am very grateful.

With the House's indulgence, I would like to outline the highlights of the proposal.

First and foremost, this proposed bill is within the 302(b) allocation, budget authority and outlays, that approved by the committee. The bill's discretionary spending totals $85.4 billion in new budget authority, which is an increase of just over $2 billion above the budget submission and some $4.8 billion over last year's bill.

I note for the House that this level of discretionary spending includes emergency spending of $1.3 billion for FEMA disaster relief, which was amended during the full committee markup by the majority whip. The committee has tried, as best we can, to spread the proposed increases throughout the bill.

Discretionary veterans program will increae by $1.6 billion compared to last year, with $1 billion going to veterans' medical care and the remainder spread to research, processing veterans' compensation, pension and education claims, operating our national cemeteries and, most significantly, increasing the necessary construction at VA facilities by some $434 million. That is a direct response to Member requests, and we think it is a high priority. The proposal is well within the scope of the amount allocated in the budget resolution.

Housing programs will increase by $1.4 billion compared to 2001, with increases in the housing certificate fund, section 8, public housing, operating subsidies, the HOPWA program, the HOME investment partnerships, the housing for the elderly and disabled programs, and the lead hazard reduction program.

It is important to note that this proposal also includes some very difficult, but I believe extremely important and highly defensible choices and changes in policy direction. They are represented by reductions in the Public Housing Capital Fund and the drug elimination grant programs. Neither of these programs is serving the best interests of the people they were intended to benefit. It is our job, albeit a difficult one, to take whatever steps necessary to remedy the situation.

In the case of capital funds, it means getting tougher on public housing authorities to spend the dollars intended for the residents in the public housing authority properties. There are literally hundreds of millions of dollars worth of code violations and hazards in these buildings that are not getting fixed.

In the case of the drug elimination grant program, it means taking an honest look at whether HUD is the best entity to run a law enforcement program. Based on HUD's track record, I do not believe that it is.

Mr. Chairman, I know these two items in particular will be discussed at length throughout the development of this bill in the House and in conference with the Senate.

EPA funding increases some $229 million over the budget request, although a decrease below last year's funding level. This proposal continues to provide strong research programs as well as increased resources for the many State categorical grants and significant resources for clean water and drinking water state revolving fund and congressional priorities for water projects and infrastructure grants.

FEMA operating expenses will increase by nearly $135 million over last year. We have provided the budget request of $1.37 billion in on-budget nonemergency dollars for disaster relief.

In addition, by virtue of the amendment in full committee markup, which I mentioned before, we have also included an additional $1.3 billion in contingent emergency spending for disaster relief. Those funds would not be drawn on unless the White House specifically asked for them and declared an emergency. I would just add that such emergency provisions have been used for several years to provide FEMA the ability to meet the needs of natural disaster victims.

In addition, our total appropriation of $2.6 billion for disaster relief is actually below the current 5-year average of $3.2 billion.

NASA programs would receive an increase of $641 million over last year, and we have proposed several structural changes in the Agency's account structure to provide them greater programmatic flexibility and the Committee better oversight capability. We have also included funding to reverse some of the changes to the International Space Station proposed by the President. I believe this is the right decision if the research mission of the station is to be fulfilled.

Finally, I am proud to say we have raised the overall funding for the National Science Foundation by just over $414 million to a total program budget of $4.84 billion. This is a 9 percent increase compared to last year. The bulk of these funds, some $292 million, would go to improve available resources for NSF's core research programs, while the remainder would be spread to major research, construction and equipment, education and human resources programs, and salaries and expenses for NSF's capable staff.

□ 1545

I would like to add that I personally would have liked to do more for NSF. However, to do so could only have been at the expense of other very important programs in other agencies. Having said that, given the increase proposed by the Administration of just 1 percent, I think we have done a remarkable job, and this is perhaps the aspect of the bill for which we can be most proud.

All Members are, of course, aware of the difficulty in putting these bills together, especially with so many diverse and competing interests. Developing the perfect bill is probably impossible. Nevertheless, I believe we have done a good job developing a bill that is both supportable and passable. Once again, I would like to thank my colleagues on the Committee from both sides of the aisle for their dedication, time, hard work, and thoughtful consideration of the provisions we have put into this bill. I would also like to thank our staff who has done a terrific job in helping us to sort out the priorities, to fund those priorities, and to make the hard decisions that are required. This job would be impossible without this highly professional staff.

Mr. Chairman, I include for the RECORD the budget tables representing the mandatory and discretionary spending provided in H.R. 2620.

VA AND HUD AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2620)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	22,766,276	24,944,288	24,944,288	+2,178,012	
Readjustment benefits	1,634,000	2,135,000	2,135,000	+501,000	
Veterans insurance and indemnities	19,850	26,200	26,200	+6,350	
Veterans housing benefit program fund program account (indefinite)	165,740	203,278	203,278	+37,538	
(Limitation on direct loans)	(300)	(300)	(300)		
Administrative expenses	162,000	164,497	164,497	+2,497	
Administrative savings from prohibiting new Vendee Home Loans		-1,000			+1,000
Education loan fund program account	1	1	1		
(Limitation on direct loans)	(3)	(3)	(3)		
Administrative expenses	220	64	64	-156	
Vocational rehabilitation loans program account	52	72	72	+20	
(Limitation on direct loans)	(2,726)	(3,301)	(3,301)	(+575)	
Administrative expenses	432	274	274	-158	
Native American Veteran Housing Loan Program Account	532	544	544	+12	
Total, Veterans Benefits Administration	24,749,103	27,473,218	27,474,218	+2,725,115	+1,000
Veterans Health Administration					
Medical care	19,381,587	20,304,742	20,381,587	+1,000,000	+76,845
Delayed equipment obligation	900,000	675,000	900,000		+225,000
Total	20,281,587	20,979,742	21,281,587	+1,000,000	+301,845
(Transfer to general operating expenses)	(-28,134)			(+28,134)	
(Transfer to Parking revolving fund)	(-2,000)			(+2,000)	
Medical care cost recovery collections:					
Offsetting receipts	-639,000	-691,000	-812,000	-173,000	-121,000
Appropriations (indefinite)	639,000	691,000	812,000	+173,000	+121,000
Total available (excludes offsetting receipts)	20,920,587	21,670,742	22,093,587	+1,173,000	+422,845
Medical and prosthetic research	351,000	360,237	371,000	+20,000	+10,763
Medical administration and miscellaneous operating expenses	62,000	67,628	66,731	+4,731	-897
Total, Veterans Health Administration	20,694,587	21,407,607	21,719,318	+1,024,731	+311,711
Departmental Administration					
General operating expenses	1,050,000	1,194,831	1,195,728	+145,728	+897
Offsetting receipts	(36,520)			(-36,520)	
Total, Program Level	(1,086,520)	(1,194,831)	(1,195,728)	(+109,208)	(+897)
(Transfer from medical care)	(28,134)			(-28,134)	
(Transfer from national cemetery)	(125)			(-125)	
(Transfer from inspector general)	(28)			(-28)	
National Cemetery Administration	109,889	121,169	121,169	+11,280	
(Transfer to general operating expenses)	(-125)			(+125)	
Office of Inspector General	46,464	48,308	52,308	+5,844	+4,000
(Transfer to general operating expenses)	(-28)			(+28)	
Construction, major projects	66,040	183,180	183,180	+117,140	
Facility rehabilitation fund			300,000	+300,000	+300,000
Construction, minor projects	162,000	178,900	178,900	+16,900	
Miscellaneous appropriations (P.L. 106-554)	8,840			-8,840	
(Transfer to Parking Revolving Fund)	(-4,500)			(+4,500)	
Total	170,840	178,900	178,900	+8,060	
Grants for construction of State extended care facilities	100,000	50,000	100,000		+50,000
Grants for the construction of State veterans cemeteries	25,000	25,000	25,000		
(Transfer to Parking Revolving Fund)	(6,500)			(-6,500)	
Parking Revolving Fund		4,000	4,000	+4,000	
Total, Departmental Administration	1,568,233	1,805,388	2,160,285	+592,052	+354,897
Total, title I, Department of Veterans Affairs	47,011,923	50,686,213	51,353,821	+4,341,898	+667,608
(Limitation on direct loans)	(3,029)	(3,604)	(3,604)	(+575)	
Consisting of:					
Mandatory	(24,585,866)	(27,308,766)	(27,308,766)	(+2,722,900)	
Discretionary	(22,426,057)	(23,377,447)	(24,045,055)	(+1,618,998)	(+667,608)
TITLE II					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Housing Certificate Fund:					
Direct appropriation	9,740,907	15,717,392	11,494,242	+1,753,335	-4,223,150
Advance appropriations provided in previous acts	4,200,000		4,200,000		+4,200,000
Subtotal, discretionary	13,940,907	15,717,392	15,694,242	+1,753,335	-23,150
(Advance appropriation)	(4,200,000)		(4,200,000)		(+4,200,000)
(Mandatory reclassification of prior year advance)		(4,200,000)			(-4,200,000)

VA AND HUD AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2620)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescission of unobligated balances: Section 8 recaptures (rescission)	-1,833,000		-886,000	+947,000	-886,000
Public housing capital fund	3,000,000	2,293,400	2,555,000	-445,000	+261,600
Public housing operating fund	3,242,000	3,384,868	3,494,868	+252,868	+110,000
Subtotal	6,242,000	5,678,268	6,049,868	-192,132	+371,600
Drug elimination grants for low-income housing	310,000			-310,000	
Revitalization of severely distressed public housing (HOPE VI)	575,000	573,735	573,735	-1,265	
Native American housing block grants	650,000	648,570	648,570	-1,430	
Indian housing loan guarantee fund program account	6,000	5,987	5,987	-13	
(Limitation on guaranteed loans)	(71,956)	(234,283)	(234,283)	(+162,327)	
Total, Public and Indian Housing	19,890,907	22,623,952	22,086,402	+2,195,495	-537,550
Community Planning and Development					
Housing opportunities for persons with AIDS	258,000	277,432	277,432	+19,432	
Rural housing and economic development	25,000			-25,000	
Empowerment zones / enterprise communities	75,000	150,000		-75,000	-150,000
Rural empowerment zones	15,000			-15,000	
Miscellaneous appropriations (P.L. 106-554)	110,000			-110,000	
Total	200,000	150,000		-200,000	-150,000
Community development block grants	5,057,550	4,801,993	4,801,993	-255,557	
Miscellaneous appropriations (P.L. 106-554)	66,128			-66,128	
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(1,261,000)	(608,696)	(608,696)	(-652,304)	
Credit subsidy	29,000	14,000	14,000	-15,000	
Administrative expenses	1,000	1,000	1,000		
Brownfields redevelopment	25,000	25,000	25,000		
HOME investment partnerships program	1,800,000	1,796,040	1,996,040	+196,040	+200,000
Homeless assistance grants	1,025,000	1,022,745	1,027,745	+2,745	+5,000
Shelter Plus Care	100,000	99,780		-100,000	-99,780
Total, Community planning and development	8,586,678	8,187,990	8,143,210	-443,468	-44,780
Housing Programs					
Housing for special populations	996,000	1,001,009	1,024,151	+28,151	+23,142
Housing for the elderly	(779,000)	(783,286)	(783,286)	(+4,286)	
Housing for the disabled	(217,000)	(217,723)	(240,865)	(+23,865)	(+23,142)
Manufactured housing fees trust fund		17,254	13,566	+13,566	-3,688
Offsetting collections		-17,254	-13,566	-13,566	+3,688
Savings from canceling S.1029			-8,000	-8,000	-8,000
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(160,000,000)	(160,000,000)	(160,000,000)		
(Limitation on direct loans)	(250,000)	(250,000)	(250,000)		
Administrative expenses	330,888	336,700	330,888		-5,812
Negative subsidy 1/	-2,246,000	-2,323,000	-2,323,000	-77,000	
Administrative contract expenses	160,000	160,000	145,000	-15,000	-15,000
Additional contract expenses	4,000	1,000		-4,000	-1,000
Streamlined down payment requirements	7,000			-7,000	
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(21,000,000)	(21,000,000)	(21,000,000)		
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)		
Administrative expenses	211,455	216,100	211,455		-4,645
Negative subsidy	-100,000	-225,000	-225,000	-125,000	
Subsidy	101,000	15,000	15,000	-86,000	
Guaranteed loans credit subsidy (emergency funding) (P.L. 106-554)	40,000			-40,000	
Non-overhead administrative expenses	144,000	144,000	139,000	-5,000	-5,000
Additional contract expenses	7,000	4,000		-7,000	-4,000
Total, Federal Housing Administration	-1,340,657	-1,671,200	-1,706,657	-366,000	-35,457
Government National Mortgage Association					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)		
Administrative expenses	9,383	9,383	9,383		
Offsetting receipts	-347,000	-382,000	-382,000	-35,000	
Policy Development and Research					
Research and technology	53,500	43,404	46,900	-6,600	+3,496
Fair Housing and Equal Opportunity					
Fair housing activities	46,000	45,899	45,899	-101	
Office of Lead Hazard Control and Healthy Homes					
Lead hazard reduction	100,000	109,758	109,758	+9,758	
Millenial Housing Commission					
Gifts and donations		1,500			-1,500
Management and Administration					
Salaries and expenses	543,267	556,067	556,067	+12,800	
Transfer from:					
Limitation on FHA corporate funds	(518,000)	(530,457)	(520,000)	(+2,000)	(-10,457)
GNMA	(9,383)	(9,383)	(9,383)		
Community Planning & Development	(1,000)	(1,000)	(1,000)		
Title VI	(150)	(150)	(150)		
Indian Housing	(200)	(200)	(200)		
Total, Salaries and expenses	(1,072,000)	(1,097,257)	(1,086,800)	(+14,800)	(-10,457)

1/ Not included in FY2001 CSBA tables.

VA AND HUD AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2620)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General	52,657	61,555	61,555	+8,898	
(By transfer, limitation on FHA corporate funds)	(22,343)	(22,343)	(22,343)		
(By transfer from Drug Elimination Grants)	(10,000)			(-10,000)	
(By transfer from Public Housing Oper Subsidy)		(10,000)	(10,000)	(+10,000)	
Total, Office of Inspector General	(85,000)	(93,898)	(93,898)	(+8,898)	
Consolidated fee fund (rescission)		-6,700	-6,700	-6,700	
Office of Federal Housing Enterprise Oversight	22,000	27,000	23,000	+1,000	-4,000
Offsetting receipts	-22,000	-27,000	-23,000	-1,000	+4,000
Total, title II, Department of Housing and Urban Development (net)	28,590,735	30,580,617	29,979,968	+1,389,233	-600,649
Appropriations	(30,423,735)	(30,587,317)	(30,872,668)	(+448,933)	(+285,351)
Rescissions	(-1,833,000)	(-6,700)	(-892,700)	(+940,300)	(-886,000)
(Limitation on direct loans)	(300,000)	(300,000)	(300,000)		
(Limitation on guaranteed loans)	(382,332,956)	(381,842,979)	(381,842,979)	(-489,977)	
(Limitation on corporate funds)	(551,076)	(563,533)	(563,533)	(+12,457)	
TITLE III					
INDEPENDENT AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	28,000	28,466	35,466	+7,466	+7,000
Chemical Safety and Hazard Investigation Board					
Salaries and expenses	7,500	7,621	8,000	+500	+379
Department of the Treasury					
Community Development Financial Institutions					
Community development financial institutions fund program account	118,000	67,948	80,000	-38,000	+12,052
Consumer Product Safety Commission					
Salaries and expenses	52,500	54,200	54,200	+1,700	
Corporation for National and Community Service					
National and community service programs operating expenses	458,500	411,480		-458,500	-411,480
Rescission	-30,000			+30,000	
Office of Inspector General	5,000	5,000	5,000		
Total	433,500	416,480	5,000	-428,500	-411,480
Court of Appeals for Veterans Claims					
Salaries and expenses	12,445	13,221	13,221	+776	
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	17,949	18,437	22,537	+4,588	+4,100
Department of Health and Human Services					
National Institute of Health					
National Institute of Environmental Health Sciences	63,000	70,228	70,228	+7,228	
Centers for Disease Control and Prevention					
Agency for Toxic Substances and Disease Registry	75,000	78,235	78,235	+3,235	
Total, Department of Health and Human Services	138,000	148,463	148,463	+10,463	
Environmental Protection Agency					
Science and Technology	696,000	640,538	680,410	-15,590	+39,872
Miscellaneous appropriations (P.L. 106-554)	1,000			-1,000	
Transfer from Hazardous Substance Superfund	36,500	36,891	36,891	+391	
Subtotal, Science and Technology	733,500	677,429	717,301	-16,199	+39,872
Environmental Programs and Management	2,087,990	1,972,960	2,014,799	-73,191	+41,839
Office of Inspector General	34,094	34,019	34,019	-75	
Transfer from Hazardous Substance Superfund	11,500	11,867	11,867	+367	
Subtotal, OIG	45,594	45,886	45,886	+292	
Buildings and facilities	23,931	25,318	25,318	+1,387	
Hazardous Substance Superfund	1,170,000	1,268,135	1,170,000		-98,135
Delay of obligation	100,000		100,000		+100,000
Transfer to Office of Inspector General	-11,500	-11,867	-11,867	-367	
Transfer to Science and Technology	-36,500	-36,891	-36,891	-391	
Subtotal, Hazardous Substance Superfund	1,222,000	1,219,377	1,221,242	-758	+1,865
Leaking Underground Storage Tank Program	72,096	71,937	72,000	-96	+63
Oil spill response	15,000	14,967	15,000		+33
State and Tribal Assistance Grants	2,620,740	2,232,943	2,355,000	-265,740	+122,057
Categorical grants	1,008,000	1,055,782	1,078,899	+70,899	+23,117
Subtotal, STAG	3,628,740	3,288,725	3,433,899	-194,841	+145,174
Total, EPA	7,828,851	7,316,599	7,545,445	-283,406	+228,846

VA AND HUD AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2620)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Executive Office of the President					
Office of Science and Technology Policy	5,201	5,267	5,267	+66	.....
Council on Environmental Quality and Office of Environmental Quality	2,900	2,974	2,974	+74	.....
Total	8,101	8,241	8,241	+140	.....
Federal Deposit Insurance Corporation					
Office of Inspector General (transfer)	(33,660)	(33,660)	(33,660)	.....	.....
Federal Emergency Management Agency					
Disaster relief	300,000	1,369,399	1,369,399	+1,069,399	.....
(Transfer out)	(-2,900)	(-2,900)	(-2,900)	.....	.....
Contingent emergency funding	1,300,000	.....	1,300,000	.....	+1,300,000
Subtotal	1,600,000	1,369,399	2,669,399	+1,069,399	+1,300,000
Radiological emergency preparedness fund	.....	-1,000	-1,000	-1,000	.....
Disaster assistance direct loan program account:					
State share loan	1,678	405	405	-1,273	.....
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	.....	.....
Administrative expenses	427	543	543	+116	.....
Salaries and expenses	187,000	203,801	197,900	+10,900	-5,901
Defense function	28,000	30,000	30,000	+2,000	.....
Subtotal	215,000	233,801	227,900	+12,900	-5,901
Office of Inspector General	10,000	10,303	10,303	+303	.....
Emergency management planning and assistance	249,652	334,623	384,623	+134,971	+50,000
Defense function	20,000	20,000	20,000	.....	.....
Miscellaneous appropriations (P.L. 106-554)	100,000	.....	.....	-100,000	.....
Subtotal	369,652	354,623	404,623	+34,971	+50,000
(By transfer)	(2,900)	(2,900)	(2,900)	.....	.....
Emergency food and shelter program	140,000	139,692	140,000	.....	+308
National Flood Insurance Fund:					
(Limitation on administrative expenses):					
Salaries and expenses 1/	25,736	28,798	28,798	+3,062	.....
Flood mitigation 1/	77,307	76,381	76,381	-926	.....
(Transfer out)	(-20,000)	(-20,000)	(-20,000)	.....	.....
National Flood Migration Fund (by transfer)	(20,000)	(20,000)	(20,000)	.....	.....
Total, Federal Emergency Management Agency	2,439,800	2,212,945	3,557,352	+1,117,552	+1,344,407
Appropriations	(1,139,800)	(2,212,945)	(2,257,352)	(+1,117,552)	(+44,407)
Emergency funding	(1,300,000)	.....	(1,300,000)	.....	(+1,300,000)
General Services Administration					
Federal Consumer Information Center Fund	7,122	7,276	7,276	+154	.....
National Aeronautics and Space Administration					
Human space flight	5,462,900	7,296,000	7,047,400	+1,584,500	-248,600
Crew return vehicle	.....	.....	275,000	+275,000	+275,000
Science, aeronautics and technology	6,190,700	7,191,700	7,605,300	+1,414,600	+413,600
Mission support	2,608,700	.....	.....	-2,608,700	.....
Office of Inspector General	23,000	23,700	23,700	+700	.....
Total, NASA	14,285,300	14,511,400	14,951,400	+666,100	+440,000
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	.....	.....
(Limitation on administrative expenses, corporate funds)	(296)	(309)	(309)	(+13)	.....
Revolving loan program	1,000	1,000	1,000	.....	.....
National Science Foundation					
Research and related activities	3,287,000	3,263,981	3,579,340	+292,340	+315,359
Defense function	63,000	63,000	63,000	.....	.....
Subtotal	3,350,000	3,326,981	3,642,340	+292,340	+315,359
Major research equipment	121,600	96,332	135,300	+13,700	+38,968
Education and human resources	787,352	872,407	885,720	+98,368	+13,313
Salaries and expenses	160,890	170,040	170,040	+9,150	.....
Office of Inspector General	6,280	6,760	6,760	+480	.....
Total, NSF	4,426,122	4,472,520	4,840,160	+414,038	+367,640
Neighborhood Reinvestment Corporation					
Payment to the Neighborhood Reinvestment Corporation	90,000	95,000	105,000	+15,000	+10,000
Selective Service System					
Salaries and expenses	24,480	25,003	25,003	+523	.....
Total, title III, Independent agencies	29,918,670	29,404,820	31,407,764	+1,489,094	+2,002,944
Appropriations	(29,918,670)	(29,404,820)	(31,407,764)	(+1,489,094)	(+2,002,944)
Rescissions	(-30,000)	.....	.....	(+30,000)	.....
Emergency funding	.....	.....	.....	.....	.....
(Limitation on administrative expenses)	.....	.....	.....	.....	.....
(Limitation on direct loans)	(1,525,000)	(1,525,000)	(1,525,000)	.....	.....
(Limitation on corporate funds)	(296)	(309)	(309)	(+13)	.....

1/ FY2001 funding scored as non-add.

VA AND HUD AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2620)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
OTHER PROVISIONS					
Filipino veterans provision	3,000	.....	.....	-3,000	.....
Grand total (net)	105,524,328	110,671,650	112,741,553	+7,217,225	+2,069,903
Appropriations	(106,087,328)	(110,678,350)	(112,334,253)	(+6,246,925)	(+1,655,903)
Rescissions	(-1,863,000)	(-6,700)	(-892,700)	(+970,300)	(-886,000)
Emergency funding	(1,300,000)	.....	(1,300,000)	.....	(+1,300,000)
(By transfer)	(66,560)	(66,560)	(66,560)	.....	.....
(Transfer out)	(-22,900)	(-22,900)	(-22,900)	.....	.....
(Limitation on direct loans)	(1,828,029)	(1,828,604)	(1,828,604)	(+575)	.....
(Limitation on guaranteed loans)	(382,332,956)	(381,842,979)	(381,842,979)	(-489,977)	.....
(Limitation on corporate funds)	(551,372)	(563,842)	(563,842)	(+12,470)	.....
Total mandatory and discretionary	105,133,328	114,867,650	112,616,553	+7,483,225	-2,251,097
Mandatory	24,581,866	31,504,766	27,183,766	+2,601,900	-4,321,000
Discretionary	80,551,462	83,362,884	85,432,787	+4,881,325	+2,069,903

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

Mr. MOLLOHAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I want to begin by thanking our excellent chairman, the gentleman from New York, for the work that he has done in crafting this legislation, the many hours that he has spent involved in it. Throughout the development of the bill, he and his staff have been accessible; and they have made every effort to accommodate the concerns that the minority have presented to them.

As I know he will tell you, we have not seen eye to eye on nearly all the issues in this bill. But the communication necessary for a cooperative effort has occurred and that is certainly very much appreciated.

The departments and agencies that are funded in this bill all deserve adequate funding, but the allocation that we have been given simply does not make that possible. Congress has been operating under unrealistic budget constraints fashioned for the purpose of justifying a huge tax cut. Many concerns were raised during the consideration of that tax cut, most importantly the concern of ensuring the solvency of Social Security and Medicare. While Members from both parties professed that these funds were sacred, as we await the Congressional Budget Office's mid-term reestimates of the government finances, including projections for fiscal year 2002, which are due out in mid-August, it is becoming clear that the tax cut might well invade the Medicare surplus. This is exactly what Democrats were concerned about. This is not fair to our seniors, and it is not good fiscal policy.

It is that same tax cut that is forcing the Committee on Appropriations to make do with fewer resources than are needed. This has resulted in an inadequate allocation to this subcommittee. This has forced the gentleman from New York to engage in a balancing act. While he has been able to do many good things, he has by necessity had to underfund some important accounts.

First, let me mention two specific accounts where the gentleman from New York has markedly improved upon the administration's request. The National Science Foundation is provided $4.84 billion, an increase of $414 million over last year. This represents a 9 percent increase rather than the 1.2 percent increase that the President proposed.

NASA, an account that has been flat funded for the past several years, is in need of funding increases. NASA would receive an increase of $641 million over last year's funding for a total budget of $14.9 billion. Importantly, the bill and report also begin the process of addressing the cost issues associated with the International Space Station. It provides $275 million toward the Crew Return Vehicle, a vital station component that President Bush would eliminate. This funding is conditioned on NASA reporting back to this committee its plan to address the Space Station cost overrun issue. In addition, NASA is charged with ensuring that research is not compromised in the solution.

To underscore the point that research continues to be a principal justification for the Space Station, the chairman's mark includes an additional $35 million for Space Station research. Further, the chairman's amendment includes an amendment that I proposed to the chairman that will add an additional $25 million. Once again, this bill reflects the strong support that science enjoys among the members of this subcommittee. But ensuring adequate resources for science is only one of the many important responsibilities that needs to be fulfilled by this legislation.

The funding levels for several of the accounts are clearly inadequate. For example, to his credit, the chairman has increased discretionary funding to the Veterans' Administration by $1.6 billion over last year's level. While this is a large increase, it falls significantly short of the medical care need as outlined most recently by the chairman and ranking member of the Committee on Veterans' Affairs, the authorizing committee.

Programs within the Department of Housing and Urban Development are cut and several receive no funding at all. These include public housing capital funds, drug elimination grants, rural housing and economic development, empowerment zones, and shelter-plus-care homeless renewals.

The Corporation for National and Community Service is zero-funded and the Community Development Financial Institutions fund is sharply reduced from last year. I know that the gentleman from New York shares my concern about most of these accounts and that he would provide more resources to them if he could.

Today, amendments will be offered addressing some of the problems in the bill. However, even if adopted they will not remedy all the funding shortfalls in this legislation. Resources are simply not available to address the larger issues. We need more money.

From veterans, to housing, to water and sewer needs and even science, more needs to be done, Mr. Chairman. I hope that as this process moves forward, additional resources will be made available allowing us to properly fund the many needy, deserving programs in this legislation.

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

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a hardworking member of the subcommittee.

Mr. KNOLLENBERG. Mr. Chairman, I want to thank the gentleman first of all for yielding me time and I in particular want to thank the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) for the very, very difficult and hard work that they have done on this bill. We have to obviously recognize Frank Cushing, who heads the staff, and all of the staff, who have done, I think, yeoman's work in bringing about the expertise that produces a product that is one that, I think, we should all be happy to support. The quality of the committee members should be highlighted along with the quality of their work product as well.

This appropriations bill is unique in that it covers an array of diverse agencies ranging from the Veterans Administration to the EPA. That is quite a broad stretch. It is not easy. It is not an easy task to bring this wide range of interests together into a single bill. But the gentleman from New York and the gentleman from West Virginia have a working relationship that I think makes all this possible.

The fiscal year 2002 VA–HUD bill is a fair piece of legislation produced under difficult circumstances, and it is within the budget resolution. It responsibly provides a $1 billion increase for veterans' medical health care, and increases funding for the Veterans Benefits Administration to reduce the backlog of claims. The bill increases funding for the Department of Housing and Urban Development by $1.4 billion and fully funds section 8 housing. H.R. 2620 also provides sound investments in research with a 9 percent increase for NSF.

The gentleman from New York, I believe, should be saluted for crafting this piece of legislation under these difficult circumstances. He has worked in good faith with the ranking member and the other side in a bipartisan way to forge the bill that is now before the House. As this process moves forward, we will have plenty of opportunities from Members to offer their suggestions and amendments before the President finally puts his signature on it.

This is a good, responsible bill. I encourage strongly my colleagues to support it.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Florida (Mrs. MEEK) who is a very effective, hardworking member of our subcommittee.

Mrs. MEEK of Florida. I want to thank the gentleman from West Virginia for yielding me this time, and I want to thank the gentleman from New York.

Mr. Chairman, I have had the privilege and the pleasure of serving on this subcommittee. It is a very good subcommittee. It is very hardworking. I also want to give my thanks to the staff. They have just worked assiduously with all of us to make this bill come out as it is. We do owe them a great debt of gratitude.

I want to say that the main problem I see with this bill is that it is underfunded. It is not because we do not

have good leadership on this subcommittee or we do not have good supportive staff, but the fact that it is underfunded, the allocation was not adequate, probably due to the fact that we had to fund a great tax bill, now the results of that tax cut is coming back to haunt us in terms of being able to fund programs that come under our jurisdiction.

We were not able to fund veterans as much as we would have liked to have done. Therefore, we are seeing that as being a gap in this bill. The HOME account, however, there were some very good things going on in terms of accountability in the bill. The HOME account was increased by $200 million. It is one of the most valuable housing programs because it is very versatile and it is very effective.

That was very good of our subcommittee to be able to do this. Also, the subcommittee increased by 34,000 incremental vouchers which allow access to affordable housing on the private market. That is needed for additional low-income families. Section 202, one of my favorite programs for senior citizens, is increased by $4.2 million over fiscal year 2001. Also, this bill increases funding for HUD's Office of Lead Hazard Control. All these are strong points in the bill. Even though we were not able to fund adequately all of the programs, there are many bright spots in this bill, particularly what we were able to do for the National Science Foundation.

However, despite these responsible funding levels, Mr. Chairman, and these lack of funding levels that I would like to see, this bill underfunds some areas which I must call the committee's attention to. It underfunds public housing. It is a part of our bill, a part of our assessment that it should be funded strongly. It underfunds community development. It also cuts money from the Public Housing Capital Fund which helps to rebuild the worn-down and torn-up housing projects throughout this Nation. That is very badly needed. Children are in these housing projects. That makes it even more so. There are about 3 million low-income people that depend on public housing. One million of those are children.

The drug elimination grants which we have heard so many people talk about is also eliminated. It is needed. We need to keep drug trafficking out of our housing projects. Just the day before yesterday we voted $676 million in foreign aid to eliminate drugs. We need to eliminate drugs, Mr. Chairman, right here in our own country.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), another very hardworking and dedicated member of the subcommittee.

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

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

Mr. Chairman, I rise in strong support of the VA appropriations bill and to thank, as others have done, the gentleman from New York (Mr. WALSH) for his leadership and the gentleman from West Virginia (Mr. MOLLOHAN) for his leadership and cooperation.

Our bill, Mr. Chairman, helps the Veterans Administration provide health care to over 3.8 million men and women, who required last year over 717,000 inpatient visits and over 39 million outpatient visits to our Nation's 172 VA hospitals, 135 nursing homes, and over 600 outpatient clinics countrywide.

This bill provides for those purposes this year an additional $1.1 billion over last year's level for their medical care, for a total in the medical care account of $21.2 billion. With this latest increase, Congress will have provided an additional $4 billion for veterans' medical care over the past 3 years.

On a specific issue, our bill continues to direct Secretary Principi to address the serious issue of hepatitis C among the veterans population, particularly those of the Vietnam era.

On the housing front, the bill provides $30 billion for that agency, an increase of $2 billion over last year's level, and it continues our commitment to increasing housing opportunities for all people in need but especially for individuals with disabilities.

□ 1600

This bill that we consider today will provide funding for nearly 8,000 vouchers specifically to provide decent, accessible housing for individuals with disabilities who often must compete with programs that provide housing for the elderly.

On the environmental protection front, the committee has provided $1.2 billion for the Superfund hazardous waste cleanup program. This vital program cleans up our Nation's most polluted sites and, in many cases, can restore formerly toxic sites to new productive uses. My own State has more of these sites than any other State in the Nation. Despite local successes in the Superfund cleanups, there are many more sites to be cleaned up and more sites and brownfields sites than ever.

Like the chairman, I think we need to highlight the fact that this bill substantially increases funding for the National Science Foundation by $415 million, or 9 percent, over last year's level, for a total of $4.8 billion over last year's amount. Basic scientific research funding is critical, and I particularly commend the gentleman from New York (Chairman WALSH) for his leadership and responsiveness which led to this much-deserved increase.

The committee has also provided $14.9 billion for NASA, an increase of $641 million over fiscal year 2001. While the committee rightly has concerns about cost overruns of the International Space Station, overall NASA is responsible for a number of research initiatives.

For this and other reasons, I support the bill.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I thank my friend from West Virginia for yielding me time.

Mr. Chairman, I rise in support of the NASA funding included in this legislation, particularly as it relates to NASA Glenn Research Center in Cleveland. Glenn Research Center provides over $1 billion a year to Ohio's economy. Over 12,000 jobs exist in Ohio thanks to Glenn Research Center. Glenn Research Center grants over $10 million a year to Ohio's universities, and NASA has an important impact on our everyday lives.

Glenn Research Center has given us advances in biotechnology, to improve our health care, led in the development of quiet aircraft technology to minimize the noise in communities surrounding airports, and spearheaded research that benefits space travel.

Glenn Research Center also developed a lightweight battery that enables energy storage in space, in our own laptops and cell phones. This Congress's investment in Glenn Research Center benefits every American. I am pleased the subcommittee has recognized the importance of Glenn Research Center.

Mr. Chairman, I thank the gentleman from New York (Chairman WALSH) and I thank the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the distinguish gentleman from California (Mr. DREIER), the distinguished Chairman of the Committee on Rules, for the purpose of a colloquy.

Mr. DREIER. Mr. Chairman, I want to begin by complimenting both the gentleman from New York (Chairman WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) for the superb job they have done on this bill, especially in the area of investment in scientific research and our Nation's space program.

I am joined by my very distinguished colleague, the gentleman from Glendale, California (Mr. SCHIFF), who has also joined with me in representing the area of Pasadena, which includes the Jet Propulsion Lab, and I would like to make a couple of comments about this.

Unfortunately, the vision that I just mentioned that the chairman and ranking member and the work of the subcommittee and the full committee reported out is not shared by the piece that came out from our friends in the other body. It not only does not provide sufficient funding for the National Science Foundation and NASA, but it goes so far as to propose the systematic dismantling of one of our Nation's national treasures, the Solar System Exploration Program.

While the proposed transfer of the Telecommunications and Mission Operations Directorate to the Consolidated

Space Operations Contract is portrayed as an effort to save money and consolidate space operations, the cost savings are illusory and the transfer would be devastating to the space program.

The proposal assumes that an industry contractor can absorb the telecommunications and missions operations activities, but, in fact, because the deep space environment is substantially more hostile than the near-Earth environment, the personnel who presently operate the Earth orbiting satellites do not now possess the experience or training required to operate a spacecraft in deep space. Therefore, the contractor would have to hire new people to do the work.

Furthermore, in order to achieve the level of savings promised by the Senate, the contractor would be forced to conduct the missions with fewer than half the personnel presently on the missions. Unfortunately, we have already learned the short-staffing lesson the hard way. The Young Commission's findings on the loss of the two Mars missions concluded that the principal failure for both missions was the result of NASA headquarters' limitations on participation by the Jet Propulsion Laboratory's expert staff. Unfortunately, the bill from the other body ignores this finding and further weakens JPL's role.

In addition, the Senate proposal would transfer the mission operations and communications for all of the solar system exploration missions, including Galileo, Mars Global Surveyor, Ulysses, Cassini, Voyager and Mars Odyssey to an outside contractor.

Mr. Chairman, I am certain that this body did not authorize and appropriate the millions of dollars needed to fund these programs with the idea that they would then be outsourced to a new and inexperienced operations and communications team. We expect, and indeed should demand, that the operations of these high-risk, high-reward missions be conducted by the most capable, most qualified and the most experienced personnel available.

Mr. Chairman, I know personally NASA's Jet Propulsion Laboratory is the authority on deep space exploration, and the House cannot allow the Senate to place these vital missions in jeopardy simply to fulfill the parochial interests that exist in the other body.

I am joined, as I said, by my colleagues, the gentleman from California (Mr. SCHIFF), the gentleman from California (Mr. COX), the gentleman from California (Mr. LEWIS) and others to ask that you refuse to accept any of these shortsighted proposals during conference; and, in a bipartisan fashion, we offer whatever assistance we may have in this effort.

Mr. WALSH. Mr. Chairman, I thank the gentleman for his comments and look forward to working with him.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. SCHIFF) for the purpose of a colloquy.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise to join my colleague and neighbor from California in his praise for your leadership as well as the leadership of the gentleman from West Virginia and to urge that we turn back the Senate's proposals which I believe will seriously undermine the Solar System Exploration Program.

Mr. Chairman, as you know, NASA's Jet Propulsion Laboratory is managed for NASA by the California Institute of Technology, Caltech. The Senate makes three proposals that are damaging to Caltech, damaging to NASA and damaging to the space program. The first is the transfer of telecommunications and mission operations to an outside contractor, as discussed by my colleague; the second is the reduction of $50 million from the Mars Surveyor program; and the third is the transfer of the Europa mission and the entire Solar System Exploration Program from JPL to an ad hoc grants program.

The combined impacts on JPL of these three proposals would be the elimination of 1,200 jobs at JPL and the resulting elimination of highly trained personnel and unnecessarily imperil our Nation's space exploration program.

Essentially, the Senate proposes that the critical mass of talent, experience and know-how which resides at JPL should be dispersed and that the core of NASA's exploration program should be conducted piecemeal and ad hoc.

At a time when the Nation is facing a critical shortage of experienced personnel in public service, the Senate proposals would terminate hundreds of engineers, technicians and scientists who possess the greatest level of knowledge regarding space exploration. The consequences would be tragic, and the Nation's space program would suffer a tremendous setback.

Mr. Chairman, I am proud to represent the best and brightest in a field where the advancement of science inspires young children and captures the imagination of millions, but I believe the space exploration program at JPL also serves the Nation as a whole.

NASA's solar exploration program carefully laid out and scrutinized resides at JPL because for the past 50 years this Congress has invested in the creation of the talent and infrastructure that exists at JPL. They are the experts, and this is rocket science.

For this body to allow that investment in space exploration to be jeopardized in this manner would be a disservice to the Nation and contrary to the fiscal duty we owe taxpayers.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume to complete the colloquy.

Mr. Chairman, I would like to say I thank both gentlemen for their comments, and please be assured we will not allow investments made in the space exploration program to be wasted. Be assured that both the gentleman from West Virginia (Mr. MOLLOHAN) and I look forward to working with the gentleman from California (Mr. SCHIFF), the gentleman from California (Mr. DREIER), the gentleman from California (Mr. COX) and the gentleman from California (Mr. LEWIS) to ensure that JPL remains one of the premier space research facilities in the country.

Mr. DREIER. Mr. Chairman, if the gentleman will yield very briefly, I would just say this is not rocket science. What they do out at JPL is rocket science.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking minority member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, the Congressional Budget Office just finished the study which showed that over the last 20 years the wealthiest 1 percent of people in this country had an after-tax income gain on an annual basis of $414,000 per year. The tax bill which this Congress passed just a couple of months ago gave those people on average a $53,000 tax cut, about an 8 percent increase in their after-tax income.

That study also showed if you are exactly in the middle of the income stream, you have had an income increase over the past 20 years of about $3,400, and the tax bill that passed gave those folks not an 8 percent or 7 percent or 6 percent increase in their after-tax income, it gave those folks a 2 percent increase in their after-tax income.

That study also showed if you were in the poorest 20 percent of people in this society, that you actually have lost $100 in your annual income over the last 20 years, and those folks got a 1 percent on average increase in their after-tax income by the tax bill that passed, except for the almost one-third of people in that bracket who got nothing whatsoever because they made too little money to qualify for the tax cut.

That tax bill took so much money that it made it impossible for the Committee on Appropriations to give the gentleman from New York an adequate allocation for this bill; and because of that fact, not because of the desires of the gentleman, but because of the realities imposed by that misguided tax bill, this bill today is at least half a billion dollars short in providing needed veterans medical care. It is desperately short of the levels we need to be at to provide assistance for low-income people to obtain decent housing. It weakens our ability to provide environmental protection, and it does a number of other things that are not in the long-term interests of this country.

I have voted for the last five appropriation bills this House produced because I thought they were decent, bipartisan products, even though they were not perfect. But this bill I will not be supporting because of the shortcomings that I have cited.

I do want to say, however, that I think the gentleman from New York has done a very decent job with the

limited amount of resources that he had available to him, and I especially commend him for the way he dealt with the science budget. We needed an increase over the White House budget for science.

There is another strange twist to this bill, however. We tried on this side of the aisle on three occasions to get the majority to recognize that we were going to need more money for disaster assistance in FEMA's budget for the existing fiscal year. We were blocked on each of those three occasions.

Now, however, this bill contains a $1.3 billion item which has been labeled an emergency by no one less than the distinguished majority whip. That is the same distinguished majority whip who last year took the floor to defend the idea that somehow funding the census was an emergency, as though we did not know that every 10 years we are required by the Constitution to conduct a census. So I find that flip-flop strange indeed.

It is because of that flip-flop that this bill has been delayed for the better part of a day, and yet the majority leadership now somehow expects us to be able to make up the time lost by the internal divisions within the majority party caucus on this issue, and yet they expect us to work a miracle and finish this bill by 10, 11, 12 o'clock tonight. There are some 44 amendments pending. I do not believe it is possible to come anywhere near closure, even though we will try to work with the majority.

So I would simply say that if this bill cannot be finished tonight, it ought to be clearly understood why. It is not because of any delay on the part of anyone. It is simply because of the inconsistency which was noticed by the majority party caucus, the inconsistency represented by the DeLay amendment. While I support the DeLay amendment, I regret the ridiculous turmoil that it has caused.

□ 1615

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

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

Mr. FRANK. Mr. Chairman, I am the ranking minority member of the Subcommittee on Housing. There are enormous questions at issue here, and trying to rush them through would be inappropriate.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), the distinguished subcommittee chair of the authorizing committee.

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his distinguished leadership on this issue.

Certainly, as the chairwoman of the Subcommittee on Housing, I have just completed a series of hearings on the availability of affordable housing. These hearings focused on many of the programs within the jurisdiction of this appropriation bill, such as HOME, CDBG, section 8 vouchers, section 202 elderly housing, homeless and the disabled.

We have an intelligent understanding, even in this good economy, that there are a growing number of hardworking Americans who suddenly cannot afford rental housing that they are occupying because of the higher rents in their particular area. So at our housing affordability hearings, witness after witness reinforced the need for improved administration, utilization, and delivery of HUD programs. Furthermore, programs like HOME, CDBG, HOPE, section 8 vouchers, disability and 202 for the elderly, all of these programs need community development groups that can help them and can more efficiently and effectively meet the needs of these vulnerable populations.

Now that we have concluded the hearings, it is our intention to begin crafting legislation that will help to meet the needs of the growing housing affordability and availability problem.

We must remember, and I say this as a strong fiscal conservative, we must remember that the American taxpayer deserves consideration in this budget debate as well. If directing resources from one program to another means, as is done in this bill, means resources are being more efficiently and effectively used, then we should be supportive. The gentleman from New York (Mr. WALSH) has done that in this bill.

I would like to point out that the bill is not absolutely perfect, but I must say that I wish it had included credit subsidies.

I rise in support of this bill today. Chairman WALSH was given limited resources, and he has worked hard to craft a bill that is fair to all the competing interests and programs within his jurisdiction.

As Chair of the Financial Services Subcommittee on Housing, I have just completed a series of hearings on the availability of affordable housing. These hearings focused on many of the programs within the jurisdiction of this appropriations bill, such as HOME, CDBG, section 8 vouchers, section 202 elderly housing, homeless and the disabled.

This country is facing a growing housing crisis. The growth in the economy has created a major dilemma for an increasing number of working class and low-income Americans—a better economy means higher rents in many areas. A growing number of hard working Americans suddenly can't afford the rental housing they are occupying, or can't even find any housing available that is geared to their income levels. In addition, our government is faced with the increasing budget needs of our existing public housing system as well as how to pay for future housing demands.

At our housing affordability hearings, witness after witness reinforced the need for improved administration, utilization and delivery of HUD's programs. Furthermore, programs like HOME, CDBG, HOPE VI, section 8 vouchers, section 202, disability and homeless programs need more flexibility so that housing finance agencies, PHAs and community development groups can more effectively and efficiently meet the needs of these vulnerable populations.

Now that we have concluded the hearings, it is our intention to begin crafting legislation that will help to better meet the needs of this growing housing affordability and availability problem. We will be looking at ways to improve the delivery and administration of HUD administered programs.

I know that many members plan to offer amendments today concerning programs that fall within the jurisdiction of the Subcommittee on Housing. I invite members who may have problems or concerns with this bill to work with the authorizing committee to address those concerns. Clearly, changes are warranted to many of these programs so that they better meet the needs of the people that so desperately need our help.

I consider myself a strong fiscal conservative, so for my part I do not automatically presume that each and every government program that currently exists deserves an increase in funding, merely by virtue of being there. Let us remember that the American taxpayer deserves consideration in this budget debate as well. If redirecting resources from one program to another means resources are being used more efficiently and effectively, then we should be supportive.

Faced with sharp budget constraints, Chairman WALSH has worked hard to use the taxpayers money in the most effective and efficient way possible. Where funds have not been spent in a timely manner, he has recaptured those funds and redirected them to programs that can use them now. Funding for programs with proven track records—like HOME, public housing operating subsidies, and housing for disabled and elderly has been increased in this appropriations bill.

This bill isn't perfect—for example, I wish it included credit subsidies to ensure the continued operation of the FHA multifamily loan program; and I will continue to work with both OMB and the Appropriation's Committee to determine how best to address continued funding for that program. In fact, just last week, I asked GAO to conduct a review of the issues surrounding the credit subsidy, such as how it is assessed and whether it is consistent with current default rates. There are good arguments on both sides of the issue relating to whether we have an accurate risk assessment of the credit subsidy. I am hopeful that the GAO will provide some insight on how best to proceed in resolving this crisis and whether an actual insurance premium is necessary.

Finally, I am glad that the Chairman has included provisions for the President's Downpayment Assistance Program. Home funds are distributed by formula to states and local participating jurisdictions which have the flexibility to use these funds for a variety of purposes, including downpayment assistance. The President's initiative would allow this to continue, but would require state and localities to use a designated amount of their funds for downpayment assistance.

This downpayment assistance set aside will go a long way to addressing the needs of many of those who currently are unable to own their own home. For this reason, I will oppose any amendment that seeks to reduce or eliminate the money for this important initiative.

On balance, this bill deserves your support, and we recognize that it outlines the foundation of review and legislative reform on our committee agenda for next year.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. ORTIZ) for the purpose of a colloquy with the chairman.

Mr. ORTIZ. Mr. Chairman, I thank the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN) for yielding me this time.

I would like to enter into a colloquy at this point with the Chairman of the subcommittee, the gentleman from New York (Mr. WALSH). After testifying last spring, Mr. Chairman, the subcommittee has been very helpful in finding creative solutions to the challenges faced by a multitude of veterans living in the Rio Grande Valley. I know the limitations on our spending this year, and I applaud the gentleman's work.

I appreciate language in the VA–HUD report to this bill that directs the VA to work with the Defense Department to share resources to serve our veterans, our active duty military, military retirees, and their dependents. The language directs the VA and DOD to submit a plan to the Committee for three demonstration sites through which to integrate health care resources and reduce the burden on veterans.

I would like to propose that a hospital in South Texas, which is at the Naval Air Station in Corpus Christi, be considered as a prospective site for just such a demonstration to help our veterans. I know that the gentleman from Ohio (Mr. HOBSON), my good friend, has actually traveled to South Texas and looked at the facility with this in mind. There is room in the hospital and open beds that could be used to tend to the specialty care and the needs of our veterans.

I am grateful for a recent meeting with Veterans Secretary Anthony Principi in which we had a very good discussion about the needs of South Texas veterans. The Secretary was very engaged and helpful with suggestions. Secretary Principi agreed to have his experts at the VA study the prospect of having one of these demonstration sites at the Naval Air Station Hospital at Corpus Christi. I am very appreciative.

Mr. Chairman, I yield to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman for his diligence on this very important issue in bringing the problem of accessible health care for the veterans of the beautiful area of South Texas that he calls home.

The VA and DOD have a great opportunity to do better in this area. I agree that the Naval Hospital in Corpus Christi would be an excellent candidate for this demonstration project, and I would encourage the VA to give this site every consideration when formulating a plan.

Mr. ORTIZ. Mr. Chairman, I appreciate the gentleman's help, and I yield to the gentleman from Ohio (Mr. HOBSON).

Mr. HOBSON. Mr. Chairman, I would also like to join in thanking the gentleman from Texas (Mr. ORTIZ) for bringing his testimony before the committee.

I visited this hospital in Corpus Christi, along with a number of other members of my subcommittee, and I really believe that the available capacity at that hospital and certainly the need of the veterans in that area would lend itself to progress in this program that he wants to do in this area. I want to commend the Chairman for encouraging the VA to work with DOD at the possibility of establishing not only this project, but other similar programs, because I think it comes into the extension of quality, cost-effective care for our veterans around the country, and the gentleman's facility in Corpus Christi is a good place to demonstrate that program.

Mr. ORTIZ. Mr. Chairman, I would like to thank the Committee again and the staff for their very diligent work.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. OXLEY), the chairman of the Committee on Financial Services.

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

Mr. OXLEY. Mr. Chairman, I rise in support of H.R. 2620. I want to thank the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, for putting together an appropriations bill that balances all of the competing interests and programs, given the fiscal restraints that we are under.

As the chairman of the Committee on Financial Services, the housing programs administered by the Department of Housing and Urban Development fall under our jurisdiction. To date, the committee has held at least nine housing program and oversight hearings to explore how to make these programs models of efficiency and expand housing opportunities for everyone.

What the hearings reveal is that we are facing a housing crisis. In some areas, that crisis is one of availability of housing, while in others, it is affordability, with low-income families paying more than 50 percent of their monthly income for housing. In other cases, it has been poor management of public and private resources and, indeed, our committee plans to look into that.

I applaud the committee on their work. For example, the HOME program is increased by some $200 million to accommodate the President's request. This new initiative will expand the homeownership dream, particularly for low-income, first-time home buyers. While the overall homeownership rate is 68 percent, we have lots of work to do in our minority and disabled communities to foster this American dream. I will oppose any amendments that diminish the Downpayment Initiative incorporated in the HOME program.

I do want to point out to my colleagues that there will be some amendments today related to the elimination of the Public Housing Drug Elimination Grant Program. As I understand, this program is duplicative and that the Public Housing Authorities already have existing authority to provide crime-fighting initiatives through the operating fund. H.R. 2620 increases the PHA operating subsidy to 8.1 percent to allow flexibility to do crime-fighting initiatives and other activities. Moreover, the Drug Elimination Program experienced many abuses, including HUD's approval to allow PHAs to use funds for ''creative wellness'' programs that teach residents to surround themselves with colored gemstones and incense; and I am not making this up, Mr. Chairman, to the tune of $800,000; for occasions and trips, and for controversial gun buy-back programs.

I am also concerned that there is $397 million of unspent funds, some dating back to as far as fiscal year 1997. I support the Administration's proposal to eliminate duplicate programs.

While I understand that there will always be more need than resources, it is important that Congress act in a fiscally prudent manner that balances the housing program investments made by the taxpayer with the legitimate needs of those citizens who are not finding adequate resources in the private sector. The Committee on Financial Services, including the Housing Subcommittee chaired by Representative MARGE ROUKEMA, looks forward to working through the policy details that will ensure an improved housing delivery service.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH), a distinguished and hard-working member of the subcommittee.

Mr. FATTAH. Mr. Chairman, let me also thank the ranking member and the chairman of the subcommittee for their hard work.

I have a number of concerns about the bill, even though I am generally supportive. One of course is the elimination of the AmeriCorps program, and the elimination of the drug elimination fund. There is nothing controversial about gun buy-back programs in neighborhoods where people have been victimized by the illegal use of these guns. But I think that even though there are some unfortunate directions, there is a lot to be very pleased with in this bill, and I commend both the gentlemen who have had the leadership roles.

I wanted to yield a moment to the chairman, the gentleman from New York, to have a brief colloquy on the question of the reserve funds for public housing authorities.

I, along with the gentleman from North Carolina (Mr. PRICE), have

talked before about our concerns about the move from 2 months to 1 month. We realize that the vast majority of housing authorities have not needed a 2-month reserve, but there have been instances where, for a small percentage of housing authorities where they have had to go beyond the 1 month. I just want assurances from the chairman that he will be mindful of this and monitor and seek to ensure that HUD would have the flexibility to be responsive so that no family presently being served would in any way be jeopardized by the decision, and I think the correct decision that has been made, which is to roll the reserve back to a 1-month status.

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

Mr. FATTAH. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, certainly, it is not the committee's intent, nor do I believe this action will have any negative impact, on the ability of Public Housing Authorities to fully utilize their vouchers. It is my understanding that less than $46 million of the $1.3 billion in reserve funding was drawn down last year.

I assure the gentleman that it is the committee's intention that any PHA which exhausts its funds will be given additional funds to ensure that its legitimate needs are met. In fact, I have a letter from the Deputy Secretary which indicates that HUD will continue its long-standing policy to provide any Public Housing Authority that has exhausted its funds for legitimate needs with whatever funding is necessary to ensure that all families currently served retain their assistance.

Mr. FATTAH. Mr. Chairman, I thank the gentleman from New York.

Mr. WALSH. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Chairman, I would also like to thank the committee staff for this worthy bill which promotes environmental cleanup and scientific study for areas impacted by toxic pollutants.

One such area of impact is Escambia County, Florida, which is my home county. In 1998, it ranked 22nd out of 3,300 counties in America in the amount of toxic releases reported to the EPA. Now there is mounting evidence that these toxic pollutants contributed to increased illnesses in Northwest Florida. Friends, neighbors, family members, and other constituents continue to ask me questions at town hall meetings and elsewhere about whether there is a connection between buried toxins and increased levels of cancer and other diseases.

Fortunately, the University of West Florida and Escambia County Health Department have formed a partnership to find scientific answers to these troubling questions. These questions as to whether toxins buried underground decades ago are now causing sharp increases in cancer and other deadly diseases need to be answered.

Also, too often, the affected areas are occupied by some of our poorest constituents, not only in Northwest Florida, but across America.

□ 1630

That is why I am grateful that this committee has urged the EPA to study Escambia County's increased levels of illness, and it will impact not only Northwest Florida, but also affected areas across America.

That is why I encourage passage of this worthy bill, and thank the chairman and the staff for recognizing the importance of the measure.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK), distinguished member on the Subcommittee on Housing and Community Opportunity.

Mr. FRANK. Mr. Chairman, this bill is a stunning example of the social harm that is resulting from the excessive tax reduction of earlier this year.

We have widely acknowledged that there are housing crises in many parts of this country. The gentlewoman from New Jersey (Mrs. ROUKEMA), who chairs the subcommittee, has presided over hearing after hearing in which witnesses brought forth by both sides of the aisle have testified to that.

The very prosperity which benefits so many and is so welcome exacerbates the problem in many areas of those people in middle-income and lower-income categories who are not participating, and this bill systematically makes it worse. It is not a matter of what the subcommittee chose to do, it is a matter of the substantial reduction in resources mandated by that tax bill, which left them with no real options.

As a result of the inaction of this committee pursuant to that tax cut, the Federal Housing Administration, the FHA multifamily program, is shut down, has been shut down, and will remain shut down. When we get in the full House I will put in a letter from the homebuilders and realtors and many others lamenting this. We are not building multifamily units for middle-income people.

Public housing residents are savaged by the President's budget, and unfortunately, this bill repeats that. The public housing drug elimination program, I do not think it is duplicative to have more cops in public housing. This cuts virtually every aspect of public housing.

The President says he will leave no child behind. Who does he think lives in public housing, stuffed animals? Children live in public housing, the poorest children in this country. They are victimized by the poor resource allocation that this bill manifests.

This bill is, unfortunately, far below the minimum we should expect, and that is mandated by that irresponsible tax cut.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this is kind of a strange institution we are operating in here, because both the chairman of the Committee and the ranking member I think have done a good job of operating within the context of what they are operating in. Unfortunately, they are playing with a budget the size of a baseball when the size of the need is, at best, the size of a softball or a soccer ball, or perhaps even a basketball or bigger.

The dramatic example of that is in the area of housing. The chairman, the Republican chairman, the Democratic ranking member, and those of us who sit on that committee have gone through hearing after hearing after hearing, and every single witness has come and said, ''We need more affordable housing in this country.'' Yet, there is nothing that will address that need in this bill.

It is not because of the ranking member or the chairman of the Committee, it is because of the big tax cut that has taken all of the money that we should have been spending on low-income housing and affordable housing and sent it back to rich people, leaving poor people in destitute housing. That is a shame for our country.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Ohio (Mr. KUCINICH).

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

As co-chair of the Congressional Aerospace Caucus, I strongly support maintaining America's leadership in space exploration, research, and technology. That is why I rise in support of increased funding for the National Aeronautics and Space Administration.

Let me speak of two challenges being met by NASA in aircraft noise and engine emissions. The ultraefficient engine technology program at the NASA Glenn research center is improving local air quality around airports and reducing aviation's impact on global warming.

The program is developing revolutionary propulsion technologies for increased performance and efficiency of aircraft engines. The goal of NASA's quiet aircraft technology program is to develop technologies which will contain aircraft noise within airport boundaries.

The Federal Government is investing millions of dollars every year to insulate homes. Such sound insulation is the only feasible approach today. However, breakthrough technologies developed by NASA through the UEET program and the quiet aircraft technology program will properly address the problem by achieving significant reductions in aircraft noise and emissions.

I urge increased support for NASA. Not only will this funding enable the U.S. to remain at the forefront of space technology, but it will serve to give much-needed relief to our constituents who live near airports.

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

Mr. Chairman, there have been a number of the speakers who have commented on HUD funding. I would just like to respond briefly on a couple of points.

First of all, we, unlike the Senate, increased Section 8 housing vouchers. We put, I believe, 34,000 new housing vouchers in. Eight thousand of those are specifically for people with disabilities. I think that it is the subcommittee stepping up to the plate and dealing with an issue that we have not fully dealt with in the past. The Senate provided no new Section 8 housing vouchers, so I think the House did an excellent job there.

We also increased operating expenses for the public housing authorities across the land by 8 percent. That is a very, very substantial increase.

Although we have a reduced amount of funding in the capital budget, I would remind my colleagues, there is $8 billion in the capital expenses pipeline for public housing authorities across the nation. That is $8 billion that is appropriated but unallocated to a specific project, and unspent.

We would urge those public housing authorities to move forward and allocate those funds toward a project. Otherwise, they will lose those funds, and we will assign them to public housing authorities that are spending their funds in a timely way.

The problem is, we are appropriating these monies and they are not taking care of their housing code violations, they are not taking care of the hazards that people living in public housing have to deal with every day. So it is our responsibility as a Congress to make sure those public housing authorities spend that money.

Lastly, the level of funding that we have provided is exactly what the Clinton administration asked for for the past 3 years. So to say that we did not do our job for HUD, Members can say that, but it is tougher to make the case because the facts I think would argue otherwise.

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

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the ranking member for yielding time to me.

Mr. Chairman, I add my voice to those of my colleagues on this side of the aisle who have said there are stunning examples in this bill of how the tax cut has forced us into insufficient funding for important programs. I join everybody who has spoken in thanking the Chair and the ranking member for doing what they can with the insufficient budget they had.

Let me just add another stunning example, as my colleague, the gentleman from Massachusetts said, of the social harm that has been done by insufficient funding.

We all have said we have added $1 billion to the health care for our veterans in this budget. That is true. But $1 billion, given the inflationary cost of health care in this Nation, barely keeps up with that inflation; $1 billion barely keeps up with the inflation. How do we make up for all the years that we have not granted sufficient funding to our Nation's veterans?

Of all people, these are the folks who we should take care of before we declare a surplus, before we give a tax cut to the wealthiest 1 percent of our Nation. It is our veterans who have made this Nation the prosperous one it is. Yet, they have come last, again.

The so-called Independent budget that is put out by the veterans service organizations of this Nation, virtually every single veterans' organization has contributed to this independent budget, they think another $1.7 billion is necessary for the health care for our Nation's veterans to keep up with inflation and to deal with problems such as Hepatitis C, with problems of our aging veteran population, with bringing down the incredible 5 months and 8 months and year-long waiting times for specialty doctors.

So I will be proposing an amendment, when we get to that stage in the bill, to give $1.7 billion extra. We have emergency funding in this bill now. I would hope that this House would agree with me that the funding for our veterans is an emergency, that we ought to declare our support for our Nation's veterans and provide this level of funding.

There will be amendments to do that. There will be amendments to increase the medical research budget, to increase the budget to fight and treat Hepatitis C victims, and there will be amendments to give health care to the 75,000 Filipino veterans of World War II, one-third of them citizens of this Nation, and the others living in the Philippines who have contributed to our Nation's victory in World War II. It is time that we supported them.

Mr. WALSH. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank my colleague for yielding time to me.

I want to praise both the chairman and the ranking member of this subcommittee for their outstanding work in a very difficult budget environment. I know the tough decisions they had to make were not easy, and I support the effort they have put forth.

I want to speak about one very small part of this bill we are going to be voting on today that impacts one very large group of people in America.

We talked about the FEMA budget and how we need to help resolve those problems created by disasters and reimburse towns and cities for the expenses they have lost, the debts they have in incurred. But we have not heard anything about FEMA's commitment to the 1.2 million men and women in this country who are the fire and EMS personnel.

Under the chairman's leadership, with the strong support of the full committee chairman, the gentleman from Florida (Mr. YOUNG), this past year the Congress for the first time established a grant program to support the Nation's domestic defenders. The $100 million that was allocated was requested by 30,000 fire and EMS departments across this country to the tune of $2.9 billion. We will only be able to fund a very small portion of that request.

I am pleased that this bill has an additional $100 million, and I am going to ask at a later point in time, when I offer an amendment, that my colleagues and the leadership of this subcommittee support the Senate position, which is $150 million.

We talk about the needs that we have in this bill, but Mr. Chairman, each year 100, on average, fire and EMS personnel die in the line of duty protecting our communities, and 85 percent of them are volunteers. The right thing for us to do is to support a program that will help prevent and protect these individuals from the loss of life and injuries that they assume on a regular and annual basis.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I thank the gentleman for yielding time to me. I know the chairman works very hard to try and craft some legislation that would address the issues of our community.

But I am concerned about the cut in housing that has occurred in this bill, particularly the drug elimination program that was provided for public housing. In Cuyahoga County, Ohio, that will mean the cut is equal to the entire budget for the law enforcement department at the Cuyahoga Metropolitan Housing Authority. For me and for my community and district, that is significant.

So I ask Members to rethink that. I ask them to realize that even though people think it is a stupid program, in fact the people who live in public housing that have had an opportunity to have drugs eliminated think it is a great program.

However, I do want to compliment the chairman and the ranking member on the work they have done for the NASA program. The NASA program in Cuyahoga County is very, very important. I want to thank the chairman, the gentleman from Ohio (Mr. HOBSON), and my ranking member for seeing that NASA had an opportunity to get additional dollars.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Texas (Mr. BENTSEN).

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

□ 1645

Mr. BENTSEN. Mr. Chairman, I rise in strong support of the bill for its functions that it annually funds, including funding for NASA and other issues. But in particular I want to talk about the funding for FEMA.

I strongly support the committee's decision to accept the amendment offered by my colleague, the gentleman from Houston, Texas (Mr. DELAY), to provide an additional $1.3 billion for FEMA as emergency funding. As Members know, Tropical Storm Allison dropped 40 inches of rain throughout the Houston area over a week-long period, causing damages up to about $5 billion affecting 90,000 people in Texas.

It is estimated that the damages in the Texas Medical Center in my district alone will exceed $2 billion, and it is expected with other disasters that we will far exceed what was originally budgeted and what the President originally called for. So I think this is a step in the right direction.

In fact, the other body, in their bill, has a figure up to $2 billion; and I hope that ultimately we can get there, because we know we will have other disasters in the remaining part of this year and in next year. And we will certainly need this funding so people in my district and other parts of Texas can get back on their feet.

Mr. WALSH. Mr. Chairman, can the Chair advise us as to how much time is remaining in general debate?

The CHAIRMAN. The gentleman from New York (Mr. WALSH) has 3½ minutes remaining and the gentleman from West Virginia (Mr. MOLLOHAN) has 2 minutes remaining.

Mr. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HALL).

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Chairman, I rise in support of this fine bill that the chairman, the gentleman from New York (Mr. WALSH), and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), have brought to the floor.

I do not get excited about many Federal programs, but this bill contains money for two of the very best science agencies in the world, NASA and the National Science Foundation. These are programs that ultimately will result in an increased understanding of the world around us and will deliver practical benefits to the American taxpayers. It is a good bill.

Again, let me congratulate the Chair and the ranking member for their fine work, and I urge my colleagues to support the NASA funding in this bill.

It seems obvious to me that if we invest in these advanced science and engineering efforts now, when our economy is still relatively robust, we can help lay the groundwork for another generation of economic growth, which is good for all Americans.

NSF is our premier agency for support of basic research at academic institutions in the physical and biological sciences, in mathematics, and in engineering. Basic research discoveries launch new industries that bring returns to the economy far exceeding the original public investment.

The Internet, which emerged from research projects funded by the DOD and NSF, strikingly illustrates the pay-off potential of such research expenditures. In fact, over the past 50 years, half of U.S. economic productivity can be attributed to technological innovation and the science that has supported it.

Unfortunately, the simple truth is that during the 1990s we have been underinvesting in the fields of science that NSF supports.

A recent report from the National Academy of Sciences provides specific examples that make this case. The report shows that between 1993 and 1999 federal research support at academic institutions fell by 14 percent in mathematics, by 7 percent in physics, by 2 percent in chemistry, and by 12 percent in electrical engineering.

Inadequate funding for basic research in such important fields imposes a price on society, because new ideas are lost that would otherwise underpin future technological advances. Of even more importance, anemic funding of academic science and engineering research reduces the numbers of new young scientists and engineers, who constitute the essential element necessary to ensure the nation's future economic strength and security.

The bill before us provides funding growth for NSF in excess of nine percent. The increase will enable the Foundation to expand its investments in exciting, cutting-edge research initiatives, such as information technology and nanoscale science and engineering. Of course, I would like to see the budget-doubling rate of increase that was appropriated for NSF last year. But I understand the constraints the Committee faced and I believe they did a wonderful job under the circumstances.

NASA

I'd now like to turn to the bill's treatment of the National Aeronautics and Space Administration. I am a strong and unabashed supporter of our Nation's space program. It has delivered countless practical benefits to our citizens over the four decades since NASA was established. You only need to think about some of the things that have come from past investments in space research—including such things as worldwide satellite communications, space-based weather imagery, advanced medical diagnostic and telemetry devices, advanced materials—the list just goes on and on—to know that this has been money well spent.

I would be the first to say that we haven't been able to fund NASA as well as I would have liked over the past decade. We were trying to get the deficit under control, and NASA had to take cuts, just as other agencies had to take cuts. And I supported holding the line on NASA's spending, even though I supported its programs. However, we are in a different era and I believe it is time to increase our Federal investment in research and development. It's an investment in our future, and no agency symbolizes the future more than NASA.

This bill, I am pleased to say, takes a step in that direction. It provides an increase of more than four percent for NASA. Given the constraints facing the Committee, I appreciate the efforts of Chairman WALSH and Ranking Member MOLLOHAN to provide the additional funding.

Of particular interest to me is the fact that the bill provides $275 million for the Space Station Crew Return Vehicle, as well as additional funding for Space Station research.

I know that Members are concerned about the reported cost growth in the Space Station program. And those who know me know that I do not want to spend a single dollar more than is necessary to carry out the Federal government's programs—whether they are NASA programs or some other agency's programs. At the same time, we have to provide the resources needed to finish what we start, or we will just wind up wasting the taxpayer's money.

The International Space Station is going to be a world-class orbiting research facility if we are wiling to keep the faith and ensure that it has the capabilities successive Congresses have supported. Thus, we are going to need to invest in Space Station research facilities—and make sure that the Station can support the seven-person crew needed to carry out that research. This bill supports that vision.

I also support the additional funding provided to the Space Shuttle program. The Shuttle program is critical to our nation's exploration and use of space, and we need to ensure that it has adequate funding so that it keeps flying safely and reliably. In addition, the bill provides funding for a range of important programs in science, aeronautics, and technology.

These are programs that ultimately will result in increased understanding of the world around us and will deliver practical benefits to the American taxpayer. Again, let me congratulate the Chair and Ranking Member for their fine work, and I urge my colleagues to support the NASA funding in this bill.

Mr. WALSH. Mr. Chairman, I have no additional requests for time, and I reserve the balance of my time to close.

Mr. MOLLOHAN. Mr. Chairman, I have one remaining speaker.

Mr. Chairman, I yield the balance of my time, 2 minutes, to the gentleman from Vermont (Mr. SANDERS).

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

Mr. Chairman, what this debate is about, really, is the priorities of this country. Several months ago it was the wisdom of the President of the United States and a majority of the Members of the Congress that we were a rich enough Nation that we could afford to provide hundreds of billions of dollars to the wealthiest 1 percent of the population, people who have a minimum income of $375,000 a year. That is how rich we were. But today, when we are talking about the needs of our veterans, the men and women who put their lives on the line to defend this country, the men and women who were

wounded in action, well, guess what, today we do not have enough money to address their needs.

All over this country, including the State of Vermont, there are waiting lines for veterans to get the quality treatment that they need. There is speculation that the prescription drug program for veterans will cost veterans more money because we do not have, as a Nation, the funding available to take care of those people who made such sacrifices for this country. Hundreds of billions of dollars for tax breaks for those who do not need it but inadequate funding for our veterans.

Mr. Chairman, in my State, and again all over this country, millions of Americans are paying 50 or 60 percent or more of their limited incomes for housing. In one region after another in this country affordable housing is unattainable. Yet, once again, we apparently do not have enough money to adequately fund affordable housing in this country, so that families and children sleep out on the street and working people pay 50, 60 percent of their incomes for housing. Tax breaks for millionaires, yes; adequate funding for affordable housing, no.

And, once again, all over this country communities are struggling to make sure that the air that they breathe, the water they drink, is not polluted. Money for tax breaks, yes; money for the environment, no.

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

Mr. Chairman, I thank my colleague, the gentleman from West Virginia (Mr. MOLLOHAN), for joining me in this debate and a general discussion of the bill. As I said before, I think we have a good bill. I suspect that if we had $150 billion to spend, someone would stand up and say we just need more money. Last year, we provided a record increase in veterans medical care, the most ever in the history of this country in one year and we still had amendments asking for more money.

I think we have done a pretty good job of providing the resources that we need. I would remind my colleagues that back in the years of the Reagan tax cut, there was a very substantial tax cut but there was an agreement that they would cut taxes and that they would also commensurately cut spending. The tax cuts occurred, the spending cuts did not. Therefore, we wound up with very substantial budget deficits. I think that what we have done thus far this year is the right thing to do. We have had growing surpluses, we were collecting more money than the government needed to operate, and if the money was left there, it would have been spent. So the President proposed a tax cut that was supported by both the House, and the Senate, in very large numbers, and signed by the President. It is now law and the money is being mailed out to the taxpayers who were overpaying.

So we have to now take care of the spending part, which is really what this bill is about. It is spending priorities. We have close to $110 billion in this bill. Some of it is at our discretion, about $85 billion. I think we have done the best we could. I think we have met the priorities of the country.

We have increased veterans medical care by $4 billion in the last 3 years, if this bill passes. We have provided for the protection of the environment. We have provided for emergency relief, disaster relief for emergency victims, and we have provided for the housing of our Nation. I think we have made some difficult choices, but we have made wise choices. And I think that the people who pay the taxes would accept the fact that we have done our level best.

So I submit to my colleagues in closing the debate with my feeling that we have done the very best that we could.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to comment on H.R. 2620, VA-HUD-Independent Agencies appropriations for FY 2002. I intend to offer several amendments to this legislation to address my concerns regarding affordable housing and support of our only national community service program.

This bill appropriates $112.7 billion for programs and activities of the Veterans Affairs (VA) and the Housing and Urban Development (HUD) departments, and for independent agencies. The independent agencies included under this appropriations measure include the Environmental Protection Agency (EPA), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), and the Federal Emergency Management Administration (FEMA).

The total appropriation in the bill is $7.2 billion (7%) more than FY 2001 funding and $2.1 billion (2%) more than the administration's request. On an adjusted basis (i.e., after certain official CBO budget scorekeeping adjustments have been made), the bill provides $112.6 billion—$7.5 billion more than the FY 2001 level but $2.3 billion less than requested.

As the founder and Co-Chair of the Congressional Children's Caucus, and congressional representative from the 18th Congressional District of Texas I have a strong interest in the well being of our nation's children and their families. I would like to offer the following amendments for the committee's consideration as it prepares the rule for consideration of this important legislation.

This year has been very difficult for the residents of Harris County and the City of Houston with the devastation caused by flooding as a result of Tropical Storm Allison. Although words cannot even begin to describe adequately the destruction that Houston and its surrounding areas, I will attempt to describe for you some of havoc that the storm has wreaked. The more than three feet of rain that fell on the Houston area beginning June 6 has caused at least 23 deaths in the Houston area and as many as fifty deaths in six states. Over 10,000 people have been left at least temporarily homeless during the flooding, many with no immediate hope of returning to their homes. More than 56,000 residents in 30 counties have registered for federal disaster assistance. Over 3000 homes have been destroyed, over 43,000 damaged. The damage estimates in Harris County, Texas alone are $4.88 billion and may yet increase. As to housing needs because of the flood, I will offer amendments to increase the housing funds to assist in rebuilding disaster-stricken homes.

Some of the most hard hit areas include the University of Houston, Texas Southern University, and the Kashmere Gardens neighborhood, a Houston enclave that is predominantly low income and possesses the fewest resources needed to bounce back from this once in a lifetime event.

However, I want to take particular note to some of the greatest damage to our city, which occurred at Texas Medical Center, because what has occurred affects us not just locally, or even just in Texas, but nationally. The Texas Medical Center, home to some forty medical institutions, is the largest medical center in the world. Globally renowned medical care and research takes place there. The flood has decimated these preeminent health institutions.

The flood has also damaged educational institutions. The University of Houston estimates that the damage to that institution is $250 million, in addition several schools in the North Forest Independent School District were also damaged.

Houston will recover, but to what extent and over what period of time remains to be answered, by the federal government's commitment to residents of that area. Therefore I support the effort to add $1.3 billion to FEMA's Disaster Relief Fund. I ask my colleagues to support this needed funding to assist in all the existing disaster declarations.

Assistance for residents in and around Houston has come from many quarters. I am particularly grateful for the assistance provided by AmeriCorps Volunteers, who were directed to the Houston area by the Corporation of National and Community Service. The Corporation's three major service initiatives are AmeriCorps, Learn and Serve America, and the National Senior Service Corps.

Over 200 AmeriCorps members from four regional campuses responded to a call-up from the American Red Cross to assist victims of Tropical Storm Allison in Texas and Louisiana. The members are serving as first-line family assistance representatives, helping families to receive immediate aid and to identify each family's long term needs. The corps members are also operating emergency assistance shelters, working in soup kitchens, and delivering meals to people affected by the flooding. Additionally, Spanish speaking members are helping translate emergency assistance forms for people who don't speak English. The members are working in ten emergency assistance shelters in the Houston, TX, vicinity and three shelters around Baton Rouge, LA.

Overall, the storm caused upwards of $4.88 billion in damage to Houston and surrounding Harris County. Over 20,000 homes were damaged by the flooding as the storm dumped over 36 inches of rain in some areas with some houses reporting over seven feet of water in them.

It is unfortunate that the Appropriations Committee zeroed out the account for the Community Development Fund, when the administration requested $411 million in funding for FY 2002. My amendment would restore the program and allow them to continue their work on the behalf of communities throughout the United States.

AmeriCorps, the domestic Peace Corps, engages more than 40,000 Americans in intensive, results-driven service each year. We're

teaching children to read, making neighborhoods safer, building affordable homes, and responding to natural disasters through more than 1000 projects. Most AmeriCorps members are selected by and serve with projects like Habitat for Humanity, the American Red Cross, and Boys and Girls Clubs, and many more local and national organizations. Others serve in AmeriCorps*VISTA (Volunteers in Service to America) and AmeriCorps*NCCC (the National Civilian Community Corps). After their term of service, AmeriCorps members receive education awards to help finance college or pay back student loans.

AmeriCorps is a win-win program that I hope the rule for this legislation will allow it to continue in its work to help make America a better place to live. Homelessness in America continues to be a problem that seems to lack a broad commitment to see and end to this blight on the American Dream. Attempting to attribute homelessness to any one cause is difficult and misleading. More often than not, it is a combination of factors that culminates in homelessness. Sometimes these factors are not observable or identifiable even to those who experience them first hand (Wright, Rubin and Devine, 1998). For example, lack of affordable housing is a factor repeatedly cited as contributing to homelessness (Hertzberg, 1992; Johnson, 1994; Metraux and Culhane, 1999; National Coalition for the Homeless, 1999–F). However, lack of affordable housing is often representative of a collectivity of other problems. Other key factors include the inability to earn a living wage, poverty, welfare reform, unemployment and/or domestic violence that can combine to form a situation in which even the most basic housing is not affordable.

The support that AmeriCorps volunteers provided to Houston area residences must be supported by funds from the federal government in allowing families have homes to live in after the damaged caused by Tropical Storm Allison. I have an amendment that increases funds for HUD's Community Development Block Grant Program to be used as matching funds for home repair and buyout for Harris County and the City of Houston citizens who have been displaced by Tropical Storm Allison.

Rather than speak in terms of cause, we must focus on the factors that contribute to the alarming numbers of persons who are homeless. Among the leading risk factors associated with homelessness, the following factors are paramount: Lack of affordable/low-income housing; poverty; welfare reform; Lack of a living wage; mental illness; substance abuse; domestic violence; and lack of affordable health care. I for one do not want to add to this list; natural disasters as a cause of homelessness should this Congress fail to act.

Another key area of this legislation's appropriations provides funding to our nation's aerospace effort. The residents of the Houston Congressional District, which I serve, are located near the Johnson Space Center, which manages human space flight missions as part of National Aeronautics and Space Administration (NASA).

The National Aeronautics and Space Administration was created by the National Space Act of 1958, after the success launch of the world's first man made satellite by the Soviet Union. NASA is charged with the responsibility of conducting space and aeronautics research, development, flight activity designed to ensure and maintain U.S. preeminence in space and aeronautical endeavors.

The only real threat to date present to our nation's leadership in space is right here on Earth in the determination of some Members to see an end to this leadership.

The principal mission of the space station is to establish a permanent human presence in space to perform research in a near-zero gravity environment. The space station is the largest, most technologically complex space program ever undertaken. Requiring more than 40 space shuttle flights to complete, the space station will be approximately the size of a football field, weight nearly 1 million pounds, and have an interior volume comparable to two 747 aircraft. The space station will serve as a platform for a range of research activities in biology, physics, and materials science, as well as for Earth and astronomical observations. The experience gained using the space station will provide information to support decisions about future human exploration missions. In addition, it is hoped that the space station will attract a substantial number of commercial ventures, and that an increasing fraction of the space station operational costs will be covered by the private sector.

Our ability to reach for the stars is another priority, which will ensure that America remains the preeminent country for space exploration. Last year it was difficult to see NASA's budget cut and I support every effort to increase funding during the FY 2001 appropriations process. After garnering support for increased funding for General Science, Space and Technology, this year's budget is $1 billion above last year's appropriation. I am thankful for the hard work done in restoring and increasing NASA's funding.

I will vigorously oppose any attempt to cut funds from NASA's International Space Station budget or related accounts. NASA has become an easy target over the last few years only because our dominance of space exploration has not been challenged. However, I would like to remind my colleagues that this circumstance could change. For this reason, and the important medical and scientific breakthroughs that could be achieve by the science conducted aboard the space station I urge my colleagues to reject all attempts to decrease funding to NASA.

I would like for my colleagues as we amend this appropriations measure, that we keep our eyes on the long view and not the short term.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in opposition to H.R. 2620, the FY 2002 VA–HUD and Independent Agencies Appropriations bill because the funding level in the bill is woefully disappointing in the areas of veterans medical care and public housing programs that serve our country's most vulnerable citizens and families.

Mr. Chairman, the funding shortfalls in this bill, in my opinion, is totally unnecessary. We have the resources in this country to take care of our veterans as well as to provide adequate housing for the poor, the elderly and the disabled. But because my colleagues on the other side of the isle thought it more important to pass a $1.3 trillion tax cut.

I made a request to the subcommittee, which was unfortunately not funded, to assist the Virgin Islands in replacing and upgrading our wastewater and sewage treatment facilities. The government of the Virgin Islands is under EPA mandate to replace or upgrade significant components of our wastewater infrastructure to eliminate constant bypass discharges of wastes in violation of the Clean Water Act. In addition to the Clean Water Act concerns, the constant discharge of raw sewage on our streets and in our beaches are threatening the quality of life of Virgin Islanders as well as, our fragile Tourism economy.

Because my community continues to be plagued by this crisis, I will continue to seek the assistance of the Chairman and Ranking Member of the Subcommittee to explore the possibility that some assistance could be provided to my district to deal with this problem.

I urge my colleagues to oppose this bill.

Mr. BEREUTER. Mr. Chairman, this Member rises today to express his support for H.R. 2620, the VA, HUD and Independent Agencies Appropriations Act for FY2002. First, this Member would like to thank the distinguished gentleman from New York, the chairman of the Appropriations Subcommittee on VA, HUD and Independent Agencies from New York (Mr. WALSH), the distinguished gentleman from West Virginia, the ranking member of the subcommittee (Mr. MOLLOHAN), and all members of the subcommittee for the work they did under the tight 302(b) allocation.

This Member would like to focus his remarks on the following four areas: Section 8 housing, Section 184 Indian Housing Loan Guarantee Fund Program, and the Community Development Fund-Community Development Block Grant (CDBG) program.

SECTION 8 HOUSING

First, this Member is supportive of the treatment of the Department of Housing and Urban Development (HUD) Section 8 housing contracts. The legislation provides $15.7 billion to fully fund the renewal of all Section 8 housing assistance contracts and it provides $197.2 million to fund 34,000 new Section 8 vouchers.

SECTION 184 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

Second, this Member supports the $6 million appropriation for the (HUD) Section 184, American Indian Housing Loan Guarantee Program, which is the same as the Administration's request. This Member created the Section 184 program in consultation with a range of Indian housing specialists. The Section 184 program appears to be an excellent new program which is providing privately financed homes through a Government guarantee program for Indian families who are otherwise unable to secure conventional financing due to the trust status of Indian reservation land. The above appropriations should support loan guarantees totaling approximately $72 million which should assist an estimated 20,000 families.

OFFICE OF RURAL HOUSING AND ECONOMIC DEVELOPMENT

Third, this Member would like to specifically commend the Subcommittee for eliminating duplicative efforts of the Federal Government in rural housing and economic development. Unlike FY2002 and FY2001, this bill does not fund the Office of Rural Housing and Economic Development within the Department of Housing and Urban Development for FY2002. In fact, this Member testified before the VA, HUD and Independent Agencies Appropriations Subcommittee in opposition to HUD's duplicative efforts in rural housing.

As a long-term advocate of rural housing during his tenure in the House, this Member believes that we need to be careful of duplication in the efforts of the Federal Government in rural housing and economic development. In the past, the United States Department of Agriculture (USDA) through their Rural Development offices has successfully implemented numerous rural housing and economic development programs. As a result, this Member disagrees with HUD's efforts to duplicate USDA Rural Development staff.

COMMUNITY DEVELOPMENT FUND (CDBG)

Lastly, this Member would like to emphasize a concern about the VA, HUD, and Independent Agencies appropriations bill which in large part results from budgetary restraints. The Community Development Fund, which includes the CDBG program, is provided $4.8 billion, which is $255.6 million less than the fiscal year 2001 level. This reduction is of substantial concern to this Member. Indeed the CDBG program has been a model of local-Federal partnership.

The CDBG program not only is valuable to the larger entitlement cities, but it also gives assistance to those communities under 50,000 through state administering agencies. It is a Federal Government program with minimal overhead and bureaucracy. Moreover, CDBG has provided invaluable dollars to cities and rural communities for such things as affordable housing, public infrastructure, and economic development.

In conclusion, because of the necessity to fund important housing and community development programs, this Member would encourage his colleagues to support H.R. 2620, the VA, HUD and Independent Agencies Appropriations Act.

Mr. SMITH of Texas. Mr. Chairman, I strongly support the VA-HUD appropriations bill.

This bill funds NASA and keeps our nation's leadership in human space exploration on track.

I am particularly pleased that the bill increases funding for the space station so that a crew return vehicle can be built. This critical component will enhance on-orbit research activities by allowing for a crew of six astronauts.

Also, I support the funds provided for the space shuttle program. Despite a flat budget, the shuttle program is more efficient and safer than ever.

The Shuttle program is critical to our nation's exploration and discovery of space. Since the shuttle will have to fly until at least 2012 to meet our nation's human space flight goals, we must ensure that the program is properly funded to include necessary vehicle upgrades and ensure that we have the necessary infrastructure to support human space flight.

Earlier this year, the shuttle program celebrated its 20th anniversary and its 100th flight. We must ensure that the shuttle remains a safe and reliable vehicle in space for the next decade and beyond.

This bill takes us in that direction.

Mr. SMITH of Michigan. Mr. Chairman, I want to commend the chairman and ranking minority member of the VA/HUD, and Independent Agencies Subcommittee, Mr. WALSH, the gentleman from New York, and Mr. MOLLOHAN, the gentleman from West Virginia, for producing a bill that will ensure that the National Science Foundation (NSF) stays at the forefront of innovation.

For fiscal year 2002, H.R. 2620 provides $4.8 billion in funding for NSF, an increase of 9.3 percent over the fiscal year 2001 appropriation. Specifically, the bill provides about $3.6 billion for research, $135 million for research equipment and construction, and $885 million for education and human resources.

NSF is the government's premier science agency. It supports cutting-edge research to answer fundamental questions within and across scientific disciplines. Often the potential for failure is as great as that for success. But by encouraging such risks, NSF has helped fuel new industries and jobs that have propelled economic prosperity and changed the way we live.

Maintaining the Nation's leadership in science will require keeping open the pipeline of new ideas and innovations that flow from fundamental research. Although the private sector provides most of the research funding, which is expected to top $180 billion this year, its spending focuses largely on applied research with a near-term payoff. The Federal Government, therefore, has a significant role to play in supporting the long-term research the private sector needs but has little incentive to pursue.

We also need to increase the pool of talented scientists in our universities and workforce. Today, over half the graduate students in science and math at American universities are foreign born, and we are becoming increasingly reliant on foreign workers to fill critical jobs. Further, it is estimated that by 2020, 60 percent of the jobs will require the skills only 22 percent of the workforce has today. We can and must do better.

NSF is the Federal Government's only agency dedicated to the support of education and fundamental research in all scientific disciplines from physics and math to anthropology and zoology. Today's NSF-led research in nanotechnology, advanced materials, biotechnology, and information technology are laying the groundwork for the technologies of the future, and in the process training the scientists, engineers, and technology entrepreneurs of tomorrow.

It is important that we continue to support NSF as part of a balanced federal research portfolio. Large science budgets at mission agencies like the National Institutes of Health, while welcome, are not enough.

As former NIH director Harold Varmus noted last year, breakthroughs in the biomedical field are increasingly dependent on breakthrough in other fields—computer science, chemistry, physics, and engineering—traditionally funded by NSF. Nowhere is this more evident than in the unraveling of the human genome, a remarkable achievement that could not have occurred without advances in computing and networking technologies funded by NSF and other agencies. This bill helps restore some balance.

I do have some concerns, however, about NSF's management of large scientific construction projects, and I will be offering an amendment to the bill that I hope will help NSF get the expertise it needs to oversee these large projects. I believe that the addition of some experienced federal project management professional would improve the institutional memory and accountability within NSF, and I look forward to working with Chairman Walsh to see that NSF gets the expertise it needs.

Mr. Chairman, during its first 50 years, NSF-supported research has improved our lives in countless ways. By further investing in basic research today, we can ensure that over the next 50 years our kids and grandkids will profit from the innovations of tomorrow.

Mr. LEWIS of California. Mr. Chairman, I want to express my strong support for the House version of the VA–HUD appropriations bill, and would especially like to associate myself with the comments of Mr. DREIER and Mr. SCHIFF relating to NASA. The importance of this legislation should not be underestimated. NASA and NSF are critical investments in the science and research that drive technology and our economy.

I am concerned about the Senate's action on the Solar System Exploration program. As my colleagues have already stated, the cuts and managerial changes proposed by the Senate would be devastating to the exploration of our solar system, as well as to the men and women who have dedicated their professional lives to extending our reach into deep space.

The Senate proposes to cut $50 million from the Mars Surveyor program. The exploration of Mars is an essential element of NASA's exploration program. Because of the nature of Mars' orbit around the Sun, we can only launch missions to Mars every two years. The reduction proposed by the Senate would force NASA to choose between taking unnecessary risks to meet the current launch schedule or delaying the mission another two years. Both of these results would increase the ultimate costs of going to Mars while limiting the ability of NASA to accomplish its mission.

Similarly, the proposed transfer of the telecommunications and mission operations directorate to an industry vendor would impede rather than enhance our ability to explore the solar system. My colleague, Mr. DREIER, discussed the impact on mission operations, I would like to discuss the impact on the communications program.

It takes great skill and sophisticated equipment to communicate with a tiny spacecraft billions of miles from Earth. Despite what Hollywood might lead you to believe, it is not as simple as just phoning home. To appreciate the complexity faced by NASA, the two Voyager spacecraft, launched in the 1970s are still flying and still sending back data, but they are literally billions of miles away and transmitting a signal that is so weak, that the signal is almost undetectable. In fact, your wristwatch operates on 20 billion times more energy. However, eliminating the highly-skilled staff which operates the Deep Space Network is tantamount to turning off the array.

Finally, despite the rhetoric about efficiency, there is nothing efficient about failure. Cutting

funding and eliminating expert personnel may look good on the books today, but it will end up costing the taxpayers their space program.

Mr. UNDERWOOD. Mr. Chairman, I rise today in support of the provision on the VA HUD appropriations which grants access to veterans medical facilities for Filipino World War II veterans.

General Douglas MacArthur, referring to the defenders of Bataan and Corregidor, claimed that ''no army has ever done so much with so little.'' Many of us take this as words of commendation meant for American forces defending the Philippines. However, we must not overlook the fact that a substantial portion of this defense force was composed of Filipino volunteers.

Although they fought and died alongside American comrades, these veterans were never afforded equal status. Prior to mass discharges and disbanding of their unit in 1949, these veterans were paid only a third of what regular service members received at the time. Underpaid, having been denied benefits they were promised, and lacking proper recognition, General MacArthur's words, ''no army has ever done so much with so little,'' truly depict the plight of the remaining Filipino veterans today as they did half a century ago.

Access to veterans facilities would be of great benefit to these men and it could not come at a more opportune time. The past few years have seen the numbers of these men drastically decline. Now, mostly in their 80's and of declining health, the handful of these veterans now remaining more than ever need the benefits and recognition afforded the rest of their compatriots.

This provision is not the long awaited act that would restore benefits denied by Congress to Filipino veterans who fought under the American flag during World War II. However, it would go a long way towards recognizing the service and sacrifices of these men for the benefit of the United States. In the past, this country has considered Filipinos as ''little brown brothers.'' Let us take an extra step and go a long way towards recognizing them as equals by acknowledging their service. Our ''little brown brothers'' were full partners in the struggle against Japan. Let us work towards having them become full partners in the distribution of benefits. I urge my colleagues to support this provision.

Ms. LOFGREN. Mr. Chairman, I want to highlight the bill's science funding.

Because this is the bill that funds six different agencies, funding requests for veterans and the homeless are pitted against science programs and space exploration. Unfortunately, this is an institutional reality the members of the Appropriations Committee face every year.

Given that reality Chairman WALSH and Ranking Member MOLLOHAN have succeeded in providing additional funding for science and technology.

The National Science Foundation and NASA have received a 9 percent increase in funding and 4.5 percent increase over current year funding respectively. While some Members and members of the scientific community wanted more—this bill is a good start to proper science funding. It is noteworthy that the committee has funded more than $200 million to educate K–12 students and their teachers in math, science and technology education.

The Congress is doing the heavy lifting that the President failed to do in his budget blueprint. I am very concerned about the President's priorities when it comes to science.

It is interesting that the Bush administration has proposed to double funding (a 13.5 percent increase over current year funding) for the National Institutes of Health (NIH) and it proposed a 1.3 percent increase for the National Science Foundation, 1.3 percent increase for NASA and reduced funding for the Department of Energy's Office of Science by less than 1 percent.

I do not often quote Former Speaker Newt Gingrich, but when it comes to science funding—he has it right. ''To double NIH without doubling the broad base of science means in the long run we will cripple the evolution of science, because NIH cannot, in the long run, progress beyond physics, chemistry, mathematics, etcetera.''

Recently E. Floyd Kvamme, the President's co-chairman of the Council of Advisors on Science and Technology, wrote that NSF and NASA will receive ''increases.'' ''In the case of NSF, its budget will grow 15 percent between 2000 and 2002,'' he said. That may be true. What he did not write was that that 13 percent of the increase occurred during the Clinton administration, according to the Congressional Research Service, with Bush requesting less than 2 percent under the rate of inflation.

The administration seems to be practicing fuzzy math to prop up its lack of leadership when it comes to Science and Technology.

We know that government support for science has a direct impact on innovation at universities and technology transfer in the private sector. As someone who represents Silicon Valley, my constituents and I know there is a direct link between competitiveness and innovation in science and technology.

Without adequate research and development funding by the federal government, we put our high technology companies and students at a competitive disadvantage.

The future is now. The U.S. has the opportunity to invest wisely in science and technology. Doing so keeps open the door to technological advancement. The door will slam shut without adequate research and development funding.

Earlier this year, the Senate adopted the Bond/Mikulski amendment to the budget resolution. This amendment increased current year funding to NSF by $674 million, to NASA by $518 million and to DOE's Office of Science by $469 million.

Though not included in the budget resolution conference report, I joined many of my colleagues in the House to support the science-funding goal of the Bond/Mikulski amendment as the appropriation process moves forward this year.

This bill already makes a start. Let's work with those who supported this effort in the other body earlier this year as this appropriations bill moves forward. With the support of my colleagues in the House, it is my hope that the final appropriations bill contains the science research and development increases that the Senate agreed to earlier this year.

Mr. HOBSON. Mr. Chairman, I rise in support of this bill and want to compliment my good friend and Chairman JIM WALSH for his hard work in crafting this very important appropriations bill. With this bill, the chairman and our committee worked hard to make sure that the medical needs of our veterans are met, and that their claims are processed in a timely fashion. It ensures that safe and affordable housing is provided for the low income, the elderly, and the disabled. It provides funding to make the water we drink cleaner and the air we breathe healthier. I am proud to serve on this committee which addresses these priority issues. In addition to the $1 billion increase for veterans medical care, I want to point out a few other highlights:

This bill provides the highest budget ever for the National Science Foundation at $4.8 billion. This is a 9 percent increase over last years level. Funding from NSF produces the in-depth research performed at almost every university across the country. Every single district benefits from this increase.

This bill also fully funds the renewal of all expiring section 8 housing assistance contracts, and provides 34,000 new Section 8 vouchers. These vouchers will be distributed to those most in need, and for the first time every, a portion will be designated for the disabled.

After almost a decade of being flat-lined, NASA is provided nearly $15 billion, including almost $7.6 billion for research and development. As the space station is now in successful orbit, I am pleased that this bill dedicates approximately $343 million to generate the unprecedented microgravity research the scientific community has been waiting for.

To address our environmental needs, this bill provides $1.2 billion for Clean Water State Revolving Funds, which provide grants to our communities to assist their efforts in building modern and adequate wastewater facilities.

This bill provides $2.25 billion for the Federal Emergency Management Agency to coordinate responses to our national disasters. I am especially pleased that $404.6 million is designed for FEMA's core activities to make sure that we are prepared to properly mitigate the disasters which might strike. I would like to recognize not only the FEMA officials who are all to often called to respond, but also the state and local emergency management teams who will benefit from this funding.

In conclusion, Mr. Chairman, I want to congratulate you and the staff again this year for crafting a well-balanced bill.

Mr. NUSSLE. Mr. Chairman, I rise to speak on H.R. 220, providing appropriations to the Departments of Veterans Affairs and Housing and Urban Development and various independent agencies. While I have some concern about several provisions in the bill, the bill is technically consistent with the Budget Resolution and complies with the Budget Act.

H.R. 2620 provides $85.4 billion in budget authority and $88.1 billion in outlays for fiscal year 2002. The bill does not exceed the VA–HUD subcommittee's adjusted 302(b) allocation. Accordingly, the bill complies with section 302(f) of the Congressional Budget Act of 1974, which prohibits measures that exceed the reporting subcommittee's 302(b) allocation.

This bill designates $1.3 billion in emergencies, which triggers an automatic increase in the corresponding levels in both the Budget Resolution and the statutory caps. The appropriation is for FEMA Disaster Relief Operations in response to the recent tropical storm in Houston, Texas.

It is not entirely clear that the designation is necessary because the Budget Resolution provides ample resources for emergencies. With this said, the emergency designation is clearly permitted under existing law.

H.R. 2620 also provides $4.2 billion in advanced appropriations for the Section 8 Housing Certificate Program, which will be counted against the levels established in next year's Budget Resolution. This advanced appropriation is on the list of permissible appropriations under section 201 of H. Con. Res. 84.

I am somewhat concerned about several purported ''offsets'' in this bill. The bill claims $7 million from the repeal of a provision that was already signed into law. It claims another $121 million in savings from a veterans-related provision that already passed the House. Obviously, these savings can only be used once.

As Chairman of the Budget Committee, I am obligated to report to the Congress on how the appropriations bills compare to the Budget Resolution. Under existing law, this bill is consistent with the Budget Resolution and does not violate the Budget Act.

Nevertheless, the existing process with respect to emergencies is broken and needs to be fixed. At the very least, both Congress and the President should set aside resources for emergencies and restrict the use of these resources for legitimate emergencies.

Mr. BOEHLERT. Mr. Chairman, as chairman of the House Science Committee I rise in strong support of the FY 2002 VA, HUD and Independent Agencies appropriations bill. My good friends Chairman WALSH, and Ranking Minority Member MOLLOHAN have put together a bill that is very good for science, good for the space program, good for education, and good for the environment. That's a winning combination, one that's good for America. I thank them for their leadership.

Chairman WALSH shares my belief that basic research provides the foundation for economic growth and for the tremendous advances we have made in areas like biomedical research. The appropriation for the National Science Foundation contained within this bill reflects these beliefs. And the committee is to be commended for the 9 percent increase that he provided for the Foundation.

The bill also contains funding for the National Mathematics and Science Partnerships Program that was proposed by President Bush and that is authorized by my bill—H.R. 1858—that was unanimously reported out of the Science Committee. This program will bring colleges and universities and school districts together to form partnerships to improve the quality of elementary and secondary math and science education. Funding is also included to enable elementary and secondary teachers to participate in research projects conducted at State, Federal, and university labs.

I want to particularly thank the committee for including funding for the Noyce Scholarship Program. Named for the co-founder of Intel, this program provides scholarships to talented mathematics, science, and engineering students in exchange for a commitment to teach two years for each year of scholarship. I look forward to working closely with Chairman WALSH to retain this funding as the bill goes to conference.

The chairman is also to be commended for a bill that protects and expands NASA's scientific programs in Science, Aeronautics, and Technology while striking the right balance for the space station.

This bill sends a clear signal that Congress is not going to bail NASA out for its management failures. It also makes clear that we're willing to work with the Administration to identify additional resources to improve station capabilities, if we see the right management reforms and performance improvements at NASA. With that in mind, requiring the White House Office of Management and Budget to certify that NASA is containing its costs before obligating additional funds makes a lot of sense. Moreover, we should require the White House Office of Science and Technology Policy to certify that those additional funds will benefit the research effort.

Through careful fiscal management, we can ensure that the space station benefits science in the long run. The bill sets us on that path.

I particularly appreciate the committee's commitment to new space technology and its effort to bridge the gap between NASA and the Air Force. By directing additional funding into the Air Force Research Lab, the bill encourages NASA and the Air Force to pool their efforts on technologies that will benefit both agencies and the American people. Space based radar technology, for example, is vital to our national security, but also has immense applications in Earth science. A development program that reduces the cost of synthetic aperture radar technology will benefit both.

Similarly, the bistatic radar technology developed at Rome Research site has immense potential for upgrading our national launch range tracking capabilities at a low cost. By demonstrating this technology, we may finally break the logjam that has undermined our space launch competitiveness.

Let me turn for a moment to the budget for the Environmental Protection Agency. I appreciate the efforts of Chairman WALSH and his colleagues to provide a responsible budget to help meet the nation's environmental needs. On the whole, the bill is good news for EPA.

Clearly, many of us would prefer to see higher funding levels for some of the agency's programs, but the gentleman from New York has done an admirable job of balancing competing needs and working within difficult fiscal constraints.

As chairman of the Science Committee, I am particularly pleased the bill increases funding for the Science and Technology account from $640 million in the budget request to $680 million.

As a member of the Transportation and Infrastructure Committee and the Congressional Water Infrastructure Caucus, I am pleased the bill rejects the proposed cut to the Clean Water State Revolving Fund but am disappointed it doesn't provide at least $1.35 billion for the program. I appreciate the constraints facing the chairman but would encourage the committee to find a way to fund some of the important, water infrastructure and ecosystem restoration programs, such as the new sewer overflow control grants program and the reauthorized Clean Lakes program. I hope there are opportunities down the road to target assistance for such efforts.

I would also continue to note my concern with the Superfund program. The bill provides $1.27 billion. The appropriators are doing their best under the circumstances. Congress needs to change the circumstances; comprehensive reform and, at a minimum, a reauthorization of the corporate environmental income tax—twelve one hundreds of a per cent (which expired on December 31, 1995) should be the next course of action.

Mr. Chairman, this is a good bill for science, a good bill for the space program, and a good will for the environment. It aptly illustrates the tremendous leadership provided by my friend from New York, Chairman WALSH, and I urge my colleagues to support it.

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

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. FOLEY) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

The Committee resumed its sitting.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The amendment printed in House Report 107–164 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 read, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of article IV of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et seq.)

and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $24,944,288,000, to remain available until expended: *Provided*, That not to exceed $17,940,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I really wanted to take this moment as we begin full consideration of this bill to thank the chairman, the gentleman from New York (Mr. WALSH) and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), for their work and the improvements that we have been able to afford the citizens of our country in this fiscal year 2002 appropriation bill for the Veterans Administration, the Housing and Urban Development Department, the Environmental Protection Agency, NASA, and the National Science Foundation.

The bill has many good points. Certainly the National Science Foundation increase, the President asked for an increase, we provided over an 8 percent increase in this budget. And even in smaller programs, like the Neighborhood Reinvestment Corporation, which has such a fine track record in communities across our country, a respectable increase. But I have to say that in other accounts this particular bill does not have adequate funding.

Other Members have talked about HUD's housing programs, and without question the reductions in public housing modernization, decreased by 15 percent; and community development block grants, every single community in this country affected by that cut by 6 percent; and homeless assistance down by nearly 9 percent. We still have not completely solved that problem across our country. The impact on Americans as a result of this underfunding of the HUD programs will be felt from coast to coast.

The bill eliminates the popular AmeriCorps program. HUD's Rural Housing and Economic Development programs have been eliminated. Empowerment zones, Enterprise communities, and the Public Housing Drug Elimination Grant Program I will talk about in a moment.

Now, I wanted to say a word about the Environmental Protection Agency, also a reduction, and as important as the reduction, the shift in responsibility for enforcement to the States. In the case of Ohio, my home State, The Washington Post reported just a couple weeks ago ''Nowhere are the problems cited by the EPA studies of State enforcement performance more in evidence than Ohio where so much backlog remains. During the past 2 years, 72 percent of Ohio's plants and refineries had violations of the Clean Water Act, a third of the plants were in violation of the Clean Air Act, and over a third of the factories were found to be operating with expired permits required under the Clean Water Act.''

So we have to be conscious that as this bill is considered, there are serious imperfections that are contained within it.

Others have referenced the veterans portion of the budget. We hear lots about the greatest generation; books have been written, movies, and we are about to build the World War II memorial, one of the most important pieces of legislation I have ever sponsored here in this Congress. Yet the Veterans Medical Care budget, the budget that will actually go to care for those that the Nation says it cares so very much about, underfunded by nearly $.5 billion over what the administration needs in order to accommodate the lines that are out there in hospital after hospital.

So as the bill moves forward, I really do look forward to working with the chairman and the ranking member to perfect it.

And I just wanted to say a word about the amendment I will be offering later this afternoon, because I heard my colleague, the gentleman from Ohio (Mr. OXLEY), come to the floor a little earlier and speak against the drug elimination program in public housing, and my friend and colleague from Ohio is a former FBI officer.

I was very surprised to hear that. But I have to tell him that perhaps the part of Ohio he represents is not like my own. But his position is going to hurt Cincinnati, it will hurt Dayton, it is going to hurt Toledo, it is going to hurt Steubenville, and it is going to hurt Lima, because in fact the drug elimination program goes to the very heart of communities where drug lords and this drug trade took control of people living under the most vulnerable of circumstances.

The local policing forces, sometimes out of sheer racism and sometimes out of the fact that when they wore a uniform they were not accepted inside those projects, did not patrol the projects. My colleagues can go across this country, in places like Chicago, where I personally visited, and see people on the roofs with repeating shotguns, with repeating rifles, at a certain time of day. If a drug deal was coming down on the street, a mother could not leave that project and go buy a bottle of milk because the drug lords were controlling the projects. Now, if we have not lived under that situation, we cannot appreciate what it really means.

But the amendment I will be offering will be to continue the drug elimination program in public housing at a level of $175 million, unlike this bill which zeros it out. And, in fact, our amendment will actually cut the program by nearly half from what was existing last year.

But to do this across America is truly a serious mistake.

□ 1700

Crime has been going down in our country. Why should we do any less than President Reagan, the first President Bush and President Clinton?

Mr. Chairman, I again thank the chairman and ranking member and look forward to perfecting this bill as it moves along.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $2,135,000,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5) and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $26,200,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2002, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $164,497,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, $64,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $72,000, as authorized by 38 U.S.C. chapter 31, as amended:

Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,301,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $274,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $544,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by 38 U.S.C. chapter 37, subchapter VI, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical care'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq., $21,281,587,000, plus reimbursements: *Provided*, That of the funds made available under this heading, $900,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2002, and shall remain available until September 30, 2003: *Provided further*, That of the funds made available under this heading, not to exceed $500,000,000 shall be available until September 30, 2003: *Provided further*, That of the funds made available under this heading, not to exceed $3,000,000,000 shall be available for operations and maintenance expenses of medical facilities: *Provided further*, That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor: *Provided further*, That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

AMENDMENTS OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a series of amendments, and I ask unanimous consent they be considered en bloc.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. OBEY:

General Provisions

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

''SEC. 427. Paragraph (2) of section 1(i) of the Internal Revenue Code of 1986 (relating to reductions in rates after June 30, 2001), is amended by adding after the table the following:

''In the case of taxable years beginning during calendar year 2002, the preceding table shall be applied by substituting '39.1%' for '38.6%'.''

Department of Veterans Affairs, Veterans Health Administration

In the paragraph ''Medical Care'', strike ''$21,281,587,000'' and insert ''$21,581,587,000'' in lieu thereof.

Department of Housing and Urban Development, Public Housing Capital Fund

In the paragraph entitled ''Public Housing Capital Fund'', strike ''$2,555,000,000'' and insert ''$2,837,000,000'' in lieu thereof.

Department of Housing and Urban Development

After the paragraph entitled ''homeless Assistance Grants: insert the following new section:

''SHELTER PLUS CARE RENEWALS

''For the renewal on an annual basis or amendment of contracts funded under the Shelter Plus Care program, as authorized under subtitle F of Title IV of the McKinney-Vento Homeless Assistance Act, as amended, $100,000,000, to remain available until expended: *Provided*, That each Shelter Plus Care project with an expiring contract shall be eligible for renewal only if the project is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary.''

Environmental Protection Agency, Environmental Programs and Management

In the paragraph entitled ''Environmental Programs and Management'', strike ''$2,014,799,000'' and insert ''$2,021,799,000'' in lieu thereof.

At the end of the paragraph entitled ''Environmental Programs and Management'', insert:

'': *Provided further*, That the on-board staffing level of the Office of Enforcement and Compliance Assistance shall be maintained at not less than the level authorized for this Office as of December 31, 2000''

Corporation for National and Community Service

Strike the paragraph following the center head entitled ''National and Community Service Programs, Operating Expenses'' and insert the following new section:

''(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the ''Act'') (42 U.S.C. 12501 et seq.), $311,000,000, to remain available until September 30, 2003: *Provided*, That not more than $50,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.).

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

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

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Is there objection to consideration on the amendments en bloc?

There was no objection.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendment thereto be limited to 50 minutes to be equally divided and controlled by the proponent, the gentleman from Wisconsin (Mr. OBEY), and myself, the opponent.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume. I thank the gentleman from New York (Mr. WALSH).

Mr. Chairman, let me explain what this amendment is all about.

I served in the legislature with a fellow by the name of Harvey Dueholm, who was a retired farmer, probably the single best legislator I ever knew. He had a number of pithy observations of life and politics in this country. One of the things he said regularly is that one of the problems with this country is all that too often the poor and the rich get the same amount of ice, but the poor get theirs in the wintertime.

That is certainly the case with respect to the tax bill which this Congress passed a number of weeks ago. To correct that, I am trying to offer this amendment today along with the gentleman from Illinois (Mr. EVANS) and let me explain what it is we are trying to do.

When the House voted on the tax bill, it voted on it separately before we even had a budget. That meant that, in effect, Members of this House were being shielded from the responsibility to make public choices about the tradeoffs that were wrapped into that tax bill.

We were never allowed the opportunity to explain in explicit terms what the size of that tax bill meant in terms of our ability to, for instance, deal with long-term shortfalls in Social

Security, to deal with long-term shortfalls in Medicare, to deal with problems of short-funding in education or any other field.

I make no apology for the fact that I believe that it is more important for us to shore up Social Security than it is for us to give people a $300 refund check.

I make no apology for my belief that it is more important for us to shore up Medicare long term than to provide a $53,000 tax cut to the wealthiest 1 percent of people in this country.

I make no apology for the fact that I oppose the idea that we ought to cut in half the rate of increase we have had in Federal support for education over the past 5 years.

I make no apology for my belief that veterans are not receiving the health care they need in this country.

I make no apology for my concern about the lack of adequate shelter for some of the poorest children in this country.

I make no apology for the belief that we ought to have stronger environmental enforcement and that we ought to be willing to pay for it.

I think all of those priorities are a whale of a lot more important than providing the tax cut that we have provided to the wealthiest 1 percent of people in our society who make more than $330,000 a year.

So what this amendment tries to do is to make this Congress finally make specific choices about specific tax cuts versus specific funding programs. It is my belief that there is nothing wrong with cutting in half the tax cut that goes to people who make more than $330,000 a year so that we will have some money left on the table to provide what this amendment tries to provide, which is a $300 million increase in funding for veterans' health care and the various increases that I described previously in my statement to this House.

We are going to be providing well over $300 million in additional funds under this amendment for housing. We are going to be providing funds for Federal EPA enforcement to restore the positions that were cut for Federal enforcement. We are going to be restoring partially the funding for the Corporation for National Service. We pay for that by simply cutting in half the tax cut that was provided to the wealthiest 1 percent of people in this society.

Mr. Chairman, I bet that at least two-thirds of the people in that top 1 percent, if asked, would say that they would rather that we provide adequate housing and adequate health care for veterans than to keep whole their newfound tax bonanza.

I have a sign on the wall of my office, and every time a group comes in asking for money, which is about 18 times a day, before they sit down and talk about what they want out of Uncle Sam, I make them read the sign on the wall which says this: ''What is there that you want me to do for somebody else that is more important than whatever it is you are going to ask me to do for you today?''

Mr. Chairman, I believe in a Judeo-Christian society. That is the fundamental question we ought to be asking ourselves. I believe if we ask that question of the folks who came in to lobby for those tax cuts for the most privileged people in this society that a whole lot of them would say, ''We do not mind if you scaled our tax cut back just a little bit so you can provide to the least fortunate people in society or, in the case of veterans, to the people who decided that they would be willing to risk everything for somebody else.''

Mr. Chairman, that is the choice that we are attempting to have the House make here today. I recognize that it is an unusual procedure because this is not in the jurisdiction of the Committee on Ways and Means, but I think doing the right thing is more important than jurisdictional dunghills.

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

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

The CHAIRMAN. Does the gentleman from New York rise in opposition to the amendment?

Mr. WALSH. Mr. Chairman, I rise in opposition; and I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois (Mr. EVANS), the distinguished ranking member of the Committee on Veterans Affairs.

Mr. EVANS. Mr. Chairman, I am pleased to join with the gentleman from Wisconsin (Mr. OBEY) in cosponsoring the amendment he is offering.

The Obey-Evans amendment will provide substantial increased funding for veterans' medical care and other important programs.

I urge my colleagues to support the Obey-Evans amendment to address the significant shortfalls in funding for veterans' health care in the committee's bill.

I believe a $1.2 billion increase in veterans' medical care funding is fully justified. I have prepared an amendment to provide this increase.

There are many challenges that the VA will face in the near future. The VA must continue to honor its commitment to our most vulnerable veterans with the most serious disabilities. It must meet its growing infrastructure needs. Impending clinical staff shortages, including nurses, the VA's largest employee group, and the rising cost of gasoline plaguing areas around the country are among those challenges.

It is clear, however, that this House is not prepared to approve this $1.2 billion increase today. An increase that will be provided by the Obey-Evans amendment is needed. Long before President George Bush promised Americans a tax cut, we made a commitment to honor those who served and defended this Nation in its most dire hours. It is now our duty to make sure that our obligations are paid back to them. Our amendment will do this.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume, and I continue to reserve my point of order.

Mr. Chairman, this amendment is the same amendment that the gentleman from Wisconsin offered in the full committee. It was considered out of order in the full committee, and he is without question on message. He stays on message. I recognize that. I congratulate him for that, but I think the message is wrong.

The message should be that the President had an agenda to bring to the Congress. He brought it to the Congress. We had debate on whether or not the American taxpayer was paying too much money. The debate was resolved by Congress. The House and Senate voted to cut the tax rates that individual taxpayers pay. The people who pay the most money got the largest tax cut, the people who pay the least amount of taxes got the least tax cut, and those who do not pay taxes did not get any tax cut. I think that is pretty logical, and people can understand that.

Mr. Chairman, what we are charged with doing today is the Congress's primary role, which is creating a budget and spending taxpayers' money. We have an allocation. It is the allocation provided to us by the budget resolution and the Committee on the Budget in consultation with the Committee on Appropriations which handed down our allocation, and we have to live with that. That is our allocation.

Mr. Chairman, we have provided funds for almost every one of the areas that the gentleman would otherwise supplement funds, and we think that the funding is right.

I will close by saying I think this is the right formula for spending in this bill.

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

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

□ 1715

Mr. DAVIS of Illinois. Mr. Chairman, I rise in support of the Obey-Evans amendment. I do so because some of us said several months ago when we were debating the budget that we knew we were going to get to the point when we started talking about appropriations, there would be the same hue and cry because we knew then that you cannot get blood out of a turnip. We knew that a big tax cut would take away the possibility of providing the resources that we needed to care of the needs of our people.

And so here we are with one of the biggest debts that we have, and that is the debt that we owe our veterans, the debt that we owe the men and women who have given the last measure of everything that they had to give. Now we

come and tell them that there is no water at the well, that there is not enough money to provide the needed services.

People in my community right now are gearing up for public hearings next week to talk about which one of our veterans hospitals will get closed. Will it be the Lakeside? Will it be the West Side? Will it be Hines? Will it be beds eliminated? Will it be mental health services that they cannot get?

And so I join with those who say if we have any responsibility, Mr. Chairman, it is the responsibility to fully fund medical services for the Veterans Administration. For those men and women who have given so much, at least we can give them a little.

Mr. WALSH. Mr. Chairman, I continue to reserve my point of order, and I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I want to thank the gentleman for yielding time and for bringing up an amendment that gets to the heart of everything that we have been talking about in Congress for the last couple of months.

Let me begin by citing three words: priorities, priorities, priorities. In the United States today, we have by far the most unequal distribution of wealth and income of any nation on Earth. The wealthiest 1 percent of the population owns more wealth than the bottom 95 percent. The gap between the rich and the poor is growing wider. The CEOs of major corporations now earn over 500 times what their workers earn. Yet a few months ago it was the wisdom of the President of the United States and a majority of the Members of Congress that the richest 1 percent, those people who have a minimum income of $373,000 a year, need to have, over a 10-year period, hundreds of billions of dollars in tax breaks. That is what the President and the Congress said.

Some of us disagree. Some of us think that it is more important that we adequately fund education in this country so that every young person has the opportunity to succeed in this country. Some of us think that it is absurd that the average young person who graduates from college today ends up $20,000 in debt because we have cut back, over the years, Federal aid to education.

Some of us think that it is absurd that 1 week after the President signed the tax bill and the huge tax breaks for the rich, that 1 week later people on his Social Security advisory committee suddenly announced that we may have to cut back on the cost of living allowance for people on Social Security. Tax breaks for billionaires, but we do not have enough money to adequately fund Social Security.

In my State and all over this country, home health care agencies are having a terrible time and have received huge cuts in taking care of some of the oldest and most frail people in this country. Visiting nurses are unable now to do the job because this Congress, several years ago, savaged Medicare. We do not have enough money to take care of the old and the frail, but we do have enough money to provide huge tax breaks for billionaires.

In the United States today, we remain alone among industrialized nations in not having a strong prescription drug benefit program for our seniors. In Vermont and all over this country, elderly people do not know how they are going to pay for their prescription drugs. They are forced to choose between food and heat and their prescription drugs. We do not have enough money to provide strong prescription drug benefits. Let us support this important amendment.

Mr. WALSH. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. I thank the gentleman for yielding time.

Mr. Chairman, I rise today in strong support of this measure, the VA, HUD, and Independent Agencies Appropriations Act. I urge my colleagues to support the committee's funding in this measure.

This legislation does provide $51.4 billion in funding for the Department of Veterans Affairs and that is an increase of $4.3 billion over last year's level. Included in that amount is a total of $21 billion for veterans health care. That is an increase of $1.2 billion over fiscal year 2001 levels, matching the request in the President's budget.

Mr. Chairman, as our veterans continue to age, they find themselves certainly in greater need of medical care with each passing year. While the increase for medical care does fall somewhat short of that advocated by some of the veterans service organizations in their annual budget reports, this amount is an historical increase. Moreover, it is refreshing to see the new administration demonstrate a commitment to ensuring that our veterans are going to receive adequate funding for health care. That element was sorely lacking in the prior administration which consistently submitted flat-lined budgets.

I would note, however, that unlike the last several years, some of these new funds need to find their way to the veterans networks up in the northeastern part of our country, particularly in New York. Due to the post-VERA formulas, the VISN which contains my congressional district remains the only one in the country which finds that its funding continues to be cut on an annual basis despite the increased funding nationally. That lack of funding takes place in spite of the fact that VISN 3 has a greater percentage of specialty care patients and otherwise unfunded mandates such as hepatitis C vaccinations. We have had to rely on emergency transfers by the Secretary of the VA to make up for a portion of the difference.

Given that the new chairman of the House Committee on Veterans' Affairs and I share the same vision, I am concerned that the arbitrary, capricious and flat-out discriminatory policy of the last few years in distributing the funds that are available should be corrected. I am requesting that the Committee on Appropriations reconsider the VA's funding allocation formula for VISN 3.

Given that, I note that H.R. 2620 does provide a badly needed 16 percent increase for the Veterans Benefits Administration to help mitigate the backlog in veterans' claims which has now resulted in multiyear delays in getting new compensation claims approved. Our veterans have served their country when called. It is unconscionable that many now pass away while waiting for that backlog of legitimate claims to be approved.

Mr. Chairman, I commend the committee for providing $300 million for short-term repairs and improvements to our aging medical facilities that was in legislation passed by the House earlier this year, a total of $371 million for VA medical research, and over $100 million for veterans State extended-care facilities.

In closing, Mr. Chairman, this measure is sound legislation. It provides adequate funding for so many areas in need and deserves the full support of our colleagues.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. MOLLOHAN), the distinguished ranking member of the subcommittee.

Mr. MOLLOHAN. I thank the ranking member for yielding me this time.

Mr. Chairman, when the Committee on Rules was considering the form of the rule under which we would consider this appropriations measure, the gentleman from Wisconsin sought to have this amendment made in order. Unfortunately, it was not made in order.

Despite the fact that this amendment will not be voted on, I am pleased that the gentleman has offered it and was allowed to offer it. It is important because it puts into perspective the choices that we as a Congress have to make.

Not very many months ago, Mr. Chairman, this Congress passed a $1.6 trillion tax cut. That simply means that $1.6 trillion over the next 9 or 10 years has been taken out of general revenues for this country.

This amendment looks at that reality and it looks at what section of our population most benefited from that tax cut. In fact, the top 1 percent of income earners receive about 37.6 percent of that tax cut. It is that top 1 percent that was the greatest beneficiary of that $1.6 trillion tax cut—those people who make an average of $1.1 million a year. The Obey amendment looks at that reality and then

looks at the underfunding in this bill and says that this would be a fair way to correct this underfunding. It seems proportional to calibrate that tax cut to that top 1 percent a little bit. That generates enough revenues to fund some of these terribly underfunded accounts in this bill and leaves a little bit left over for some other bills.

That is what the Obey amendment does. It takes .5 percent of the tax cut for the top income earners, which $1.3 billion (which gives you some estimation of how much money they are earning) and redirects it to some real people programs. That is a real priority and those are real choices and that is what this amendment does. It clearly identifies the problem areas in this bill.

With that $1.3 trillion, the amendment would increase funding for veterans medical care. It would increase it by $300 million. The amendment would also address the housing needs of low-income and disabled citizens. First, it would add $282 million to the public housing capital grant account, bringing that account to just over $2.8 billion, and while this remains below last year's funding, it does get it closer. Then funding would also be provided for shelter plus care grants. These grants combine low-cost housing with treatment and support services.

Mr. Chairman, this amendment is a good amendment. It takes money from where it can be afforded and gives it to those who need it most. I appreciate the gentleman offering it.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I thank the gentleman for all of his hard work on this bill. I want to underscore to those listening that this is a $4 billion increase in spending in VA–HUD.

Having listened to the arguments advanced by the other side of the aisle, it now becomes clear why Vice President Gore lost Arkansas and lost Tennessee, because he decided rather than advancing the ideas that can bring us together, they decide to fight the typical class warfare argument. Tax cuts for the rich has been repeated time and time again on this floor. They keep saying that 1 percent of the wealthiest Americans are getting the biggest advantage under the tax cut. But you will notice none of those on the other side of the aisle will tell you that a person, say, earning $300,000 a year pays about $120,000 in taxes.

□ 1730

They do not tell you the burden that that person carries to fulfill the bills we are passing on the floor today. I think the gentleman from New York (Chairman WALSH) has done a phenomenal job in trying to meet the priority needs of this Nation. If you look throughout the bill you will see increasing in funding for AIDS programs, homeless programs, military and other vital missions of this country.

Now, if the other side of the aisle believes that this tax cut is such a bad idea, I urge them to rally their supporters together and get their supporters to remit their checks, their Treasury checks, back to the Treasury and allow them to spend it as they will. I doubt that one person will step forward and sign the back of their Treasury check, whether they make $100,000, $50,000 or $20,000, so it can be spent in reckless abandon on this House floor.

I know this is going to be a fight about priorities, and I know this is going to be a fight about George Bush's tax cut, but, in my heart, I believe we can do both. I believe that a family trying to fit braces on their children's teeth needs a refund. I believe that people advancing an opportunity to maybe finally take a vacation need a refund. I believe people preparing to buy a washer-dryer could use a refund.

The other side wants to refund money to people who never paid the taxes because of the Earned Income Tax Credit.

I would suggest to Members, pay attention to this bill. Focus on the good things that it does. Recognize that there is $4 billion of increased spending on priorities, and avoid the shrill rhetoric of the other side when they call this tax cut for the rich a reckless scheme.

We are balancing the budget. We are preserving Social Security. We are finally increasing, if you will, the contributions to that account to make it solvent. We are working on prescription drug coverage for the seniors. We are working on a number of issues that will make this country stronger. But we will never be strong as a Nation if we continue to try to beat each other up over silly sound bites designed for the next election, rather than the business on the floor.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in support of this amendment which will shave just a tiny bit of the tax cut to the top 1 percent of wealthy people in this country in order to provide more funding for veterans and for other essential needs.

But I want to make a larger point in reference to some of what I heard from the other side of the aisle. We are told by the Social Security Task Force that, after 2016, we will have to either raise taxes or cut benefits to pay for these Social Security bonds that will be redeemed then. Well, those will be about $200 billion a year. The tax cut we passed a few days ago will be about $400 billion a year at that time.

So do not tell us we cannot keep faith with our senior citizens to redeem our Social Security bonds and pay out the full benefits. It would only cost to do that half the cost of the tax cut you just gave to the richest people in our country, and, in effect, taking away, if you listen to the rhetoric of the Social Security Commission, from all the people that depend on Social Security.

It is not difficult. We do not have to raise taxes. We just have to be careful in what we do and not do the tax cut for the richest 1 percent, if we want to redeem all those Social Security bonds and pay all the benefits. We do not have to destroy Social Security in order to save it. We just have to not pass the Republican tax cuts.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to, first of all, express my appreciation to the gentleman from New York and the gentleman from West Virginia, the chairman and the ranking minority member of the subcommittee, for the very respectable job they have done in putting this bill together. I think that we all need to recognize that.

But the problem we have with this bill, which is a very real and serious and definite problem, is based upon the fact that the tools they had with which to operate were inadequate. The funding number that they were given is too low. The reason for that is the leadership here, at the request of the President, insisted on passing a massive tax cut before we had a budget, before priorities were established. That was a basic and fundamental mistake, and it is one for which we are going to pay dearly, not just this year but in every succeeding year over the course of the next decade.

How are we going to pay? We are going to pay by inadequate provision for those people who defended this country in some of the most difficult and darkest times in our history, our veterans. We are not providing adequately for their health care, and we are not providing adequately for the general maintenance that many of them need. We are not doing that because we do not have the resources in this bill.

We are not providing enough housing for people who need housing all across America. We have a $20 billion housing deficit today that is not being adequately addressed, and we cannot address it because of the inadequate funding level in this bill.

People need housing. There are so many people in my district, I am sure, and in every district represented by every Member here, of people who cannot find adequate housing because housing is too expensive and their incomes are too low.

The gentleman from Florida was up here a little bit earlier in the context of this debate talking about questions that have been raised by his constituents concerning the relationship between toxic and hazardous waste and the exposure of people to toxic and hazardous waste and their health conditions, debilitating, declining health conditions. What is the relationship?

There is an unquestionable relationship between people who have been exposed to toxic and hazardous waste and decline in their health in forms of cancer, attacks of the endocrine system, in

developmental disabilities. And this bill, unfortunately, because it has an inadequate funding level, does not deal with the problem of enforcement of toxic and hazardous waste laws. Therefore, people in Florida and other places all across the country are being exposed to toxic and hazardous substances which are destroying their health.

There is not enough money in this bill to deal with the problems of drug control in public housing. We fund hundreds of millions of dollars to deal with the problem that we think we have in South America, sending money down there to kill South Americans, but we do not provide enough money to save the lives of Americans in public housing. The priorities are inadequate, and it is because of inadequate funding because of that tax bill.

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

Mr. Chairman, this amendment does not reduce the size of the tax cut for a single middle-income American. The only persons affected on the tax side by this amendment are people in the top 1 percent of earners in this country who make more than $330,000 a year.

I am sure that they are all fine people. That is not the issue. I do believe that they can afford to have a slightly smaller tax cut. I do believe they do not need an entire $53,000 tax cut, which is on average what they will receive under the tax package that was passed. I do not believe that they need that full tax cut as much as sick veterans need better medical care, or as much as low-income children need to get out of rat traps and into decent housing, or as much as we all need adequate enforcement of our laws to protect the environment.

I am amused by one of the previous speakers who talked about the tax rebate and who it ought to go to. This has nothing whatsoever to do with the tax rebate. People are going to get their tax rebates, although I would note I did get a complaint from a reporter in my district because his grandmother, who died a year and a half ago, did get a tax rebate in the mail, and the letter was labeled: Blank name, ''deceased.'' With all due respect, I do not know many people whose last name is ''deceased.''

I would prefer to see to it that what tax rebates we do give go to live veterans in need of health care, go to the families of live children who need better housing, and go to those Americans who are sacrificing in order to provide national service in their own communities; and I make no apology for that.

I find it interesting that somehow people talk about class warfare. I think the middle class has already lost, if there has been a war, because the CBO shows that the top 1 percent of earners over the past 20 years has had their after-tax income rise by $414,000, while the middle class has had their income rise over that same period, their after-tax income, by about $3,400. Some victory for the middle class.

So I would suggest, Mr. Chairman, if people think veterans are getting adequate health care, fine; oppose the amendment. If you think poor kids are getting adequate housing, fine; oppose the amendment. This issue is not whether you are for or against tax cuts. This is an issue of who you think has a greater need, who you think has a greater requirement for assistance from Uncle Sam.

Mr. Chairman, I reserve the balance of my time. I will be prepared to yield back the remainder of the time when the gentleman is prepared to yield back the remainder of his time.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume to close the debate, and I will honor the gentleman's agreement that I will yield as soon as he does.

Mr. Chairman, this is a phony choice. We do not have additional funds available to us to spend, and we cannot in the process of creating this legislation amend any existing legislation, and that is what the gentleman has asked us to do.

The debate over tax cuts is over. In fact, the check is in the mail. These funds are not available to us to spend. We have an allocation. It is a substantial amount of money. The subcommittee has met for hundreds of hours in hearings and in planning to develop this bill, as a subcommittee and full committee. The bill passed the full committee on a voice vote. I think it has strong support within the Committee and within the Congress; and, for that reason, Mr. Chairman, I would reserve my point of order and ask Members to continue to support this bill as it stands after having made the choices that we have made.

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

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

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. WALSH. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. Does the gentleman wish to be heard on his point of order?

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

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

The amendment directly amends existing law, and I would ask for a ruling of the Chair.

The CHAIRMAN. Does anyone wish to be heard further on the point of order?

Mr. OBEY. Mr. Chairman, this amendment is fully consistent with the rules of the House. The House would have had the opportunity to vote on it if the Committee on Rules had waived the rules of the House in the same manner that they waived those rules for consideration of this bill as a whole. So I believe the amendment is consistent with the rules of the House. However, the manner in which those rules have been exercised I recognize has effectively blocked us from having this amendment come to a vote. I regret that, but I cannot do much about that.

□ 1745

The CHAIRMAN. The Chair will rule.

The Chair finds that this amendment directly amends existing law. The amendment therefore constitutes legislation in violation of clause 2, rule XXI.

The point of order is sustained and the amendment is not in order.

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

Mr. Chairman, I rise to engage the chairman in a colloquy.

Mr. Chairman, I rise today in support of the National Estuary Program and for providing additional funds for the program in the VA–HUD appropriations bill; and I would like to engage the chairman in a colloquy.

First, I would like to express my appreciation to the chairman and members of his subcommittee for their hard work and continued support of the National Estuary Program, NEP. Congress recognized the importance of preserving and enhancing coastal environments with the establishment of the National Estuary Program in 1987. The NEP's purpose is to facilitate State and local governments' participation in ''Comprehensive Conservation and Management Plans'' for threatened and impaired estuaries.

While the NEP has been successful in developing these CCMPs, we have increased the number of estuaries in the National Estuary Program without matching funding. This has the necessary affect of slowing our progress in restoring these estuaries.

In my district, for example, in New Jersey, an NEP called Barnegat Bay exists. The Barnegat Bay watershed drains from a land area of approximately 550 square miles. Over 450,000 people live in the Barnegat Bay watershed. That population actually doubles in the summer as people flock to the New Jersey shore. The continued economic health of the Barnegat Bay watershed is dependent upon the continued health and the national beauty of its waters. The Barnegat Bay estuary is not only a vital component of New Jersey's tourist industry, but an important natural resource that supports populations of commercially and recreationally significant fish, as well as rare and endangered species.

The Environment Protection Agency plays a vital role and collaborates with other Federal agencies, State and local governments, nonprofit institutions, industries, and citizens to address these estuaries' environmental issues.

The NEP received $20 million to develop its CCMPs. This is not enough to

fund the implementation of the CCMPs for now 28 estuaries. That is why we must increase funding for the National Estuary Program to protect these vital natural resources and support the efforts of the local communities to implement their CCMPs.

The Senate bill currently has $25 million for the estuary program. I would urge the chairman to work with conferees of the Senate and House to increase the level of funding for the National Estuary Program.

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

Mr. SAXTON. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding.

I would like to thank the gentleman from New Jersey (Mr. SAXTON) for his pioneering efforts in developing this very important national program and for his continued efforts to ensure the National Estuary Program remains a strong program to protect our national estuaries for the future.

I agree that this program has been successful with developing and maintaining local government, nonprofit, industry, and volunteer support from within the States where these estuaries are located. That is why we have increased funding this year for this program to $20 million, a $2 million increase over last year. I would be glad to work with the distinguished gentleman from New Jersey to assure that this very important program continues to protect and enhance our precious national estuaries.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Florida:

Page 7, line 19, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to submit this amendment to the VA–HUD Appropriations bill. This amendment would appropriate an additional $1 million to the Veterans Health Administration.

I had another amendment that would come later, but I am not going to offer it in the interest of the time of all of the membership of this body, but I am determined to try and do something about the hypocrisy that sometimes abounds in this Congress.

I want to make it very clear that the gentleman from New York (Mr. WALSH), the chairman of the subcommittee; the gentleman from West Virginia (Mr. MOLLOHAN); the gentleman from Florida (Mr. YOUNG), the chairman of the full committee; and the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee, have done the very best that they can within the budgetary boundaries under which they must operate.

The arguments that we are making do not go, in the final analysis, to class warfare, they go to: What is it that motivates us as individuals to want to take care of the needs of this country? It is commonly said, ''The mark of a great country is not what it does for those with the most, but for what it does for those with the least.'' This bill clearly does not do enough, having argued that the persons who have the responsibility of perpetrating it have done what they can, but it does not mean all of us did everything that we could.

Public housing is grossly underfunded in this bill. This underfunding harms the people who depend on Congress to help them live meaningful lives. Without it, many could be evicted from their homes and forced into the streets. Congress, this institution, I think, tends to forget that we are talking about real people, about real families; people who depend on all of us, all 435 here and the 100 in the other body, to do something about their problems, to look out for them and to work to ensure that their lives are not wasted away in degradation and poverty.

It is not an abstract issue of refunding a few hundred dollars to people who do not really need the money. Let me address the gentleman from Florida, my dear friend and colleague, that said that not many would send theirs back. I would send mine back in the morning if I knew that it was going to provide for veterans; if I knew that it was going to provide for public housing in this country that is desperately in deterioration and in need of assistance from all of us.

Let me give as an analogy what transpired in the great State of Florida that I am a fifth generation person from. Living there all of these years, we came to a point where we decided 2 years ago that we were going to give the taxpayers, me, my mama, everybody else in Florida, $1 billion back, while our schools were deteriorating, while our election system was putrid, and while all of the circumstances surrounding those who are impoverished in our State were continuing to deteriorate. Ostensibly, each one of us was supposed to get $260. I never got my check. What it was was hocus-pocus. It was a whole bunch of mysterious accounting; but yet, when the legislature convened this year, there was a $1 billion shortfall, and still the schools are crumbling, still the schools are overcrowded. Yes, the poor are desperate.

The gentleman from Wisconsin was correct. None of us need not make an apology at all about caring, and every man and woman in this institution cares about veterans. But how did we address them? We did not address them. According to the major veterans' organizations, this bill provides less than one-half the amount that is considered necessary to ensure decent health care for our Nation's veterans.

Veterans put their lives on the line. We come down here and say that all the time. They put their lives on the line for all of us; they left their families for us.

I traveled with my Republican colleagues very recently to Normandy and we stood there and saw what veterans have done on behalf of all of us, and there was not a man or woman among us, and it was a bipartisan group, that did not leave there teary-eyed, mindful that we were standing on the shoulders of those 9,000 people, including countless others, who gave us this right to come here and try to do something for everybody, not just for a handful of people in our country.

Yet, we are not willing to pay even half of what veterans should receive.

Mr. WALSH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am told that this allocation of $1 million was recently in a second or third analysis of the funds available. The Congressional Budget Office found approximately an additional $1 million that had not been spent. The gentleman has proposed that we spend it in veterans' medical care. I cannot think of a better place to put this found money, so we will accept the amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman from New York (Mr. WALSH). I thank the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, and maybe the gentleman from Florida (Mr. FOLEY); and I can use it on the 45th Street Veterans Administration Building.

The CHAIRMAN. Is there further debate on the amendment offered by the gentleman from Florida (Mr. HASTINGS)?

If not, the question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

Mrs. MINK of Hawaii. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in order to take time, because apparently I will again not have the opportunity, to speak on a matter of very, very critical importance to many of my constituents, and to constituents all across the country. We have tried for many years to have the Congress act on a particular measure of importance to our Nation's honor.

Before the war, my colleagues will recall that the Philippine Islands were a United States protectorate, a possession. It had been in this status for 42 years. When the war came about, President Roosevelt issued a military order on July 26, 1941, in which he invited the citizens of the Philippines to enlist in the Army and to join forces with the United States to fight the enemy. Nearly 200,000 Filipinos responded without hesitation to defend their homeland and to defend the flag of the United States.

From 1941 to 1945, thousands of Filipino soldiers fought alongside American soldiers. They fought in every major battle in that area. They endured years of captivity as prisoners.

They lost their lives defending our values and our sense of freedom.

Based upon the promises made to them by the United States Government, these veterans expected when the war ended that they would be treated the same as all other veterans of World War II. General McArthur reaffirmed that they would be treated like all other veterans.

Inexplicably, in 1946 the Congress broke that promise to the Filipino veterans by revoking their full benefits by passing Public Law 70–301. It is this act of Congress that we have been seeking for years to overturn. We have taken a few measured steps forward, but I rise today to call attention to this issue, because we should have included $30 million to provide for the health care of these veterans. That is the least that they are entitled to.

So I would hope that in the course of consideration of this bill and others like it in this House and in our respective committees, that we will find it possible to accord these few thousand Filipino World War II veterans, who are still surviving, the benefits that they are entitled to have as veterans who fought with our American veterans in the World War II battlefields.

□ 1800

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

Mr. Chairman, I appreciate the assistance of the gentleman from New York (Mr. WALSH), the chairman, over the past months and years to address what has become an important and divisive area in our district, and that is our national environmental policy on contaminated sediments and, specifically, EPA's policy on contaminated sediments in the Hudson River.

By now, many in Washington and throughout the East Coast have heard of this controversy. I happen to represent the district in which the proposed 40 miles of dredging would occur.

Let us remember, Mr. Chairman, the EPA, in the closing months of the Clinton administration, proposed a massive environmental dredging project that would drastically affect both the ecology of the Upper Hudson River and the economies of the communities along its banks. This is a decision that the vast majority of the people in the communities that I represent, who are directly impacted, are rightly concerned about and concerned about the long-term impacts of any project and the scientific basis for it.

As it is, for the past several years the committee report has directed the EPA with respect to its policies on contaminated sediments. Specifically, the committee report states, ''For fiscal years 1999 through 2001, the Congress included specific direction to EPA regarding the Agency's ordering of dredging or other invasive sediment remediation technologies pending the National Academy of Sciences' completion of a study intended to address dredging, capping, source control, natural recovery, and disposal of contaminated sediment, and comparing the risks of each technology.

''The committee notes that this study has been completed and published, and to the greatest extent practicable, expects the Agency to adopt as part of its own sediment remediation strategies those guidelines as presented in the Academy report.''

Mr. Chairman, it is critical. It is critically important that the EPA follow this direction and implement the NAS recommendations, which were highly critical of community outreach efforts with respect to its review of the Hudson River PCB contamination.

In fact, the NAS found the EPA community involvement process in the Hudson to be a failure. Mr. Chairman, with EPA's cooperation, the NAS recommendations will inject sound science into a policy on the Hudson River that has unfortunately been driven by other agendas.

I want to remind everyone looking at this issue why I am concerned about the EPA's dredging and landfilling proposals.

As background, the Hudson Valley residents, having twice now been lied to or misled by the EPA, are understandably concerned about the impact of the largest environmental dredging project in history on the ecology of the river and the negative impacts on the region's economy.

First, in 1997, the EPA was forced to reveal that it was conducting secret studies on the Hudson Valley farmland for siting of PCB landfills, after many months of deliberately deceiving the public as to the existence of those studies. They were looking, Mr. Chairman, effectively, by virtue of eminent domain proceedings, to take the valuable farmlands, the property, the homes of the residents that I represent.

After this revelation and subsequent congressional hearings, EPA officials committed to prevent this type of public deception from ever happening again.

Sadly, and secondly, questions continue to exist on the logistics of handling and disposing of 100,000 truckloads, 100,000 truckloads, of PCB-contaminated sediment and the disruption it would bring to the river.

When the EPA released its report and proposed remediation plan for the Upper Hudson on December 12, 2000, Administrator Carol Browner and other EPA officials broadly discussed the possibility of siting two hazardous waste dewatering facilities at Moreau and Albany, New York. EPA officials flatly denied that the EPA had gone far enough to propose additional sites for such handling facilities.

On February 5 of this year, responding to a Freedom of Information request by CEASE, a local grassroots organization, the EPA was forced to release an internal memo identifying 12 such sites that the EPA was looking at to create those facilities.

Mr. Chairman, it seems that, on the issues most sensitive to local residents in this particular incident, the EPA's history indicates that its preferred policy is to hide from the public. This is a serious problem. It is important for my constituents in the 22nd Congressional District, and I think for all New Yorkers, to have confidence that the NAS scientific recommendations are properly considered.

Mr. Chairman, I include for the RECORD an editorial from today's Journal News located in downstate Westchester County, New York, that points out that ''dredging would cause short-term elevations of PCB levels downriver. . . . It would damage marshlands, which might not be able to recover. And it might not, after all, thoroughly clean PCBs from the riverbed.

''With that much doubt still lingering about the safety and effectiveness of wholesale dredging, a limited approach sounds more like sensible prudence than a sellout.''

Mr. Chairman, again I want to thank the gentleman from New York (Chairman WALSH) for his effort; and I would ask that all Members look at this issue.

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

Mr. Chairman, I want to also draw the attention of the Members of this House to the Hudson River Superfund site. The Hudson River Superfund site is the largest Superfund site in the Nation. It runs for about 150 miles, from the Battery to the Federal dam at Troy.

It is a Federal Superfund site and a State Superfund site, for that matter, in New York because of the fact that the General Electric Company, over a period of several decades, dumped hundreds of tons of polychlorinated biphenyls into the Upper Hudson River above that dam. Most of these PCBs are now still concentrated in so-called hot spots or concentrations of PCBs in this location around Fort Edward and a number of other localities up above that dam.

This site is a hazardous waste site because PCBs are extraordinarily toxic. They are toxic in the sense that they are known to be cancerous in animals, and they are suspected to be and some would say known to be cancerous in humans, as well.

PCBs cause cancer. They also attack the endocrine system. That is the natural defense system of the body. It protects us against the invasion of disease. That endocrine system is attacked by PCBs. It makes it much more difficult for people to defend themselves against ailments and causes a whole array of sicknesses to exist in bodies that are exposed to these very toxic chemicals.

Furthermore, PCBs attack the developmental system, and they are known to cause low birthweight babies and to cause a deterioration in the intellectual ability of infants as the mothers have been exposed to PCBs. So, Mr. Chairman, that is just a given indication of the seriousness of this question.

For several decades, going back to in fact the late 1970s, both the State of New York and the Federal Government have examined this question. Over a period of time they have attempted to develop a solution for it. At no time, except within the last 8 years, has this been done in a very serious way.

However, over the course of the last 8 years, and particularly within the last 6 years, the Environmental Protection Agency has developed a plan to remediate much of the PCBs from the Hudson River in order to protect people, particularly those located up in the upper river but also those people who live in the lower river, from the damage that is caused by the presence of these PCBs in the river.

Let me say parenthetically, that damage, of course, has resounded throughout the ecological system of the Hudson River. Every form of life, from the tiniest biota to the largest animals at the top of the food chain, are affected with these PCBs; and anyone who eats any of the animals out of the river, any of the fish, chemicals, anything that comes out of the river, absorbs quantities of PCBs into their body.

The PCBs concentrate in the fatty tissues within the body. Those PCBs concentrated in the fatty tissues are passed on to infants by the lactating mothers of those infants, again giving an indication of the seriousness of this particular problem.

The EPA now has developed a plan to deal with this issue. That plan is to dredge the concentrations of PCBs, remove them from the river, and reduce very substantially the level of this problem and the damage it is causing to the environment and to human health.

Now, however, we receive indications from the new EPA in a new administration that once again we may be facing inordinate and irresponsible, unconscionable and unexplainable delays. It seems, it is rumored, that this EPA, under this new administrator in this new administration, is not going to follow through on the carefully developed plan formulated by the Clinton administration EPA, formulated by the scientists within the EPA, peer-reviewed by scientists outside of the EPA, and found to be sound in virtually every detail.

In spite of all that, this EPA under this administration, with this administrator, is backing away from the plan, we are told. How ironic that is when one considers that this EPA administrator, when she was the Governor of the State of New Jersey, repeatedly is on record saying that she favored dredging the PCBs out of the river. Now, apparently, she may be taking a different tune, apparently at the direction of the White House.

I hope that that is not the case. This is a serious problem, and it needs to be addressed intelligently and seriously.

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

Mr. Chairman, I rise to engage in a colloquy with the gentleman from New York.

Mr. Chairman, I would like to thank the gentleman from New York (Mr. WALSH) for his leadership on the Subcommittee on VA, HUD and Independent Agencies in putting together this bill.

As a scientist, I am especially heartened by the funding increase provided for the National Science Foundation. This bill funds NSF at $4.8 billion, which is a 9 percent increase, $414 million over the fiscal 2001 funding level.

By approving this funding increase for NSF, we in the House make clear our understanding that the type of basic research in science and engineering that is supported by NSF is vital, not only to our Nation's continued economic leadership, but to continued increases in our standard of living and, indeed, to the sustainability of that standard of living.

In recent years we in Congress have been committed to doubling the budget of the National Institutes of Health by 2003. We are justifiably proud of that effort.

At the same time, we must also be aware that advances in the physical sciences, mathematics, computer science, and engineering are fundamental to the developments in medicine.

To give an example, the move to double the NIH budget is motivated largely by the desire to cure cancer, among other serious diseases. However, many of the tools used to diagnose and treat cancer, among them x-rays, MRIs, CAT scans, and radiation treatments, come from the world of physics.

Just yesterday I spoke to a research physician who pointed out that much of his research today would have been impossible just 15 years ago. The advanced tools that are now crucial to his work were developed just recently from work done in physics.

We in Congress should have the goal of doubling the budget of NSF over the next 5 years through 15 percent annual increases. Overall, scientific and technical progress requires a balance between all of the sciences, which requires that funding for NSF keep pace with the funding for NIH.

I applaud the chairman and his subcommittee for recognizing that fact by providing this substantial and well-justified funding increase for NSF in this bill.

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

Mr. EHLERS. I yield to the gentleman from New York.

Mr. WALSH. I thank the gentleman from Michigan for his remarks and for his leadership on all science issues in the House and for being a strong advocate for science.

The subcommittee is acutely aware of the need for vigorous basic research effort in this country, which starts with the work of the National Science Foundation. Too often we overlook the importance of basic research in the sciences and in engineering also because its results are not always immediately applicable to tangible products. Breakthroughs in medical research, on the other hand, are more easily understood.

I would like to echo the gentleman from Michigan in saying that we would do well to recognize the diversity of scientific endeavors that contribute to medical advances. I find it telling that the recent very noteworthy success of the human genome project, for example, was built on cutting-edge research in computer science, chemistry and other subjects of the kind supported by NSF.

If the resources were available to us, the subcommittee would support an even greater increase in NSF funding than the 9 percent increase over fiscal year 2001 that is in the bill. We feel, nevertheless, that the increase is a strong start in guaranteeing that our Nation remains preeminent in basic research for years to come.

Mr. EHLERS. I thank the gentleman, Mr. Chairman.

AMENDMENT OFFERED BY MS. CARSON OF INDIANA

Ms. CARSON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. CARSON of Indiana:

In title I, in the paragraph relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', after the aggregate dollar amount insert the following: ''(reduced by $16,200,000)''.

In title I, in the paragraph relating to ''DEPARTMENTAL ADMINISTRATION—OFFICE OF INSPECTOR GENERAL'', after the aggregate dollar amount insert the following: ''(increased by $16,200,000)''.

Ms. CARSON of Indiana. Mr. Chairman, my amendment provides additional funds to the Department of Veterans Affairs Office of the Inspector General, and it will reap a manyfold return in cost savings and result in a greatly improved quality of health care for American veterans.

The Department of Veterans Affairs is the second largest executive branch agency. Yet this behemoth is monitored by an Office of Inspector General staffed at one of the lowest levels among all 29 statutory Inspector Generals when Inspector General staffing is compared to total agency employment.

□ 1815

The VA IG has a staff of 365 nationwide. If the VA office of the IG was staffed at just the average ratio among the 29 statutory Inspectors General, the staff would be 4,000 full-time employees. My amendment, Mr. Chairman, would provide funding for an additional 110 full-time staff on the IG's team and permit an acceleration of the IG's facility assessment program from its current 6-year cycle to a more reasonable 3-year cycle.

A migration from the 6-year cycle to the 3-year cycle would enhance the IG's

ability to determine the root causes of departmental management inefficiencies. With proactive oversight, the VA Office of the Inspector General can identify tremendous cost savings measures and assure that taxpayers' dollars are put to their best use. In the end, this will provide for smarter management, greater cost savings, and, most importantly, better, more accessible health care for our veterans. An accelerated proactive assessment cycle would likely yield savings or redirect funds to better use in the billion dollar range.

In fiscal year 2000, the VA OIG staffed 369 positions at a cost of $45 million and was able to demonstrate solid performance results, including 338 arrests, 280 indictments, 247 convictions, 496 administrative sanctions, $302 million in funds put to better use, $11.4 million in dollar recoveries, and $13.8 million in fines, penalties, restitution and civil judgments. These savings were realized under the 6-year assessment cycle, and a 3-year cycle would do so very much more.

Mr. Chairman, let me assure my colleagues that I have long fought and continue to fight for the enhancement of medical benefits for veterans. As we consider adopting this amendment, I assure all of my colleagues that, as the ranking minority member on the Subcommittee on Oversight and Investigation of the Committee on Veterans Affairs, I consider this a true value of effective oversight, and I ask for their support of this amendment. It is cost effective.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am a little surprised, quite frankly, at this amendment. I fully expected there would be more amendments adding additional funds to the already precious dollars that are in VA medical care, but this amendment would take $16 million out of veterans medical care. This is money that goes toward surgical procedures, towards pharmaceutical drugs, towards nurses and doctors, heat and lights, and running these facilities. To hand over these funds to the Inspector General's office, to me, just does not make good sense. So I strongly oppose the amendment.

We have already provided the Inspector General with an increase of $6 million over last year, a 15 percent increase from in their fiscal year 2001 budget. It is also a $4 million increase over this year's budget submission. This amendment would result in close to a 50 percent increase in the budget. I suspect the Inspector General could not handle that much money, they could not put that many people on, and this money is dearly needed for veterans medical care. I would hate to jeopardize the health of our veterans by reducing this already substantial but certainly dear amount of money.

So I rise in strong opposition to the amendment.

The CHAIRMAN. Is there any further debate on the amendment?

Ms. CARSON. Mr. Chairman, I ask unanimous consent to address the Committee for 2 minutes.

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

There was no objection.

Ms. CARSON. Mr. Chairman, I respect very much the gentleman's argument in terms of the amendment that I offered, and I realize that on its face it does probably raise red herrings in terms of what I am doing; that I may be taking away medical benefits from veterans in favor of the Inspector General. But as I indicated in my opening remarks, Mr. Chairman, this amendment is cost effective and it will allow the expansion of Inspectors General to generate more money for the Veterans Administration.

I would like to suggest, Mr. Chairman, that we engage in further dialogue with the chairman of the Committee on Veterans' Affairs and see if we cannot work out this situation in terms of advancing the idea that I have here in terms of trying to help the Veterans Administration.

Mr. WALSH. Mr. Chairman, will the gentlewoman yield?

Ms. CARSON. I yield to the gentleman from New York.

Mr. WALSH. If the gentlewoman would be prepared to withdraw the amendment, we would be happy to sit down and discuss this with her at length, and with the authorizing committee, to see if we can address her concerns.

Ms. CARSON. Mr. Chairman, since the gentleman has offered that, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

MEDICAL CARE COLLECTIONS FUND

(INCLUDING TRANSFER OF FUNDS)

Amounts deposited during the current fiscal year in the Department of Veterans Affairs Medical Care Collections Fund under section 1729A of title 38, United States Code, shall be transferred to ''Medical care'', to remain available until expended.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available for obligation until September 30, 2003, $371,000,000, plus reimbursements.

AMENDMENT NO. 13 OFFERED BY MR. GUTIERREZ

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. GUTIERREZ:

In title I, in the paragraph under the heading ''VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH'', after the dollar amount, insert the following: ''(increased by $24,000,000)''.

In title III, under the heading ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the dollar amount, insert the following: ''(reduced by $24,000,000)''.

Mr. GUTIERREZ. Mr. Chairman, I would like to engage in a colloquy with the Republican manager, the chairman of the subcommittee, the gentleman from New York (Mr. WALSH), and the Democratic manager, my colleague, the gentleman from West Virginia (Mr. MOLLOHAN).

First, I would like to recognize both the chairman and the ranking minority member for their continued support for medical and prosthetic research in the Veterans Health Administration. It is in great measure due to their support and commitment that this bill has come to the floor with approximately $20 million more than had been initially programmed for prosthetic research.

Dating back to the spring, when I first contacted them and their colleagues in the Committee on Appropriations, urging them to take the necessary step that we began last year when the chairman similarly approved my amendment to raise the funding of this very program, they have once again responded affirmatively to my request that we increase the funding for this extremely important research program.

Secondly, I would like to emphasize that this increase will assist the VA research program in achieving the stability necessary for successful research, one that can eventually achieve its full potential for finding cures and treatments for many chronic and terrible diseases. The VA research program is uniquely positioned to advance diagnosis and treatment for conditions that particularly affect veterans, including prostate cancer, diabetes, heart disease, Parkinson's disease, mental illnesses, spinal cord injury, and aging-related diseases. But I remind my colleagues that, ultimately, our Nation as a whole is the beneficiary of research conducted by the VA.

Mr. Chairman, this generous increase would not have been possible without the complete support of the chairman and the ranking member. I believe in their commitment to this program and trust they will work with the Senate in conference to secure up to the $391 million for this program. I wish to note that our colleagues in the Senate have provided a $40 million increase for this deserving program. I ask the chairman and the valued ranking member for their commitment to work with their Senate counterparts during conference to achieve the highest possible funding for the VA medical and prosthetic research program.

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

Mr. GUTIERREZ. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I would like to thank the gentleman from Illinois for his advocacy in this area. The bill provides $20 million over last year's funding level for VA research, plus $30 million in construction funds specifically for research facility rehabilitation.

Because the Senate has provided a higher funding level for VA research in their bill, this account will be an issue in conference; and we will take into account the views and concerns of the gentleman from Illinois and the other Members who have expressed an interest in increasing funding for this important account as we move forward.

I thank the gentleman for his willingness to withdraw his amendment.

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

Mr. GUTIERREZ. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I want to commend the gentleman for bringing this issue to the attention of the full House, and I want the gentleman to know that it is certainly high on the priority list for the chairman. He added $10 million in this account during the full committee, and we have just heard him express his real support for taking a strong look at it during conference.

I commend the gentleman for bringing it to our attention, and I understand he is going to withdraw his amendment, but I just want to assure him that both sides of the aisle are supportive and will support him in conference.

Mr. GUTIERREZ. Mr. Chairman, I thank both gentlemen for all their work on this issue, and I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Are there any further amendments to this paragraph?

If not, the Clerk will read.

The Clerk read as follows:

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, $66,731,000, plus reimbursements: *Provided*, That technical and consulting services offered by the Facilities Management Field Service, including project management and real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,195,728,000: *Provided*, That expenses for services and assistance authorized under 38 U.S.C. 3104(a)(1), (2), (5) and (11) that the Secretary determines are necessary to enable entitled veterans (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed $60,000,000 shall be available for obligation until September 30, 2003: *Provided further*, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to four passenger motor vehicles for use in operations of that Administration in Manila, Philippines: *Provided further*, That travel expenses for this account shall not exceed $15,665,000.

AMENDMENT OFFERED BY MR. FOLEY

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

The Clerk read as follows:

Amendment offered by Mr. FOLEY:

In title I, in the paragraph relating to ''DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES'', after the aggregate dollar amount insert the following: ''(increased by $25,000,000)''.

In title III, in the paragraph relating to ''NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES'', after the aggregate dollar amount insert the following: ''(reduced by $92,000,000)''.

Mr. FOLEY. Mr. Chairman, as my colleagues know, the veterans benefits claim process in this country is a disaster. This disaster is not the fault of the dedicated employees of the VA or Mr. Anthony Principi, the new Secretary of Veterans Affairs, but rather the bulk of the blame lies with the years of neglect and lack of planning AND foresight.

When a typical veteran in my State has to wait an average of 171 days to get a response to a claim, no one can doubt that we have a serious problem. Would any of us expect to wait 171 days after filing a medical claim with our insurer before actually getting the check in the mail? No one would. No American would wait. Yet this is exactly what our national veterans have to face every time they file a benefit claim with the Veterans Administration.

What is worse is that, according to the administration's own budget, that 170-day wait may well exceed 270 days this year. That 100-day increase in the claims turnaround time is estimated by the administration even after the good chairman, the gentleman from New York (Mr. WALSH), has increased by a $128 million earmark in this bill to alleviate that problem. In fact, recently, in our supplemental bill, and I commend the gentleman from New York for aggressively pursuing this problem, he provided another $19 million. So we are making progress.

But let no one be mistaken, this is a crisis. Veterans in my State and across the country sometimes die before their health or other benefit claims can be processed.

□ 1830

These claims stem from veterans who feel they have been unjustly denied the benefits they are entitled to and deserve. For example, my State of Florida has only one processing facility currently operating with a 24,000 case backlog. The second largest State in the Union with veterans residing in the State and only one processing facility.

My amendment will add $25 million to the VA general operating expense account for the express purpose of hiring and training additional claims processors. The increase would be offset by a similar amount from the National Science Foundation's $3.6 billion research account which the VA–HUD appropriations bill, and I will add, has generously increased over last year's level by $292 million.

The amendment is not aimed at lessening the good that the National Science Foundation does. But our rules require offsets, and this becomes a matter of priorities.

The Foley amendment uses the NSF's polar and antarctic research accounts as an offset. The base bill recommends $3.6 billion for National Science Foundation research next year, an increase of over $300 million. Taking $25 million from the NSF's already increased account is far less significant than the additional claims processors that the VA could hire with this additional funding.

This is a meaningful amendment which will make a significant dent in the turnaround time for claims processing. This is a nationwide problem, one that Secretary Principi and I have talked about. He has personally stated this is his primary goal of fixing as new head of the VA. Let us give him the funding he needs.

The amendment is about priorities. One of the highest priorities should be taking care of those who fought the wars for us. Yes, these are interesting times, and these are aggressive bills which I believe seek to solve a lot of our country's problems. But at a time when our Vietnam vets and Korean vets and World War II vets and Desert Storm vets are being told to wait, we are increasing by $300 million monies in accounts that probably could take a little bit of a reduction in order to satisfy and help those who have sacrificed.

Again, focus on where the amount of money comes from, the NSF's polar and antarctic research accounts as offsets.

I again thank the chairman and I do want to underscore the fact that his committee and his chairmanship has brought a lot of great benefits to veterans. I know help is on the way in a number of these other areas, but I would urge Congress to accept my amendment.

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

Mr. Chairman, I rise in opposition to the amendment. I would remind my good friend and colleague from Florida that we are spending over $51 billion in the veterans' accounts this year. The entire science budget for the National Science Foundation is under $5 billion. That is a ten to one ratio. Obviously, one can see where our priorities are. They are on our veterans, on providing for their benefits, on providing for their health care, on providing for the administration that is a very important and significant portion of the Federal budget.

Fifty billion for veterans, less than 5 billion for research. We all know how important research is to the future of all Americans, including our veterans. Make no mistake about it, the investment that we are making in the National Science Foundation will resound also to the veterans as it will with all members of the American society. Besides, we have already increased this account by almost $146 million, the President's request.

For the benefits administration alone we provided just under $1 billion, $955 million. We funded this bill at the President's request which was an increase of $129 million over last year; $148 million if we consider the supplemental funding we passed last week.

We have fully funded the VA's plan to hire 400 claims processors, continuing our commitment to improve the claims situation as we provided funds for 400 new claims processors just last year.

This is Secretary Principi's highest priority. He is focused on this. He is asking for resources. He has a plan. Let us let him implement that plan.

The VA cannot hire more people at this point. More money will not translate to more people. The budget request for NSF's request by the President was barely a 1 percent increase. We are doubling the National Institutes of Health. It does not make sense to double the National Institutes of Health without making dramatic increases also in the National Science Foundation. It is the basic science, the math, the physics that makes all of this possible, all of this research possible.

So we needed to make that increase, and we did. The subcommittee stepped up to the plate and provided a 9 percent increase. The amendment of the gentleman from Florida (Mr. FOLEY) would cut nearly one-third of our increase out of that budget, a situation which I believe is absolutely the wrong thing to do.

The Nation's economy depends on the research conducted through NSF. I strongly oppose this amendment. These funds coming out of NSF will hurt the veteran just as much as if we cut them out of their own budget.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. The bad news is the gentleman states the problem correctly, that there are large delays waiting for these medical claims to be processed, to be considered. The good news, however, is that the chairman addressed the issue in this bill. It is contained in this bill.

The gentleman said let us give the Secretary the funding he needs. Well, the chairman gave him the funding he asked for, which I assume is the funding he needs. The President's request was fully funded at $146 million, a $146 million increase.

I think the gentleman should be pleased with the treatment of this problem in the bill, and it is being addressed aggressively last year with an increase of 400 new employees on task and 400 will be added as a result of this bill.

The offset the gentleman proposes is absolutely terrible. We have been working very hard during the last several years to increase NSF's funding. The gentleman takes it from the NSF increase and, by my computations, he is taking $92 million, which is about a third of the increase that we are providing for NSF.

So, on the one hand, I think the gentleman raises a legitimate concern. It is being addressed in the bill, however; and he should be pleased with that. On the other hand, where he is taking the money it is particularly difficult because that is an account that we are trying to increase. It is very meritorious to increase, and the cut he takes from that is really a horrendous cut that would be taken to NSF.

Mr. Chairman, I urge opposition to the amendment.

Mr. EHLERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise with some reluctance to oppose this amendment, and the reluctance is that it is offered by my good friend the gentleman from Florida (Mr. FOLEY). The gentleman is engaged in a noble cause, but I will oppose it precisely for the reason that has been specified before this evening: This amendment would decimate the National Science Foundation's budget, particularly in the area of polar research and the Antarctic.

We discussed just a few moments ago the work of the National Science Foundation and how necessary it is to fund it at a level to keep pace with the funding at the National Institutes of Health, because so much of the work at the NSF is related to the work of the NIH in its battle to fight various diseases such as cancer, diabetes and the many other diseases that they are engaged in fighting.

In addition, the National Science Foundation is engaged in many other areas of research. In regard to the polar and Antarctic research which the gentleman from Florida seeks to cut, it is a unique research program that tackles many problems which cannot be tackled anywhere else in the world. For example, these research funds resulted in the first discovery of the ozone hole, which alerted our whole planet to the need to do something about chlorofluorocarbons and led to measures in both industry and government to end our very large use of chlorofluorocarbons; as a result we are beginning to see a shrinking of the ozone hole.

In addition, because of the unique position at the pole, this is an ideal spot for astronomy. From that position many stars can be viewed that cannot be seen well from other areas of our planet.

The amount that the gentleman is proposing to take out of this research budget is approximately one-third of the budget allocated for that work. That is a severe cut. We discussed earlier the small amount of the increase in the NSF budget compared to the NIH budget and discussed the need to seek a doubling of the NSF budget. We are not even close to doing that this year.

If we take even more money out, it would be a serious blow to the budget of the NSF and to the scientific work that is carried out at the National Science Foundation. All of us value that research and benefit from it very, very directly. If I had the time, I could spend an hour pointing out all of the benefits derived from the funds spent on the basic research done by the National Science Foundation.

For these reasons, I urge that we vote ''no'' on this particular amendment. I urge even more strongly that the sponsor withdraw the amendment. I think his effort to help veterans is noble, but his funding proposal would cause inestimable damage to the National Science Foundation.

Mr. Chairman, I urge the gentleman from Florida to withdraw his amendment so we do not engage in a vote which could be detrimental to the National Science Foundation.

Mr. SMITH of Michigan. Mr. Chairman, I rise in opposition to this amendment. The gentleman from Florida proposes to reduce research funding for the National Science Foundation (NSF) by $92 million and funding for the Department of Veteran Administration's (VA) General Operating Expenses account by $25 million.

For fiscal year 2002, this appropriations bill adds $4.3 billion to VA's fiscal year 2001 budget of $47 billion, and increase of over 9.2 percent. That $4.3 billion increase is nearly equal to NSF's entire budget. To this increase, the gentleman wishes to add $25 million by taking $92 million from NSF's significantly smaller appropriation.

Each year when the VA/HUD bill comes to the floor, amendments are offered that would strip NSF of funding to pay for other programs—some worthy, others not. I believe that this practice is shortsighted. This House has continually recognized the important role NSF and basic research have played in our Nation's economic and technological development.

NSF is the government's premier science agency. It supports cutting-edge research to answer fundamental questions within and

across scientific disciplines. This research has helped fuel new industries and jobs that have propelled economic prosperity and changed the way we live.

Maintaining the Nation's leadership in science will require keeping open the pipeline of new ideas and innovations that flow from fundamental research. NSF is the Federal Government's only agency dedicated to the support of education and fundamental research in all scientific disciplines, from physics and math to anthropology and zoology. Today's NSF-led research in nanotechnology, advanced materials, biotechnology, and information technology are laying the groundwork for the technologies of the future, and in the process training the scientists, engineers, and technology entrepreneurs of tomorrow.

While I agree with the Gentleman on the need to reduce the backlog of VA benefits claims, I do not think that cutting the funding of the Nation's premier science agency is the way to do this. Therefore, I oppose this amendment and urge my colleagues to oppose it as well.

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

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

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

Mr. Chairman, I would like to engage my friend, the gentleman from New York (Mr. WALSH), in a colloquy regarding funding for Hispanic-Serving Institutions, known as HSI's, under the National Science Foundation Education and Human Resources Program.

There are over 200 HSI's throughout this country that are enrolling an ever-increasing number of Hispanic college students. Hispanics are now the second largest minority in the United States. Many of these students are the first generation Americans in their family to attend colleges or universities. We need to encourage them to complete their education and to enter fields like math, science and engineering, where our country is experiencing a severe shortage.

The National Science Foundation is charged with the responsibility of improving math, science and engineering education across the country. To do this, NSF provides several competitive grant programs for which schools can apply to train teachers, students and improve the quality of their math, science, engineering and technology programs. Past authorization language has required the NSF to target under-represented populations. However, to date, Hispanic-Serving Institutions have received less than 2 percent of the grant funding available.

Mr. Chairman, does the appropriations subcommittee chairman agree that the NSF should be targeting under-represented populations such as the HSIs?

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

Mr. HINOJOSA. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, first, let me thank the gentleman from Texas for bringing up this important issue.

As the gentleman knows, we have made every effort to increase the budget for the National Science Foundation to the highest level possible and spread those funds as broadly as possible among programs throughout the Foundation. In this context, the subcommittee has placed great emphasis on providing additional dollars for several programs emphasizing math, science and engineering education.

Generally speaking, we in the Foundation should do all that can be done to promote these programs at all educational institutions, but I certainly agree with the gentleman that a special effort should be made to target minority-serving institutions and in particular Hispanic-Serving Institutions for enhancement of these important programs.

Mr. HINOJOSA. Will the chairman work with me and the leadership of the Congressional Hispanic Caucus to develop report language urging the National Science Foundation to do more aggressive outreach and grant solicitation amongst HSIs so that more of them can improve their math and science programs to better educate Hispanic students?

Mr. WALSH. Mr. Chairman, I will be glad to work with the gentleman from Texas and his Congressional Hispanic Caucus to find ways to make the grant programs funded under this bill more accessible to HSI's and to encourage the National Science Foundation to work to increase the number of HSI's participating in its grant programs.

Mr. HINOJOSA. Mr. Chairman, I thank the gentleman from New York (Mr. WALSH); and I thank the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN).

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The CHAIRMAN pro tempore (Mr. FOLEY). The Clerk will read.

The Clerk read as follows:

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $121,169,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $52,308,000.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $4,000,000 or more or where funds for a project were made available in a previous major project appropriation, $183,180,000, to remain available until expended, of which not to exceed $20,000,000 shall be for costs associated with land acquisitions for national cemeteries in the vicinity of Sacramento, California; Pittsburgh, Pennsylvania; and Detroit, Michigan: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 2002, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2002; and (2) by the awarding of a construction contract by September 30, 2003: *Provided further*, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations any approved major construction project for which obligations are not incurred within the time limitations established under the preceeding proviso: *Provided further*, That no funds from any other account except the ''Parking revolving fund'', may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

FACILITY REHABILITATION FUND

For altering, improving, or rehabilitating facilities under the jurisdiction of the Department of Veterans Affairs, $300,000,000 to remain available until expended: *Provided*, That of the funds made available under this heading $30,000,000 shall be only for projects authorized pursuant to section 2(b)(5) of H.R. 811 as passed by the House of Representatives on March 27, 2001; and $270,000,000 shall be only for projects achieving the purposes authorized in sections 2(c)(1), (2), and (3) of H.R. 811 as passed by the House of Representatives on March 27, 2001: *Provided further*, That none of the funds under this heading may be used for the construction of a new building unless a credible assessment, approved by the Secretary, demonstrates new construction would be more cost-effective than rehabilitating the existing building.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102,

8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is less than $4,000,000, $178,900,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is less than $4,000,000, of which $25,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: *Provided,* That from amounts appropriated under this heading, additional amounts may be used for CARES activities upon notification of and approval by the Committees on Appropriations: *Provided further*, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

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

Mr. SMITH of New Jersey. Mr. Chairman, I rise in strong support of the HUD/VA Appropriation bill. I want to commend the chairman of the subcommittee Mr. WALSH and ranking democrat Alan Molhan on the funding levels provided for veterans programs by the bill.

This bill provides a 16 percent increase in funds for the Veterans Benefits Administration. VA Secretary Principi proposes to use these funds to hire and train 900 additional employees to address the increased workload in the disability and education claims areas. The increased workload is a result of an increased number of claims and legislative changes to the adjudication process. Addressing this backlog is an urgent task which the Secretary has attempted to confront in a very forthright and open manner.

But, frankly, I am deeply concerned and dismayed about the blatantly unfair criticism that blames him and the Bush administration for a situation that clearly was the result of policies and practices in place before he became VA Secretary. I share his concern about partisan attacks that hold him accountable because this backlog has not yet been resolved. I say to those who would make such criticisms that they cannot absolve themselves of some of the responsibility. Congress passed the Veterans Claims Assistance Act last year and that Act alone required the VA to review over 50,000 disability decisions to assure compliance with that act. In addition, the two previous VA Secretaries had substantial opportunities to make the claims process more timely and responsive to veterans, yet Secretary Principi faced a backlog of over 500,000 disability claims and 130,000 education claims when he took office. Sec. Principle is a good and honorable man who cares deeply about veterans. He is responsive and an outstanding leader. The criticism of him is unjustified, unfair and unwarranted.

As I noted, Mr. Chairman, this bill provides a 16 percent increase for the Veterans Benefits Administration. I cannot think of too many Departments that have seen a 16 percent increase in 1 year. I believe that this is probably as much money as could be productively used in fiscal year 2002. This budget is a very good one, but we should not assume that simply by increasing the budget these backlogs will disappear overnight. The VA is already hiring employees using funds they expect to receive in the supplemental appropriation bill. But it takes several years for an employee to obtain the requisite skills necessary to correctly decide a veteran's disability claim. While I expect we will see progress, there is no magic wand that will solve these matters overnight.

Mr. Chairman, on the health care side, the bill reported by the Committee on Appropriations, and again I want to thank the chairman and ranking member for their faithfulness to our veterans. This legislation provide a $300 million increase in funds to funding bill H.R. 811, which we passed earlier this year for medical facility rehabilitation projects. I want my colleagues to understand that even though we have not gotten Senate agreement yet on the Veterans Hospital Emergency Repair Act, H.R. 811, the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) are willing to fund this new authorization. I think they break some very important ground by their willingness to do this.

As the chief sponsor of H.R. 811, I can say that it is readily apparent that even though the VA may need to tear down or declare excess some of its aging facilities that are vacant and not needed to serve veterans in the future, there is an urgent need to renovate medical facilities throughout the country that will be serving veterans for the foreseeable future. Unfortunately, the proposed budget for VA facility repair and renovation has not come close to meeting the documented needs of a system with an estimated value of some $35 billion.

An independent study by Price Waterhouse suggested that with a system as valuable as this one, an annual investment of about $700 million to $1.4 billion would be ideal. Unfortunately, VA budget proposals in the past few years contained far less than this for capital renovation projects. The changes in medical practice and technology demand that facilities be modernized on a regular basis; and frankly we have ignored that need in VA health care facilities in the last few budgets.

That is why all Members should be aware of the provision in the bill pledging $300 million in capital construction funds to keep VA facilities and the care they deliver up to date. This is the problem we were attempting to address in H.R. 811 when we passed it earlier this year, and this appropriations language likewise addresses it as well. Again, I want to commend the gentleman from New York and all members of the committee for supporting this funding.

The reported bill also includes substantial increases in the budgets for state home construction grants, medical and prosthetic research, and the national cemetery system. Coupled with a projected increase in receipts from insurers, an increase of $1.2 billion over the 2001 level would be provided for medical care. As the Chairman of the Subcommittee is aware, the VA carried forward $1.3 billion from last year into the current fiscal year. In addition, health care receipts are about 25 percent higher this year than last year, so that a total of $800 million in additional funds of medical care attributable to these receipts is a realistic possibility.

Mr. Chairman, I believe it is also fair to mention the issue of VA managers diverting medical care funds in a manner that reached new heights late last year. Of the $20 billion in medical care funds provided for the current fiscal year, $6.2 billion was appropriated for three items. Those three items are pharmacy (drugs), Hepatitis C care, and long-term care. As we learned earlier this year from newly-confirmed VA Secretary Tony Principi, VA doesn't need all of this $6.2 billion, and plans to spend $750 million of it on other health care needs.

Given the VA's ability to reprogram sums as a large as this without any explanation or authorization, it seems to me we need to take a much closer look at how VA is spending its money and what it is currently requesting. One of the themes I've stressed since becoming Chairman is to hold VA officials accountable for the decisions they make and how they spend taxpayer dollars. Thus, I think a one billion dollar increase is defensible and generous if we're going to have officials requesting funds for one purpose and then spending it one something else altogether. In addition, I believe we will finally see the long-awaited improvement in medical collections of around $200 million in the current fiscal year, and that increase should carry over into fiscal year 2002.

All in all, I believe this is a very good bill for veterans, one that provides substantial increases where the funds will do the most good. Given the demands by millions of veterans for a high-quality affordable health care benefit, it is nearly impossible to say that higher appropriations for medical care are unnecessary. But they is a very good bill, and it keeps our pledge to maintain the quality for those veterans now enrolled with VA for their health care. Mr. Chairman, I urge all Members to vote for this bill.

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

Mr. Chairman, I wish to identify with the remarks of my colleague who just spoke, the distinguished chairman of the Committee on Veterans' Affairs,

and I wish to address the House in two capacities: one, as a friend of the veterans, as a veteran myself; and, two, in relationship to the amendment previously discussed by the gentleman from Florida (Mr. FOLEY).

The fact of the matter is I know of no better friends for the veterans of America than the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. WALSH). They both have very important roles to play, the gentleman from New Jersey as chairman of the Committee on Veterans' Affairs, the gentleman from New York, who is where the rubber meets the road, on the Committee on Appropriations.

We can do all the authorizing in the world, but it does not mean much unless you follow up with appropriations. The gentleman from New York, to his credit, time after time has been there for the veterans, time after time has put more money in the budget to address very real problems that must be solved if we are to fulfill our commitments to the men and women who have worn the uniform of the United States military.

I am very much aware of the delays in solving the claims processing crisis. Indeed it is a crisis. On several occasions I have spoken to the gentleman from New York about this. Others have, too. We have always received the same answer: ''We will be there when we are needed. Don't just judge us by our words. Judge us by our deeds.'' This budget includes $128 million, an 11 percent increase, for the Veterans Administration to address the claims processing problem. That deserves our praise and support.

Now, we can always do more, but the fact of the matter is we are doing more than what is adequate to address a very real, legitimate problem. But to suggest that we take from another very sensitive area, and this is where I put on my second hat, as chairman of the Committee on Science, to suggest that we take money away from the National Science Foundation, which even Ronald Reagan, in my early years on the Hill, wanted to double funding for over a 5-year period, because he was wise then and we are wise now; and the gentleman from New York (Mr. WALSH) is evidencing the wisdom of the Congress in providing additional funds for the National Science Foundation.

I do not need to remind my colleagues that we have been through a decade of unprecedented growth, quarter after quarter, year after year, growth in our economy. It is a little bit soft right now, a little bit shaky. People are concerned. I would suggest to my colleagues in the House that the way to continue to move forward, to make sure this economy keeps percolating is, one, to do what we have already done, cut taxes to get money back into the pockets of the American taxpayer, and so that they can help keep this economy humming, but secondly to invest in appropriate science, to invest in the basic research that is so essential for the continued prosperity in America. We did not get where we have been these past 10 years, quarter after quarter year after year of growth because we just wished for better things to happen. We got there because we invested in science, and science has rewarded us with unprecedented developments. The whole Internet economy, the whole telecommunications industry growth, these are things that are products of science.

So I would suggest that to acquire $25 million more for something that is already being addressed in a very substantial way, $128 million more in the Walsh bill, but to get that additional $25 million by taking $92 million and, boy, talk about fuzzy math, it is tough to understand and explain in this short time how that comes about, but to take $92 million away from the National Science Foundation is just not the thing to do. We can do what we should do in a responsible way, continuing to provide more funding for the National Science Foundation and do what the gentleman from New York (Mr. WALSH) is proposing, more funding, $128 million more to solve a very real problem, that is, the backlog in the claims processing for the men and women who have served our Nation so nobly.

I want to thank the gentleman from New York for his leadership. I want to thank the gentleman from New Jersey, the chairman of the Committee on Veterans' Affairs, for what he is continuing to do, to make certain everyone clearly understands that our veterans are uppermost in our minds. We have an obligation. We have a commitment. We are going to meet it.

Mr. MORAN of Kansas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to join my colleague from New Jersey, my chairman. I chair the Subcommittee on Health for the Committee on Veterans' Affairs. I too would like to commend the gentleman from New York and the ranking member of this committee for their support of veterans issues and particularly for improving the access veterans can have to health care across the country.

But I would also like to come here this afternoon and thank my chairman for working on another issue and it is one that is very important to a community of mine back home, Hutchinson, Kansas. Hutchinson is a community of just over 40,000 people. On January 17 of this year, the city experienced a series of explosions caused by natural gas that leaked into abandoned salt mines that migrated under the community. People in Hutchinson woke up that day to headlines and photographs demonstrating a major occurrence had occurred in this small town. Explosions rocked the community for the next 2 days, and fires continued to burn for the next 5 months. The explosions leveled two downtown buildings, destroyed homes, hundreds of people were forced to relocate, move their home and businesses, and tragically two people died as a result of injuries sustained from this occurrence.

Just 2 weeks ago, another gas explosion occurred causing more damage to the community, both physically and emotionally. Hutchinson has a long history of salt production, resulting in hundreds of abandoned mines underneath the city and the surrounding region. In order to ensure that no natural gas further escapes and ignition occurs from these mines, each must be located and properly capped to ensure safety.

Addressing this situation is vitally important to this community and its future. It is an important priority for our country. Even President Bush mentioned in his energy strategy this tragedy. I have requested assistance from the chairman. This is the first time I have come to the gentleman from New York asking for assistance in this manner. I was anticipating being intimidated by the gentleman. He met me with sympathy and empathy. I am very grateful for that kind of response. I appreciate the gentleman indicating his willingness to assist and provide support as this bill goes to a House-Senate conference.

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

Mr. MORAN of Kansas. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, just to briefly respond to the gentleman, I thank him for bringing this issue to my attention and to the attention of the committee. This catastrophic loss that occurred to his community, this devastating incident, seriously undermines public safety and economic activity in this city and the region. I know his concern is heartfelt. He has pressed this case before us. I will continue to work with the gentleman from Kansas during the conference to see what assistance we can provide to Hutchinson, Kansas. I thank him for his hard work on behalf of his community.

Mr. OLVER. Mr. Chairman, I move to strike the last word to engage in a colloquy with the gentleman from New York, the distinguished chairman of the Subcommittee on VA, HUD and Independent Agencies.

□ 1900

Mr. Chairman, to address the serious shortage of suitable housing for frail, low-income seniors, the fiscal year 2000 VA–HUD bill included authorizing language to provide a pilot program for up to three grants for the conversion of unused or underutilized commercial property into assisted living facilities for the elderly. Unfortunately, in that year the appropriation language did not allow HUD to issue a NOFA to implement the authorizing language.

In fiscal year 2001, the necessary appropriation language was included in the VA–HUD bill, and $7.5 million of Section 202 funds were made available to provide for the pilot program of

grants for the conversion of unused or underutilized commercial property into assisted living facilities. Yet, upon issuance of the NOFA, HUD rejected all applications for these grants.

Mr. Chairman, the bill before us today has again appropriated funds for the conversion of eligible assisted living projects. I am concerned that HUD will continue to ignore congressional mandates on this issue, and I would ask the chairman if he would work with me in conference to correct this problem so that we can expedite the previously authorized pilot program for the conversion of unused or underutilized commercial property into assisted living facilities for the elderly.

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

Mr. OLVER. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman for bringing this issue to our attention and for the amount of energy and thought he has put into this. We have discussed this at length, and I would be happy to work with the gentleman as the bill moves forward to address the issue prior to conference.

Mr. OLVER. Mr. Chairman, reclaiming my time, I appreciate the chairman's consideration.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with the distinguished chairman of the subcommittee. I want to commend the gentleman for the robust increases he has included in H.R. 2660 for veterans health care programs. I again want to reiterate to my colleagues that an increase of $1.2 billion for the VA's Medicare account will go a long way toward improving services for our veterans.

There is an area of particular interest to me I would like to discuss the with the distinguished chairman, and that is the success of Alzheimer's disease. I am proud to support a bill that will help to improve the treatment of veterans that suffer from this debilitating dementia.

As cochairman of the Congressional Alzheimer's Task Force, I am proud of the clinical research the VA has been conducting on Alzheimer's disease. As the chairman is aware, the VA has developed a very promising model to treat Alzheimer's patients at the Bedford, Massachusetts, VA facility. This model emphasizes a home-like setting, making patients feel comfortable, instead of subjecting them to painful and heroic medical interventions, and employs an interdisciplinary team of clinicians, dieticians and therapists. All reviews of the Bedford program have concluded that it provides better care than traditional long-term care approaches.

It is my hope that, with the additional resources contained in this bill, the VA will take concrete steps to examine successful Alzheimer's programs such as the Bedford VA model and look to expand this approach to other VA medical centers.

I will yield to the chairman on that issue.

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

Mr. SMITH of New Jersey. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, let me begin by thanking the distinguished chairman of the Committee on Veterans' Affairs for the passionate leadership that the gentleman provides on that committee for our veterans. He is always there to defend the interests of our veterans and to make sure we meet the commitments we made to our veterans.

I would also like to thank him for his interest and support in finding a cure for Alzheimer's disease. As the gentleman surely knows, nearly 600,000 veterans are estimated to be suffering from brain disease, dementia and related disorders such as Alzheimer's. I am in fact a member of the task force, and I share his commitment to helping patients and their families who are struggling with this condition.

As for the chairman's question, I believe that, yes, the VA should be carefully examining the Alzheimer's programs it manages, identifying promising models of care and then ensuring that successful models are implemented at other medical centers. In this manner, all of our veterans can receive the very latest treatment methods. Our veterans deserve nothing less.

Mr. SMITH of New Jersey. Mr. Chairman, reclaiming my time, I thank the distinguished chairman for his commitment to our Alzheimer's patients, particularly to those who happen to be veterans, the 600,000 that he mentioned.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected and $4,000,000 from the General Fund, both to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $100,000,000, to remain available until expended.

AMENDMENT NO. 17 OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. NADLER:

In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES'', after the first dollar amount insert the following: ''(increased by $4,806,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the aggregate dollar amount insert the following: ''(increased by $195,194,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the seventh dollar amount (relating to incremental vouchers), insert the following: ''(increased by $195,194,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the eighth dollar amount (relating to amounts made available on a fair share basis), insert the following: ''(increased by $144,762,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the ninth dollar amount (relating to amounts made available to nonelderly disabled families), insert the following: ''(increased by $50,432,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the aggregate dollar amount insert the following: ''(reduced by $200,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the second dollar amount (relating to the Downpayment Assistance Initiative) insert the following: ''(reduced by $200,000,000)''.

Mr. NADLER. Mr. Chairman, this amendment will provide an additional 34,000 Section 8 vouchers, 10,000 of which will be reserved for disabled families. In addition, the amendment would add almost $5 million to veterans' extended care facilities.

I wish we could offer an amendment for a greater number of new vouchers, because the need is so great. Unfortunately, with such severe cuts to so many important housing programs necessitated by the budget resolution we passed earlier this year, it is difficult to find an offset that would provide the funds necessary to do so. We must focus the scarce resources in this bill on the areas of greatest need.

Therefore, the amendment offsets the increase in funds for additional Section 8 vouchers and for the additional funding for veterans' extended care facilities by removing $200 million from the Down Payment Assistance Initiative which is an unauthorized part of the HOME program. By postponing appropriations for this initiative until it is actually authorized and until a number of concerns raised by local mayors regarding the structure of the program have been addressed, we will be able to use these funds immediately on chronically underfunded housing programs.

Mr. Chairman, the Down Payment Assistance Initiative is not only unauthorized, no committee hearings have been held on this initiative, it is unclear how the program will be administered, it is unclear that most low-income people would have sufficient income to be able to utilize the program, and, frankly, we should hold hearings and we should properly design and authorize this program, and then we will know how much to appropriate for it. Meanwhile, we can better use these funds on the chronically underfunded existing programs.

This bill makes dramatic and alarming cuts to next year's housing budget,

yet the need for housing assistance is staggering. By HUD's estimates, there are 5 million low-income families, almost 11 million people, who have worst-case housing needs; five million families who spend more than 50 percent of their income on rent or live in severely substandard housing. None of these 11 million people receive any housing assistance.

More importantly, there is not one local jurisdiction in the United States in which a full-time, full-time, minimum wage worker can afford the market rent for a one-bedroom apartment in his or her neighborhood. A study of 70 metropolitan areas showed that someone earning the minimum wage would have to work 100 hours a week to be able to afford the market rent in those areas.

What do we say to the working people of this country when they work endless hours, sacrificing time with their families, all in an effort to provide for their families, and they still cannot afford a decent place to live? We must not ignore these needs.

The Section 8 voucher program is one of the most effective and cost-efficient means of eliminating worst-case housing needs. 1.5 million families have been able to find affordable housing through the use of Section 8 vouchers. Rental assistance allows families to enter the private housing market and choose where they want to live. By reducing housing costs, these vouchers can free up funds within the budgets of low-income families for necessary expenses such as health and child care.

Unfortunately, the Section 8 program is severely underfunded. In New York City alone, there are nearly 200,000 people, 200,000 people, on the Section 8 waiting list. Nationwide, the average wait for those entering the Section 8 program is about 2 years; and in some places people have been on the waiting list for over 10 years.

Over the last 3 years, Congress has gradually increased Section 8 vouchers by too low an amount, but it has increased it by 50,000, 60,000, and 79,000 in the last 3 years respectively. But with a national waiting list of Section 8 vouchers being well over 1 million families today, these increases are drops in the bucket. This bill increases the number of Section 8 vouchers by only 34,000.

With so many people in need, it is not the time to reverse the progress of the last 3 years. To add only 34,000 vouchers this year is to actually cut the annual increase in vouchers by 46 percent.

This amendment will increase the housing certificate fund by $195 million to provide an additional 34,000 Section 8 vouchers, of which 10,000, as I said, will be targeted to the disabled. The remaining $4.8 million dollars in savings created by this amendment will be dedicated to the State Extended Care Facilities Program to finance the construction and renovation of veterans' nursing home and hospital care facilities.

I recognize, Mr. Chairman, that this amendment is a modest action, given the shortage of affordable housing, but it is necessary to help thousands of low-income families, while, at the same time, providing resources to improve home care facilities for our Nation's veterans. By increasing funding for programs targeted at a wide range of people, from those with disabilities, to veterans, to those working to make ends meet at low salaries, this amendment sends a message that all people are deserving of the dignity and stability of a decent home.

I urge all my colleagues to support it.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think this amendment is instructive because it shows how difficult it is to find additional funds in this to reorder the priorities in this bill.

The amendment would cut $200 million from funds that the President has asked us to provide to help low-income families to become homeowners.

Now we spend approximately $16 billion on Section 8 vouchers. We are actually looking at a program that will allow individuals to use those Section 8 housing vouchers to purchase a home. It is a pilot program. We believe that the American dream still exists, and the President has said not only should we try this pilot program with Section 8 vouchers for mortgages but we should provide $200 million to low-income families to help to make the initial down payment, that big chunk of money that we all know is necessary to plunk down before you can make a deal with a bank on the mortgage.

I cannot think of a better way, Mr. Chairman, to help families to move from welfare to work and from renting to owning. This is the President's major initiative in this bill, and I think we should honor it.

What the gentleman does is he proposes to take all of that money, all $200 million, and spend it in other areas of the bill. What he has proposed is to provide 34,000 additional Section 8 housing vouchers, and some 10,000 of those would go to disabilities.

I would submit that imitation is the highest form of flattery. That is exactly what we did in the bill. He is just doubling it.

But the problem with that is, while we have done our very best to provide new vouchers to help families in need of housing, we continue to see those funds go unused. None of the funds we provided for new housing vouchers in fiscal year 1999 or 2000 was actually used, and it is likely that this will be the case again this year, since HUD has not yet awarded the new vouchers that have been provided.

At the same time, public housing authorities continue to fail to use the vouchers they already have. On average, PHAs are providing fulfillment of only 93 percent of the vouchers that have been allocated. Consequently, huge amounts of money continue to go unspent. Last year, HUD recaptured over $1 billion in unused voucher funds, money that would have funded 171,000 vouchers.

So I cannot support, Mr. Chairman, taking these funds that will help poor families to buy their home, to get a piece of the rock, to get a piece of the American dream, to deny them that, by putting it into a program that HUD cannot possibly spend the money for.

What I urge is that we reject this amendment.

I submit for the RECORD a letter that I received in my capacity as chairman of the subcommittee from the Enterprise Foundation, the National Council of State Housing Agencies, the National League of Cities, the National Association of Counties, and the National Community Development Association supporting the HOME program and that $200 million presidential earmark.

JULY 26, 2001.

Hon. JAMES T. WALSH,
Chairman, Subcommittee on Veterans Affairs, HUD, and Independent Agencies, House Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The undersigned representatives of state and local governments and non-profit community development organizations thank you for increasing FY 2002 funding for the HOME Investment Partnerships (HOME) program to $2 billion in H.R. 2620, the FY 2002 VA/HUD appropriations bill. We strongly urge you to reject any House floor amendments to reduce HOME funding.

As you clearly recognize, HOME is one of the most important tools states and local governments have to respond flexibly to their unique and diverse affordable housing needs. HOME has consistently exceeded congressional expectations by assisting families with incomes below the HOME limits, leveraging significant public and private housing funds, and sparking innovative solutions to a wide array of housing challenges.

HOME's success in answering the nation's housing needs is limited by a single factor—inadequate funding. Though Congress authorized HOME at $2 billion when it created the program in 1990, Congress has never appropriated that amount. A HOME appropriation of $2 billion for the upcoming fiscal year is barely enough to compensate for the loss of purchasing power HOME has suffered since Congress first funded it nearly a decade ago.

We agree that a number of federal housing programs need more funding. HOME is one of the most deserving among them. Please insist on at least $2 billion in HOME funds in FY 2002.

Sincerely,

The Council of State Community Development Agencies.
The Enterprise Foundation.
The Local Initiatives Support Corporation.
The National Association of Local Housing Finance Agencies.
The National Council of State Housing Agencies.
The National League of Cities.
The National Association of Counties.
The National Community Development Association.

Mr. Chairman, I urge that Members reject the amendment.

□ 1915

The CHAIRMAN. Is there further debate on the pending amendment?

If not, the question is on the amendment offered by the gentleman from New York (Mr. NADLER).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. NADLER) will be postponed.

The Clerk will read.

The Clerk read as follows:

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, $25,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2002 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2002 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the ''Medical care'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2002 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2001.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2002 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2002, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2002, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2002, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. (a)(1) Section 1729B of title 38, United States Code, is repealed. Any balance as of the date of the enactment of this Act in the Department of Veterans Affairs Health Services Improvement Fund established under such section shall be transferred to the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code.

(2) The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1729B.

(b) Section 1729A(b) of such title is amended—

(1) by redesignating paragraph (7) as paragraph (9); and

(2) by inserting after paragraph (6) the following new paragraphs:

''(7) Section 8165(a) of this title.

''(8) Section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 38 U.S.C. 8111 note).''.

(c)(1) Section 1722A(c) of such title is amended—

(A) in the first sentence, by striking ''under subsection (a)'' and inserting ''under this section''; and

(B) by striking the second sentence.

(2) Section 8165(a)(1) of such title is amended by striking ''Department of Veterans Affairs Health Services Improvement Fund established under section 1729B of this title'' and inserting ''Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title''.

(3) Section 113(b) of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 38 U.S.C. 8111 note) is amended by striking ''Department of Veterans Affairs Health Services Improvement Fund established under section 1729B of title 38, United States Code, as added by section 202'' and inserting ''Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code''.

SEC. 109. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2002: *Provided*, That the Franchise Fund, established by title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2002.

SEC. 110. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 111. Funds available in any Department of Veterans Affairs appropriation for fiscal year 2002 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $28,555,000 for the Office of Resolution Management and $2,383,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, that amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read through line 25 of page 20, printed in the RECORD, and open to amendment at any point.

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

Mr. WALSH. Mr. Chairman, reserving the right to object.

The CHAIRMAN. The Chair will look to the manager for that unanimous consent request.

Mr. WALSH. Mr. Chairman, reserving the right to object, the ranking member of the authorizing committee has risen to offer an amendment, and we had had prior discussion, and I would suggest that remaining in regular order, I believe it would be the gentleman's opportunity to offer his amendment.

Mr. FILNER. Mr. Chairman, if the gentleman would yield, I thought that this would allow that to occur, and then all of the other ones at the end of title I.

Mr. WALSH. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Does the gentleman from New York make a unanimous consent request to open up the bill through page 20, line 25?

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the bill, page 20 through line 25, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT NO. 11 OFFERED BY MR. EVANS

Mr. EVANS. Mr. Chairman, I offer an Amendment No. 11.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. EVANS:

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

SEC. ____. None of the funds provided by this Act may be used for the purpose of implementing any administrative proposal that would require military retirees to make an ''irrevocable choice'' for any specified period of time between Department of Veterans Affairs or military health care under the new TRICARE for Life plan authorized in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public 106–398).

The CHAIRMAN. Is there objection to the consideration of this amendment at this point in the reading?

Mr. FILNER. Mr. Chairman, reserving the right to object, I had assumed that this was in title I, and there are about 6 or 7 amendments remaining in

title I that I assume the unanimous consent allowed to occur. Did the maker of the motion assume that?

The CHAIRMAN. Amendment 11 is drafted to the end of the bill.

Mr. FILNER. Okay. But other amendments to title I would be in order?

Mr. WALSH. Mr. Chairman, we have no objection to the gentleman offering his amendments at this time.

The CHAIRMAN. That is without prejudice to any other amendment in title I.

Mr. FILNER. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Illinois (Mr. EVANS) is recognized for 5 minutes in support of his amendment.

Mr. EVANS. Mr. Chairman, my amendment would prohibit the Department of Veterans' Affairs from expending appropriated funds for the purpose of implementing a proposal contained in President Bush's budget.

The budget proposal would require all military retirees, including the one-quarter million veterans currently enrolled for care in the VA, to choose between either the VA or the DOD as their exclusive health care provider. This proposal has incurred the justifiable anger of our military retirees, the military itself, and the veterans service organizations. I believe that retirees have earned their right to access health care benefits in both systems and should be given that right and choice.

Mr. Chairman, while it is my understanding that the legislation will be needed to enact my proposal, I wish to prohibit any efforts by the Department of Veterans' Affairs to begin implementation of it. Congress should have more time to fully assess the effects this legislation will have and its impact on the lives of former servicemen and women.

Military retirees have devoted their lives to serving our country. We will breach our commitment if we allow the VA and the Department of Defense to simply implement their proposal that eliminates veterans' choice of providers. The truth is that these two systems provide very different packages of services and military retirees have earned the right to both.

I hope every Member of Congress will agree that this proposal is worthy of approval, and I urge its approval. I want to thank the gentleman from New York (Mr. WALSH) and my chairman on the authorizing committee, the gentleman from New Jersey (Mr. SMITH), for getting this done. I appreciate it.

Mr. WALSH. Mr. Chairman, I rise in support of the amendment. We have no objection to the amendment. We support in theory what the administration is trying to do. Both the VA and DOD cannot adequately plan and budget for services when both of these departments do not know the number of people they are serving. However, there are very few details from either VA or DOD, nor have we heard explanations on the effects or restrictions of the proposed policy. So until DOD and the VA can present us with a complete, well-thought-out plan, I support the amendment of the ranking member of the Committee on Veterans Affairs.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word, and I rise in support of the gentleman's amendment and fully support it. I just wanted to express that. I appreciate the gentleman's contribution to veterans.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Illinois (Mr. EVANS), my good friend and ranking member on the Committee on Veterans' Affairs, to prohibit the use of funds in fiscal year 2002, to implement the administration's proposal that military retirees be required to make an irrevocable choice between military or VA health care for a defined period of years.

While we certainly want to encourage more efficient use of scarce Federal health resources, at this juncture, we simply do not have enough information about the potential impact of that specific proposal. I do not think either the VA or the Department of Defense is really prepared to deal with the implications of requiring this choice, and both health care systems are already experiencing considerable strain serving their beneficiaries. We need to understand the implications of this proposal much, much better.

Mr. Chairman, I commend the gentleman for his amendment, and I urge my colleagues to adopt it.

Ms. WOOLSEY. Mr. Chairman, I rise today in strong support of the Evans amendment. Forcing military retirees to choose between VA or DOD TRICARE is wrong.

Our country owes an enormous debt to the men and women who served in the Armed Forces.

It is because of their vigilance and dedication that we can enjoy the freedom that is cherished by every American.

In exchange for their service to our country, we promised them medical care for life. Without this amendment we will be taking a step backwards from this promise.

This issue is of the utmost importance to the military retirees in Marin and Sonoma counties.

Our community is fortunate to have the leadership of colonel Jack Potter, who works tirelessly to ensure that retired veterans have full access to both VA and DOD's TRICARE health care services.

Mr. Chairman, military retirees have earned their right to participate in both plans. If older retirees want to use tricare services for routine care, they should not then be forced to give up access to VA health care services.

The sixty-five thousand retired veterans in my district who are both medicare-eligible and enrolled in the VA Health Care System should not be the scapegoats for the Veterans' Administration's funding problems.

As colonel Potter points out, more than two-thirds of veterans who are enrolled in the VA health care system have disabilities.

If they want TRICARE for routine care, but are denied access to the VA's highly respected specialty care services, disabled veterans may not be able to get comparable care through other military or private health care systems.

Many will be referred back to the VA for this specialized care at their own expense—that's an unacceptable financial burden to place on these retirees.

Another important consideration for our older military retirees is access to no-cost services, such as hearing aids. These services will not be free under TRICARE.

As you can see Mr. Chairman, the plan proposed in the appropriations bill will cost our veterans more money for fewer medical care options.

I ask my colleagues to support the Evans amendment and correct the wrong that will be done to our deserving veterans.

The CHAIRMAN. Is there further debate on the amendment?

If not, the question is on the amendment offered by the gentleman from Illinois (Mr. EVANS).

The amendment was agreed to.

Mrs. KELLY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment of the gentleman from New York (Mr. NADLER) to strike $200 million for the down payment assistance initiative to mostly fund additional section 8 vouchers. This amendment would move this bill in the wrong direction and should be opposed, as it was. As a member of the Committee on Financial Services Subcommittee on Housing and Community Opportunity and a former home renovator, I have worked on these issues, and I believe this legislation as drafted by the gentleman from New York (Mr. WALSH), moves in the right direction.

First, this amendment cuts the President's new down-payment assistance initiative for getting more first-time home buyers into their own homes. I cannot understate the importance of this initiative. So many Americans lack the opportunity to purchase a new home and spend a large percentage of their income on monthly rent. That can be the right choice for some, but most families greatly benefit from the purchase of their own homes. A home helps them create wealth for their families and, in the form of equity, also invests them in the community. In short, we help the families rise on the economic ladder and build stronger communities in the process. It is truly the American dream to own one's own home, a dream we have to help make a reality for families who currently lack that opportunity.

Second, this amendment designates funding for additional section 8 vouchers. This would be in addition to the 34,000 new vouchers this bill already provides. What I find interesting about this amendment is that the Democrat-controlled Senate provides half of that, 17,000 new section 8 vouchers. Why? In

the report that accompanies the Senate bill, they stated, ''The reduction from the administration's request reflects the concerns of the committee that vouchers do not always provide the best opportunities for low-income families to obtain affordable housing.''

Perhaps our esteemed colleagues in the Senate know about the problems housing authorities have had in distributing section 8 vouchers.

In my home county of Westchester, New York, we have 13,207 people on the section 8 waiting list, yet the county and communities are not able to use all of their section 8 vouchers because of a combination of lack of available housing units and the inability of section 8 vouchers to cover the fair market rent for the area.

I cannot help but feel frustrated by this problem. Here we have a program in place with extra vouchers to assist families; here we have a very long list of families who have applied for this assistance, yet they are unable to use them because they are priced out of the market. Unfortunately, the solution to this problem is not to add more vouchers. That solution will only come with more and new and affordable housing coming on to the market.

In short, the legislation takes an important step in the right direction addressing the current affordable housing crisis in our Nation. Unfortunately, the Nadler amendment would have reversed these positive initiatives to add funding to an area where it cannot be used. I have urged my colleagues to join me in voting against the Nadler amendment.

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of title I, add the following new section:

SEC. ____. (a) MEDICAL CARE.—In addition to amounts appropriated or otherwise made available for the Department of Veterans Affairs elsewhere in this Act, there is hereby appropriated $30,000,000 for ''Medical Care'' for health care benefits for Filipino World War II veterans who were excluded from benefits by the Rescissions Acts of 1946.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. FILNER. Mr. Chairman, I make this amendment which is embodied in bipartisan legislation by a large group of Members of this body, including the gentleman from New York (Mr. GILMAN), who wrote the maiden legislation; the gentleman from California (Mr. CUNNINGHAM), who has been a strong supporter of this legislation; the gentleman from Virginia (Mr. SCOTT), who is with us today; and the gentlewoman from Hawaii (Mrs. MINK), who spoke earlier; and the gentlewoman from California (Ms. PELOSI); the gentlewoman from California (Ms. MILLENDER-MCDONALD); the gentleman from California (Mr. FARR); and others who have contributed to this legislation.

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Mr. Chairman, 55 years ago this Congress committed a terrible injustice. After World War II, after the victory that occurred, of course first in Europe and then in the Pacific, those who were drafted into the U.S. Army from our Philippines protectorate were unceremoniously deprived of the benefits that were promised and earned as veterans of the United States. In 1946 the then Congress rescinded all the benefits that had accrued to our Filipine allies.

There was no doubt of the contributions that the Filipinos made. Side by side with Americans, they held onto the Philippines and held up the Japanese advance for many, many, many months beyond what the Japanese had expected, and thus allowed the United States, at a terrible time in 1941, to prepare for the war.

These Filipinos fought at Bataan, where their resistance took many, many months. When they were finally captured, Americans and Filipinos were led on the famous death march, where hundreds and hundreds died on the march and later in the prison camps in which they were held.

They fought bravely at Corregidor, and again the Japanese were held up much longer than they had expected before they conquered the Philippines. Along with Americans who were in the Philippines, their guerrilla forces harassed for many, many months until MacArthur was able to return. When MacArthur returned and landed at Leyte and then was able eventually, of course, to defeat the Japanese, he attributed a good part of his victory to his Filipino allies.

President Roosevelt had drafted all the units of the Philippine Army, all of the members of the Commonwealth Army, all of the so-called scouts, the Old Scouts, New Scouts, all of the guerrilla units into the American Armed Forces. The implication was that they would be treated as American soldiers, and therefore, American veterans. But after the war was over, the Philippines did achieve independence and this Congress said, ''Thank you, but no thank you. Your new government can take care of you, and everything we promised, we rescind.''

I thought that was a terrible injustice, Mr. Chairman. The injustice burns very deeply into the remaining veterans who are alive, barely 75,000 from over a quarter of a million or 300,000 who had fought in the war. They are in their seventies and eighties. What they want most before they die is the dignity and honor that would come from being American veterans.

This amendment I have before us is a step toward that where we provide them a very modest sum of money, $30 million, to be eligible for health care benefits, as any other U.S. veteran. I think this is the least of what we can do for these allies who did so much for us in World War II.

Mr. Chairman, because this has not been accepted earlier in authorization, I designate this as an emergency because it is an emergency. It is an emergency because our morality as a nation needs to be corrected, but more important, these gentlemen are about to die. Let us reward these folks finally with the honor and dignity that they deserve as our allies in World War II.

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

Mr. GILMAN. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from California (Mr. FILNER) to add $30 million in health care benefits to a group of veterans who are in desperate need of our assistance.

Filipino veterans who fought by our side in World War II have never received fair and adequate veteran benefits because of the Congressional Rescission Act of 1946.

I have long been an advocate of assisting our Filipino veterans. For the past several Congresses, along with the distinguished gentleman from California (Mr. FILNER), we have introduced legislation to amend title 38 of the U.S. Code in order to provide that the persons considered to be members of the Philippine Commonwealth Army veterans and members of the Special Philippine Scouts, by reason of their service with the Armed Forces during World War II, should be eligible for full veterans' benefits.

Mr. Chairman, on July 26, 1941, President Roosevelt issued a military order, pursuant to the Philippines Independence Act of 1934, calling members in the Philippine Commonwealth Army into the service of the United States Armed Forces of the Far East under the command of Lieutenant General Douglas MacArthur.

For almost 4 years, over 100,000 Filipinos of the Philippine Commonwealth Army fought alongside the Allies to reclaim the Philippine islands from Japan. Regrettably, in return, Congress enacted the Rescission Act of 1946. That measure limited veterans' eligibility for service-connected disabilities and death compensation, and also denied the members of the Philippine Commonwealth Army the honor they deserved for being recognized as veterans of the United States Armed Forces.

A second group of veterans, the Special Philippine Scouts, called New Scouts, who enlisted in the U.S. Armed Forces after October 6, 1945 primarily to perform occupation duty in the Pacific, were similarly excluded from benefits.

These members of the Philippine Commonwealth Army and the Special

Philippine Scouts served just as courageously as their American counterparts during the Pacific War in World War II. Their contributions helped to disrupt the initial Japanese offensive timetable in 1942 at a point when the Japanese were expanding their aggression unchecked throughout the western Pacific.

This delay in the Japanese plans helped to buy valuable time for the scattered Allied forces to regroup, to reorganize and prepare for checking the Japanese advance in the battles of the Coral Sea and Midway.

Many have forgotten how dark those days before that victory at Midway really were. Their actions also earned the Philippine soldiers the wrath of their Japanese captors. As a result, many of the Filipinos joined their American counterparts in the Bataan Death March, suffering inhumane treatment which redefined the limits of human depravity.

During the next 2 years, Philippine Scout units operating from mobile, isolated bases in the rural interior of the Philippine Islands conducted an ongoing campaign of guerilla warfare, tying down precious Japanese resources and manpower.

In 1944, Philippine forces provided invaluable assistance in the liberation of the Philippine Islands, which in turn became an important base for taking the war to the Japanese homeland. Without the assistance of these Philippine units and guerilla forces, the liberation of the Philippine Islands would have taken much longer and been far more costly in lives than it actually was.

In a letter to the Congress dated May 16, 1946, President Harry Truman wrote, ''The Philippine Army veterans are nationals of the United States and will continue in that status after July 4, 1946. They fought under the American flag and under the direction of our military leaders. They fought with gallantry and courage under the most difficult conditions during the recent conflict. They were commissioned by the United States. Their official organization, the Army of the Philippine Commonwealth, was taken into the Armed Forces of the United States on July 26, 1941. That order has never been revoked and amended. I consider it a moral obligation of the United States to look after the welfare of the Philippine veterans.''

Mr. Chairman, I believe it is time for us to correct this injustice to provide the members of the Philippine Commonwealth Army and the Special Philippine Scouts with the benefits of the services they valiantly earned during their service in World War II.

These veterans are well into the twilight years of their lives. It is long past time for our Nation to pay meaningful acknowledgment to their valuable contribution to the cause of freedom and democracy in the Second World War.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California (Mr. FILNER) to restore some measure of health benefits to Filipino veterans who fought in World War II. This amendment would simply provide $30 million in health care benefits through the VA system for those veterans who honorably served our country.

On July 26, 1941, President Roosevelt issued a military order calling members of the Philippine Commonwealth Army into service. For nearly 4 years, over 100,000 Filipinos of the Philippine Commonwealth army fought alongside the allies to reclaim the Philippine Islands from Japan.

A second group, the Special Philippine Scouts, enlisted after October 6, 1945. Despite their valiant service, Congress enacted the 1946 Rescission Act to limit their veteran benefits.

Mr. Chairman, this amendment would be a small step towards ensuring Filipino veterans receive benefits just like other veterans who served in World War II. For fundamental fairness, I urge the adoption of the amendment, and want to thank the gentleman from California (Mr. FILNER) and the gentleman from New York (Mr. GILMAN) for their leadership.

Mr. WALSH. Mr. Chairman, I continue to reserve my point of order.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would say, Mubulhi Ag Filipinos, and to Filipinos, mama haline keta Hunggung Wacus.

To the Filipinos I say, I will love you until the end of Earth.

I was stationed in the Philippines for many years, and I lived and almost died with them in Vietnam. I want to tell the Members, there is no more loyal group to the United States than the Filipinos.

I have never met a Filipino that turned his or her back on the United States or a friend, but I think this country has turned its back for too long on those people that fought and died for Americans.

General MacArthur said, ''I shall return.'' The Filipinos never left. They gave their todays for many, American lives. They fought and they died.

Many have seen the old John Wayne movies. They say, ''It was just a movie,'' but it depicted the lives and the sacrifices of Filipinos at Corregidor, Manila, Bagio City. Places like that, and the Bataan Death March, ring in our ears and our history, but yet, Filipinos lived and died in those issues, in those battles.

I served with thousands of Filipinos in the Navy that served on Navy ships. They served for 20 years just so that they could become American citizens. We have turned our back on them for 60 years with their sacrifices, what they have given to this country. They have never forgotten.

I think the gentleman from New York said, how many are left today? Not very many. Yet, we promised them as veterans, as freedom fighters, veterans' benefits. They have been turned down.

So I thank the gentleman from California (Mr. FILNER) and the gentleman from New York (Mr. GILMAN) and the gentlewoman from California (Ms. PELOSI), and people who support this issue.

Members will not see very many Filipinos on welfare. Instead, we will see their children at our universities, because if we go into the Filipino community we will see them honor God and country and hard work, and the family values that all of us cherish. But they live it every single day, not only as citizens here, but as citizens in the Philippines, as well.

The Navy right now, as a matter of fact, is short sailors. During a period of time, they were our most loyal sailors. I have a bill coming forward that says we ought to reinstitute that program to have Filipinos serve, so they could become American citizens, just like in the past.

I want to tell the Members, in San Diego, the last American flag to fly over the Philippine Islands before it fell, the gentleman from California (Mr. HUNTER) has it in his office. That flag, at great risk to a Filipino, when the Japanese tore it down in Bagio City, he wrapped it up in a piece of canvas and saved it for the end of the war, because it was of value to freedom. We should value those same traditions.

Today the President of the United States recognized thousands of Filipinos at the White House today for their 60 years of service as veterans. If we recognize that value, if we take a look and have a resolution to that from the President of the United States, from the Department of Veterans Affairs, Secretary Principi, then it should be recognized that they deserve the benefits due to veterans.

We are asking only for justice, what we say we all stand for in this body.

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Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not use the full 5 minutes, but I did want to rise to associate myself with the comments of our colleagues who have spoken before on behalf of the Filner amendment to restore health care benefits to Filipino war vets, and I thank my colleague for his leadership in offering this amendment and his leadership over the years on behalf of Filipino vets. He has done more than anyone, and any of us who care about the Filipino vets and the commitment our country has made to them are deeply in his debt.

As my colleagues have mentioned, for 4 years during World War II more than 100,000 Filipinos fought alongside the Allied Forces to free the Philippines from Japanese occupation. Drafted into the service in 1941 by order of President Roosevelt, these historic soldiers served under the command of Lieutenant General Douglas

MacArthur, fighting valiantly to recapture the Philippines and playing a key role in the allied victory in the Pacific.

Our Nation has not given these veterans the honor and respect they deserve at the hands of our country. In 1946, Congress denied benefits to these veterans and to another group of special Filipino Scouts who enlisted in the U.S. Armed Forces after October 6, 1945. Although these brave soldiers, and many of their fellow soldiers, gave up their lives for freedom, our country denied them the recognition and benefits accorded to other servicemen and women in the Armed Forces. It took us 50 years to give the Filipino Scouts the promised citizenship.

Mr. Chairman, many of us in our communities and all of us in our country are very blessed with a great Filipino-American community. In spite of the fact that we have not honored our commitment to them, they have blessed our country with their commitment to family values, with their commitment to the work ethic, and with their very, very staunch patriotism.

This amendment would make $30 million available to provide Filipino veterans with the same health care benefits received by other World War II vets. These World War II Philippine veterans are elderly now, their numbers are dwindling. A number of them are suffering from health problems. We are running out of time. It is time to right this wrong and give the Filipino vets the recognition they deserve in their twilight years.

I urge my colleagues to support the Filner amendment on health benefits for Filipino vets. It is the least we can do, Mr. Chairman.

Ms. MILLENDER-McDONALD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand to first commend my friend and my fellow Californian for his tenacious leadership in keeping this front and center, this issue that is really an unfair issue, and that is giving due diligence to the Filipino veterans who served admirably in World War II.

So with that, Mr. Chairman, I simply rise in strong support of the Filner amendment to H.R. 2620, the VA-HUD appropriations bill. This amendment would appropriate $30 million for medical care and general health care benefits for Filipino World War II veterans.

I have perhaps the largest concentration of Filipino citizens in my district in the city of Carson, and I tell my colleagues that they are constantly crying and pleading for fairness to be done and say this amendment will begin to correct a wrong visited upon the Filipino veterans who served alongside the U.S. forces during World War II.

Our agreement or even disagreement with the current policy and economic pressures should never diminish our love and profound respect for the men and women who chose duty over personal safety and went into the battle-torn areas carrying our flag. We should have resources to take care of those Filipino veterans who have sacrificed on behalf of our Nation.

This amendment simply addresses the health care needs for a forgotten group of veterans, namely the Filipino veterans. These loyal and valiant men fought, suffered, and, in many instances, died in the same manner and under the same commander as other members of the United States Armed Forces during World War II. Their services to the Nation parallels others whose efforts and service have not been recognized or compensated.

We cannot forget the valiant and valuable services performed by the Filipino veterans. The Filner amendment will appropriate $30 million for the health care benefits for these veterans of World War II who were excluded from benefits by the Rescissions Act of 1946. As we continue to address the needs of our Nation's veterans, we should heed the word of President Lincoln who called on all Americans ''to care for him who shall have borne the battle.''

I urge my colleagues to support this amendment and adhere to President Lincoln's call.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Chairman, I do.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, and as such constitutes legislation in violation of clause 2, rule XXI.

I ask for a ruling of the Chair.

The CHAIRMAN. Does anyone else wish to be heard on the point of order?

Mr. FILNER. Mr. Chairman, I do. I understand the Chairman's reservation. He gives the impression that anything that constitutes legislation or emergency is somehow beyond the rules of this House, and yet in this bill there are dozens, I would think, maybe hundreds, I do not know, nobody can tell me, of provisions that are not authorized in legislation. In fact, we have a $1.3 billion emergency designation in the bill.

So to make the point that this is legislation and it is emergency, we all agree, but this has been done in this bill, in this Congress, many, many, many, many times for billions and billions and billions of dollars. I would just ask, on behalf of the 60,000 Filipino veterans that are left alive, that the gentleman does not insist on the point of order.

The CHAIRMAN. Does anyone else wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985. Based on similar rulings—for example, on June 19, 2000—the amendment constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 3 OFFERED BY MR. KLECZKA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KLECZKA:

At the end of title I, insert the following new section:

SEC. ____. (a) AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS PHARMACIES TO DISPENSE MEDICATIONS TO VETERANS ON PRESCRIPTIONS WRITTEN BY PRIVATE PRACTITIONERS.—Subsection (d) of section 1712 of title 38, United States Code, is amended to read as follows:

''(d) Subject to section 1722A of this title, the Secretary shall furnish to a veteran such drugs and medicines as may be ordered on prescription of a duly licensed physician in the treatment of any illness or injury of the veteran.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended by striking the sixth through ninth words.

(2) The item relating to that section in the table of sections at the beginning of chapter 17 of that title is amended by striking the sixth through ninth words.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from New York reserves a point of order.

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

Mr. KLECZKA. Mr. Chairman, I appreciate the chairman of the committee giving me time to explain the amendment, although I do recognize that a point of order does lay against this proposal.

The amendment I offer to the bill would improve veterans' access to prescription drugs by permitting the Veterans Administration to accept the prescriptions written by a veteran's family doctor.

As my colleagues listen to this explanation, they might say, gosh, this is common sense. Why is this not being changed today? Well, the current law mandates that the veteran who is going to get a prescription from the VA has to see his primary doctor. In its wisdom a few years ago, Congress permitted nonservice connected disability veterans access to medical care, specifically the drug benefit. However, because of this law, veterans are having to wait 9 months to a year before they can see a Veterans Administration doctor. And once they wait that long, naturally, they have to still go to their local pharmacy and pay the full price for their drugs. But once they finally get through the waiting process, the doctor at the VA will examine the veteran and, for the most part, come to

the same conclusion that the veteran's family physician came to, and then they get whatever drug is being prescribed.

Well, not only are the veterans being inconvenienced by the long wait, but also the examination by the veteran's physician costs money. It is estimated that each visit to the primary VA doctor, which is duplicative at best, costs about $254. In fact, many times the cost to the veteran's hospital for the VA physician visit is more than the drugs being given to the veteran.

The Inspector General testified before a Senate committee on July 24 of this year, and he indicated their recommendation was that this process should be streamlined. They recommended that the VA seek a statutory change authorizing the VA to fill prescriptions written by a veteran's family doctor.

The thing that is very important to note is Members here, care, that IG indicated this change would save some $1.3 billion. Now, that cost savings can be plowed back into the veterans' health care and buy a lot of health care and clearly a lot of pharmaceutical drugs for veterans.

So, Mr. Chairman, I would hope that the chairman of the subcommittee would drop his request for the point of order. It clearly is appropriate to the bill, especially in light of the fact that this amendment would save the VA budget some $1.3 billion.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Chairman, I do.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and, therefore, violates clause 2 rule XXI. The rule states in part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

This amendment directly amends existing law, and I would ask for a ruling of the Chair.

The CHAIRMAN. Does anyone wish to be heard on the point of order?

Mr. KLECZKA. Mr. Chairman, I do, and in closing and in response to the point of order being raised by the gentleman from New York, I cannot dispute that. In part there is legislating contained in this amendment. But in large part, and I think the gentleman would agree, if in fact the IG is even close to the mark, saving $1.3 billion in the legislation that the gentleman from New York and the gentleman from West Virginia took so much time to put together, and did such a great job on, would come in handy for providing payment for these prescription drugs that these veterans are getting.

But I think the gentleman is accurate in his assessment, and I ask the Chair to rule.

The CHAIRMAN. The Chair will rule.

The Chair finds that this amendment directly amends existing law. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman from California (Mr. FILNER) may offer his remaining four amendments to this title en bloc, may debate them for 16 minutes, equally divided, and I retain rights to reserve points of order on this en bloc amendment.

The CHAIRMAN. The Chair would ask the gentleman from New York to give the Chair a better explanation of the time division.

Mr. WALSH. Mr. Chairman, the idea is to provide each side with 8 minutes to discuss these four amendments en bloc. The gentleman from California (Mr. FILNER) and I have discussed this, and I believe he finds it acceptable.

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

There was no objection.

The CHAIRMAN. There will be 16 minutes for the Filner amendments en bloc, equally divided 8 minutes per side, and all amendments thereto.

AMENDMENTS NO. 1, 2, 4, AND 5 OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer amendments No. 1, 2, 4, and 5.

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The CHAIRMAN. The Clerk will designate the amendments:

The text of the amendments is as follows:

Amendments numbered 1, 2, 4 and 5 offered by Mr. FILNER:

AMENDMENT NO. 1

At the end of title I, add the following new section:

SEC. ____. (a) MEDICAL CARE.—In addition to amounts appropriated or otherwise made available for the Department of Veterans Affairs elsewhere in this Act, there is hereby appropriated $1,700,000,000 for ''Medical Care''.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AMENDMENT NO. 2

At the end of title I, add the following new section:

SEC. ____. (a) COMPENSATION AND PENSIONS.—In addition to amounts appropriated or otherwise made available for the Department of Veterans Affairs elsewhere in this Act, there is hereby appropriated $3,000,000 for ''Compensation and Pensions'', to be available only to establish a presumption of service-connection for the occurrence of Hepatitis C in veterans who were exposed to Hepatitis C risk factors during active military, naval, or air service.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AMENDMENT NO. 4

At the end of title I, add the following new section:

SEC. ____. (a) MEDICAL RESEARCH.—In addition to amounts appropriated or otherwise made available for the Department of Veterans Affairs elsewhere in this Act, there is hereby appropriated $24,000,000 for ''Medical Research''.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AMENDMENT NO. 5

At the end of title I, add the following new section:

SEC. ____. (a) READJUSTMENT BENEFITS.—In addition to amounts appropriated or otherwise made available for the Department of Veterans Affairs elsewhere in this Act, there is hereby appropriated $871,700,000 for ''Readjustment Benefits''. The provisions of H.R. 320 of the 107th Congress, as introduced, are hereby enacted into law, and the amount provided by this section shall be available only for the purpose of increases in benefits in the Montgomery GI Bill program made by those provisions.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the en bloc amendments.

The CHAIRMAN. A point of order is reserved against the en bloc amendments.

The gentleman from California (Mr. FILNER) is recognized for 8 minutes.

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

Mr. Chairman, I have a series of amendments with regard to the Veterans Administration budget.

The chairman of the subcommittee and the ranking member know that all of the Members of this body hold the view that their commitment to veterans cannot be challenged, nor can the commitment of our chair and ranking members of the authorizing committee.

Yet because of the budget situation we are in and notwithstanding improvements to the veterans budget over the last couple of years, the veterans budget is still grossly underfunded. As we like to say on the Democratic side at the Veterans Committee, we do not have a surplus unless we have paid our bills. We have not paid our bills to our Nation's veterans. We have not kept our commitment. We have not honored our contract.

My amendments try to put the money that would indicate our commitment back into this budget. I have the money designated as an emergency because, under the rules of House, otherwise I would have to take offsets to those agencies within this particular bill. I do not want to play off housing or environment or science against the needs of our veterans.

I will state that there is an emergency out there, Mr. Chairman. We have veterans who are waiting months and months and months, sometimes

years for the adjudication of their claims. We have veterans waiting 5, 6, 8 months to see a doctor. We have veterans with hepatitis C, recently diagnosed, having emerged after 20 years, a fatal disease that we do not have sufficient understanding of or resources to treat.

We are condemning our veterans to die. We have not figured out how to provide long-range care. We have not done what we should have for the homeless veterans, 500,000 of whom are on the street tonight. We do not put sufficient money into medical research. Eleven or 12 years after the Gulf War, we do not have any understanding of or treatment for Persian Gulf War illness. Hundreds of thousands of veterans are suffering from that.

Mr. Chairman, we have the resources in our society to say to those who are under the GI bill for education, let us make that GI bill really effective.

Mr. Principi, who is now the Veterans Administration Secretary, wrote a report before he became Secretary when he was chairman of the so-called Transition Commission; and he proposed that the Montgomery GI bill for education fully fund education, tuition and fees at college, plus books, plus expenses, plus a stipend of roughly $1,000 a month. That would make that benefit real. That would give the veterans what they earned, and that would be a great recruitment tool for our forces.

Yet, what do we do now? We give a $500 or $600 a month stipend. Most veterans cannot use that because it is insufficient. So I am asking in my amendments for what we just owe our veterans and what we have the money for.

Our budget is based on the fact that we just passed the tax cut this year of about $2 trillion over the next decade. That leaves us without paying our debt to our veterans.

How do I know how much money is needed? The Chair of the committee is often saying, no matter what money we give, everybody wants more. I will tell my colleagues, all the veterans' service organizations of our country got together and produced something called the independent budget. It is a very analytical and professional job. It does not just say, give me more money because I am a veteran. It says, put in this much money to the veterans' benefit administration so we can reduce the waiting times for adjudication to 30 days. It says, put in the amount of money we need so we do not have to wait 6 months for doctors. It says, put in the money for research so we can deal with Persian Gulf War illness and we can deal with post-traumatic stress syndrome.

The veterans know what we need and we know we are not giving it to them, Mr. Chairman. We had on the floor earlier statements from the committee and from the authorizing committee that says we are doing everything we can for our veterans. I would challenge those colleagues to go with me to any town meeting anywhere in America and say to our veterans, we are doing what we should be doing for you. They would not be given a very good reception.

Mr. Chairman, I ask for an additional $1.7 billion for the health care of our veterans. The billion dollars that the Chair refers to that increased this year does not even keep up with inflation. We have got to at least keep up with inflation and move forward on a whole variety of efforts.

I have asked for money to make sure that veterans who are exposed to hepatitis C, probably a fatal disease, get the treatment and care that they need. I have asked that we fully fund the Montgomery GI bill at the level that is asked for in legislation that the gentleman from Illinois (Mr. EVANS) has introduced. I ask for research money to make sure that the VA, which has been in the forefront of research on a whole variety of things, a national resource that has been kept us and this Nation in the forefront of medical research.

We can keep those efforts in an excellent capacity. We can give the veterans the benefits they deserve. As our veterans are older, long-term care becomes more important. The aging of our population requires more resources and a different kind of attention.

And whether we are talking about the Persian Gulf illnesses, PTSD, Parkinson's disease, mental health illnesses, spinal cord injuries or heart disease, these are areas where we can give our veterans the treatment and care and attention they deserve.

So if we are to keep the promises that we made to our Nation's veterans, we should provide a budget that will address these needs.

Mr. Chairman, I urge my colleagues to support these amendments, to allow the designation of an emergency, to really show the veterans, the country which has produced this incredible surplus, they gave us this country and we owe it to them.

I know my colleague will ask for a point of order based on the fact that these are emergency designations. Come on, let us treat our veterans as real colleagues. Let us say it is an emergency. Let us give them the attention they need.

Mr. FILNER. Mr. Chairman, I rise in support of my colleague's amendment which would restore the purchasing power of the GI bill.

I was encouraged earlier this session by the House's passage of H.R. 1291, the 21st Century Montgomery GI Bill Enhancement Act, which provided a modest and much needed increase to the GI bill's monthly benefits.

At a time when drastic tax cuts have overshadowed our nation's priorities, it was refreshing that the House took up legislation that improved education benefits for service men and women.

Educational benefits are the military's best recruiting tool, and the GI bill must be modernized to meet today's demands.

However, while this measure provides a stronger education package to the men and women who choose to serve our country in uniform, I regret that we could not have achieved more.

Ultimately, unfortunately, the cost of this legislation was considered too prohibitive after the Administrations $1.35 billion tax cut.

Tax cuts precluded Mr. EVANS the ranking member, from offering his amendment during subcommittee mark-up of H.R. 1291, which was abruptly canceled.

H.R. 320, the Montgomery GI Bill Improvements Act, which Mr. EVANS intended to offer as an amendment, would have significantly improved educational benefits for veterans by covering the full cost of tuition, fees, books and supplies as well as provide a subsistence allowance for those who enlist or reenlist for four years.

Mr. FILNER's amendment mirrors the objectives of H.R. 320 and would give the Montgomery GI bill a much needed boost and move us closer to offering a competitive education package for the men and women who served our country with their military service.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. WALSH. Mr. Chairman, I insist on my point of order.

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

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

This amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and, as such, constitutes legislation in violation of clause 2 of rule XXI, and I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. FILNER. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentleman from California (Mr. FILNER) is recognized.

Mr. FILNER. Mr. Chairman, I understand the technical basis for the point of order. I know the commitment that the Chair has for veterans, and I ask the gentleman to see beyond the technicalities. The gentleman knows his bill contains legislation that has not come before this House. He knows his bill contains emergency funds.

Mr. Chairman, this is not asking for any radical kind of move for this House. This is asking to make the commitment to our Nation's veterans that we have in our budget, the ability to do.

The CHAIRMAN. The Chair is prepared to rule.

The Chair finds that the amendment en bloc includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 in each constituent part of the amendment en bloc.

Based on a ruling of the Chair on June 19, 2000, on a similar amendment, the amendment en bloc constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For activities and assistance to prevent the involuntary displacement of low-income families, the elderly and the disabled because of the loss of affordable housing stock, expiration of subsidy contracts (other than contracts for which amounts are provided under another heading in this Act) or expiration of use restrictions, or other changes in housing assistance arrangements, and for other purposes, $16,334,242,000, of which $640,000,000 shall be from unobligated balances from amounts recaptured from fiscal year 2000 and prior years pursuant to a reduction in the amounts provided for Annual Contributions Contract Reserve Accounts, and amounts that are recaptured in this account to remain available until expended: *Provided*, That not later than October 1, 2001, the Department of Housing and Urban Development shall reduce from sixty days to thirty days the amount of reserve funds made available to public housing authorities: *Provided further*, That of the total amount provided under this heading, $16,125,241,000, of which $11,285,241,000 and the aforementioned recaptures shall be available on October 1, 2001 and $4,200,000,000 shall be available on October 1, 2002, shall be for assistance under the United States Housing Act of 1937, as amended (''the Act'' herein) (42 U.S.C. 1437): *Provided further*, That the foregoing amounts shall be for use in connection with expiring or terminating section 8 subsidy contracts, for amendments to section 8 subsidy contracts, for enhanced vouchers (including amendments and renewals) under any provision of law authorizing such assistance under section 8(t) of the Act (47 U.S.C. 1437f(t)), contract administrators, and contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act: *Provided further*, That amounts available under the first proviso under this heading shall be available for section 8 rental assistance under the Act: (1) for the relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134; Stat. 1321–269); (2) for the conversion of section 23 projects to assistance under section 8; (3) for funds to carry out the family unification program; (4) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency; (5) for tenant protection assistance, including replacement and relocation assistance; and (6) for the 1-year renewal of section 8 contracts for units in a project that is subject to an approved plan of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990: *Provided further*, That of the total amount provided under this heading, no less than $11,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That of the total amount provided under this heading, up to $197,246,000 shall be made available for incremental vouchers under section 8 of the Act, of which $157,334,000 shall be made available on a fair share basis to those public housing agencies that have a 97 percent occupancy rate; and of which $39,912,000 shall be made available to nonelderly disabled families affected by the designation of a public housing development under section 7 of the Act, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992 (42 U.S.C. 13611), or the restriction of occupancy to elderly families in accordance with section 658 of such Act (42 U.S.C. 13618), and to the extent the Secretary determines that such amount is not needed to fund applications for such affected families, to other nonelderly disabled families: *Provided further*, That up to $195,600,730 from amounts available under this heading may be made available for administrative fees and other expenses to cover the cost of administering rental assistance programs under section 8 of the Act: *Provided further*, That the fee otherwise authorized under section 8(q) of such Act shall be determined in accordance with section 8(q), as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998: *Provided further*, That $886,000,000 is rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading ''Annual contributions for assisted housing'' or any other heading for fiscal year 2001 and prior years: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall not be available for this rescission: *Provided further*, That the Secretary shall have until September 30, 2002, to meet the rescission in the proviso preceding the immediately preceding proviso: *Provided further*, That any obligated balances of contract authority that have been terminated shall be canceled.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,555,000,000, to remain available until September 30, 2003: *Provided*, That, hereafter, notwithstanding any other provision of law or any failure of the Secretary of Housing and Urban Development to issue regulations to carry out section 9(j) of the United States Housing Act of 1937 (42 U.S.C. 1437g(j)), such section is deemed to have taken effect on October 1, 1998, and, except as otherwise provided in this heading, shall apply to all assistance made available under this same heading on or after such date: *Provided further*, That of the total amount provided under this heading, in addition to amounts otherwise allocated under this heading, $262,000,000 shall be allocated for such capital and management activities only among public housing agencies that have obligated all assistance for the agency for fiscal years 1998 and 1999 made available under this same heading in accordance with the requirements under paragraphs (1) and (2) of section 9(j) of such Act (except that the provisions of section 9(j)(4) shall not apply to such amounts): *Provided further*, That notwithstanding any other provision of law or regulation, the Secretary may not delegate to any Department official other than the Deputy Secretary any authority under paragraph (2) of such section 9(j) regarding the extension of the time periods under such section for obligation of amounts made available for fiscal year 1998, 1999, 2000, 2001, or 2002: *Provided further*, That notwithstanding the first proviso and paragraphs (3) and (5)(B) of such section 9(j), if at any time before the effectiveness of final regulations issued by the Secretary under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j)) providing for assessment of public housing agencies and designation of high-performing agencies, any amounts made available under the public housing Capital Fund for fiscal year 1999, 2000, 2001, or 2002 remain unobligated in violation of paragraph (1) of such section 9(j) or unexpended in violation of paragraph (5)(A) of such section 9(j), the Secretary shall immediately recapture any such amounts and reallocate such amounts among public housing agencies that, at the time of such reallocation, are not in violation of any requirement under paragraph (1) or (5)(A) of such section: *Provided further*, That for purposes of this heading, the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays immediately or in the future: *Provided further*, That of the total amount provided under this heading, up to $51,000,000 shall be for carrying out activities under section 9(h) of such Act, of which up to $10,000,000 shall be for the provision of remediation services to public housing agencies identified as ''troubled'' under the Section 8 Management Assessment Program: *Provided further*, That of the total amount provided under this heading, up to $500,000 shall be for lease adjustments to section 23 projects, and no less than $43,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further*, That of the total amount provided under this heading, up to $75,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs resulting from emergencies and natural disasters in fiscal year 2002.

AMENDMENT OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Illinois:

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND'', after the aggregate dollar amount, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the aggregate dollar amount, insert the following: ''(increased by $100,000,000)''.

Mr. DAVIS of Illinois. Mr. Chairman, the concentration of poverty, any way one looks at it, simply stated is not productive. It is inhumane, unethical. It is not diverse and does not work.

According to the 1999 census data, 32.3 million people in the United States live in poverty. That gives us a poverty rate of 11.8 percent. The National Coalition reports as many as 3 million people are homeless during the course of a year. Of this number, 80,000 of them are in the City of Chicago. The concept of mixing income in neighborhoods offers the best practice of hope for low-income individuals.

Chicago, one of the most poverty-stricken cities in the Nation, has a tremendous need to uplift the quality of life for its residents. Currently, in Chicago the Robert Taylor and Rockwell Gardens developments, two of the most well-known public housing developments in the country, are in separate need of Hope VI funding which will allow integration and economic prosperity.

I stand today, Mr. Chairman, to beg, to implore, to appeal to the entire 107th Congress, and to argue to increase the funding for this program by $100 million. Hope VI provides disadvantaged families and communities across the country with opportunities for revitalization and new chances, chances for advancement.

All of us would probably agree, Mr. Chairman, that it is time to tear down the high-rise public housing developments, the high-rises, as we know them, the concentrations of poverty. These families need hope and an adequate chance. It is time to fight inner city crime, teen pregnancy, high unemployment, which are all concentrated in the urban ghettos that exist in this Nation centered around high-rise public housing developments.

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To improve the quality of life for these families, it is necessary to improve the quality of public housing. We can do that by providing the necessary support services, the programs, that encourage residents to go to school, find employment, develop careers, and realize a better quality of life. All of this is found in HOPE VI.

By 1999, HOPE VI had provided benefits to 7,840 current resident families, including 4,076 families relocated to section 8 in new units, 5,668 new families in revitalized development, 1,969 families leaving TANF, and a 98 percent increase of youth participation in self-sufficiency programs. HOPE VI had achieved leveraged ratios of 31 cents for every dollar in 1993 and increased this ratio to $2.07 by 1999. HOPE VI revitalization has reduced the average density of on-site development from 23 to 11 and the average percentage of very low income families from 92 to 35 percent. The ultimate outcome of these developments has improved the quality of life for residents of HOPE VI developments and better integration into the overall community.

The city of Chicago has a bold new transformation plan for public housing, and, that is to replace the high-rises with mixed-income housing where individuals can interact with different-type persons across the board. But that transformation plan is contingent upon being able to receive assistance from HOPE VI. Unless there is adequate funding for HOPE VI, then we run the risk of going to the well and there being no water, of going to the trough and there being no substance.

And so I would urge, Mr. Chairman, that we support this amendment and continue to give hope to the millions of people who need hope and can receive it through the HOPE VI program.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would cut $100 million from the Public Housing Capital Fund in order to increase the HOPE VI program. As has been discussed today, we have already reduced the capital program for public housing. So I do not think it is a good idea to go any further.

The bill provides for $573 million in the HOPE VI program which is at the same level as last year. As the gentleman knows, the bill already includes a reduction below last year for capital fund based on the unspent fund problem. There are approximately $7 billion in unspent funds in the capital fund. There has been a lot of discussion and opposition to cutting it further or even cutting it that much. However, we do maintain funding for those public housing authorities which are actually spending their funds.

The gentleman's amendment would cut $100 million of the $262 million we have targeted to those high-performing public housing authorities in order to provide a 17 percent increase in HOPE VI. While I appreciate his support for HOPE VI, I must point out that, like the Public Housing Capital Fund, HOPE VI is another account where there are significant amounts of unspent funds. In fact, there are over $3 billion in unspent HOPE VI funds. So while I share the gentleman's support for the program, I cannot support cutting the capital fund further in order to provide a 17 percent increase in the HOPE VI program and, therefore, I urge the rejection of the amendment.

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

Mr. Chairman, if someone is doing an illustrated dictionary and needs perhaps a metaphorical or a dictionary of figures of speech and wants to illustrate the phrase ''robbing Peter to pay Paul,'' that is the dilemma we are in now.

I know the gentleman from Illinois who cares deeply about lower income people is as unhappy as many of us on this side in particular are at this kind of choice. I admire his commitment to the HOPE VI program which has been a very important one, because HOPE VI has been extremely useful in my district. My dilemma is that we also have a problem with public housing capital funds. And so, Mr. Chairman, Members who are undecided as to how to vote on this will get no guidance from me. They seem on the whole to do without that in general, so that is okay. But this is important because it underlines the tragedy that this bill represents. It quite literally sets the poor against the poor, lower income working people against lower income working people, public housing against subsidized housing for the elderly, anticrime/drug efforts in public housing against efforts to rehabilitate that housing.

This indicates how terribly inadequate this bill is. The gentleman from New York said no matter how much money there was, people would say it was inadequate. I have to tell him he is wrong, and I hope he will test us someday. Come in here with a bill that does not cut virtually every program in real terms.

Let us talk about the public housing situation. The public housing operating budget is cut in real terms. We are told it gets an increase, but out of that increase they are supposed to pay the higher utility bills. By the way, the Secretary of HUD when he testified before our committee and was asked what the budget assumed, the operating budget for public housing regarding fuel bills, he told us he did not endorse this. He, as a good soldier, told us that the Energy Department had instructed him to say that the expectation is that fuel bills next year will be lower for the housing authorities and, therefore, they were to get less money for that. They are to get some additional money and out of that pay for the public housing drug elimination program. On the capital funds, it has already been reduced some. We are told, well, it is reduced because they have not spent it all. They have not spent it all in part because you do not spend responsibly right away, you have to do capital planning, and they are doing this.

This bill underfunds virtually every category where we are dealing with housing. Public housing in particular deserves our attention. I quoted before the President's laudable sentiment that he would not leave any child behind. More poor children live in public housing than in any other segment obviously of our society.

And we are talking about this terrible choice. The gentleman from Illinois is not attacking public housing. The HOPE VI program helps public housing. What we are talking about here, as he correctly brings to us with this amendment, is this terrible choice about public housing. Which aspect of it will we underfund the worst? Will we let the projects deteriorate in general with inadequate capital funding? Will we allow, under HOPE VI, some concentration to improve them?

There are other areas of problems. I will be getting later to the question of the Federal Housing Administration. I want to stress again, it is not simply the poor and lower income working people who are being hurt by this Congress' failure and this administration's refusal adequately to fund things, the FHA program that builds multiple family housing for middle-income people has been shut down for months for want of $40 million; and it will turn out later that they are, in fact, overcharging in other FHA programs, we are told by more than $50 million.

So this amendment is to me a terrible dilemma. We have two very valuable programs that serve the poorest people in this society, and we have to

choose between them. The President said we need to do a tax cut of that magnitude because it is not the government's money, it is the people's money. People live in public housing. The government does not live in public housing. The residents of public housing are people who are in need. This dilemma is brought upon us by that irresponsible tax cut.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DAVIS).

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

Mr. DAVIS of Illinois. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois (Mr. DAVIS) will be postponed.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had planned to offer an amendment regarding the National Science Foundation, an amendment that would help assure some much-needed expertise in scientific project management for the National Science Foundation. Rather than offer an amendment that might not have an appropriate dollar amount, I would like to engage in a colloquy with the distinguished gentleman from New York concerning the construction of scientific facilities and instruments provided in the National Science Foundation appropriation.

First let me congratulate the gentleman from New York and the Committee on Appropriations as well as his staff for the well-thought-out NSF appropriation. As he knows, NSF's primary mission includes funding peer-reviewed, investigator-initiated research by individuals or small groups. This is an operation that the NSF has managed well. However, NSF has seen its role in funding larger projects such as the construction of radio and optical telescopes expand significantly in recent years. Problems encountered in the management of some of these projects and concerns raised by the NSF inspector general suggest that the NSF may not have an adequate plan, adequate experience or adequate resources with which to effectively oversee these large-ticket projects. Indeed, language in the President's budget blueprint directs NSF to develop a plan "to enhance its capability to estimate costs and provide oversight of project development and construction."

Does the Committee on Appropriations share these concerns?

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

Mr. SMITH of Michigan. I yield to the gentleman from New York.

Mr. WALSH. We do. The Committee on Appropriations shares the gentleman's concern concerning the current lack of oversight for project management within the National Science Foundation. In its March 2000 report to Congress, the Inspector General of the National Science Foundation reported that "NSF does not have adequate policies and procedures in place to address the complex problems involved in overseeing and administering large infrastructure awards." This is why the committee report included language directing NSF to establish project management procedures and accounting systems.

Mr. SMITH of Michigan. Reclaiming my time, I think that is excellent. The National Science Foundation is currently drafting a facilities management and oversight plan and is expected to present a final draft to the National Science Board at their August meeting. As chairman of the Subcommittee on Research, I will be holding a hearing early in September to review this policy and try to ensure that it will adequately address concerns with regard to accounting, appropriate management, and construction oversight of NSF projects.

Scientific experiments are, by their nature, high-risk ventures that challenge the state of the art, if you will, in a number of technologies. As a result, these projects require rigorous cost and schedule control systems so that management can identify problems early and minimize the impact on the total project cost and success. Just as importantly, these projects require a management team that is extremely knowledgeable about the underlying science and has extensive experience in the management of large-scale, complex scientific projects.

I hope that our two committees can continue to work together to ensure that NSF has the resources and personnel it needs to manage these large, taxpayer-supported projects.

Mr. WALSH. Mr. Chairman, the committee shares the gentleman's goal of providing NSF with sufficient resources to adequately manage and safeguard the taxpayer's investment. As he noted, NSF is increasingly involved in the construction of these large complex scientific experiments and facilities. It is also increasingly reliant on detailees and other temporary employees to supplement their Federal workforce. A cadre of experienced Federal project management professionals would certainly improve the institutional memory and accountability within NSF.

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Mr. SMITH of Michigan. Mr. Chairman, I look forward to continue working with the gentleman from New York (Chairman WALSH), and certainly the ranking member, to assure that we maintain the high standards for quality in research equipment and construction projects as has been very evident in the excellent past work of NSF in research.

Mr. WALSH. Mr. Chairman, I thank the gentleman for bringing this issue before us. I look forward to working with the gentleman in the future.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING OPERATING FUND

(INCLUDING TRANSFER OF FUNDS)

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $3,494,868,000, to remain available until September 30, 2003: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be provided to the Office of Inspector General for Operation Safe Home: *Provided further*, That of the total amount provided under this heading, $10,000,000 shall be for programs, as determined appropriate by the Attorney General, which assist in the investigation, prosecution, and prevention of violent crimes and drug offenses in public and federally-assisted low-income housing: *Provided further*, That funds made available in the previous proviso shall be administered by the Department of Justice through a reimbursable agreement with the Department of Housing and Urban Development: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, $573,735,000 to remain available until September 30, 2003, of which the Secretary may use up to $5,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided*, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 411 et seq.), $648,570,000, to remain available until expended, of which $2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; of which $5,000,000 shall be to support the inspection of Indian housing units, contract expertise, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel; and of which no less than $2,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided*, That of the amount provided under this heading, $5,987,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of

which is to be guaranteed, not to exceed $52,726,000: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $5,987,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $234,283,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $200,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), $277,432,000, to remain available until September 30, 2003: *Provided*, That the Secretary may use up to $2,000,000 of the funds under this heading for training, oversight, and technical assistance activities.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,801,993,000, to remain available until September 30, 2003: *Provided*, That of the amount provided, $4,399,300,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301): *Provided further*, That $69,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act; $3,300,000 shall be available as a grant to the Housing Assistance Council; $2,794,000 shall be available as a grant to the National American Indian Housing Council; $5,000,000 shall be available as a grant to the National Housing Development Corporation, for operating expenses not to exceed $2,000,000 and for a program of affordable housing acquisition and rehabilitation; $5,000,000 shall be available as a grant to the National Council of La Raza for the HOPE Fund, of which $500,000 is for technical assistance and fund management, and $4,500,000 is for investments in the HOPE Fund and financing to affiliated organizations; and $34,424,000 shall be for grants pursuant to section 107 of the Act: *Provided further*, That no less than $15,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That $21,956,000 shall be for grants pursuant to the Self Help Housing Opportunity Program: *Provided further*, That not to exceed 20 percent of any grant made with funds appropriated under this heading (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Act) shall be expended for ''Planning and Management Development'' and ''Administration'' as defined in regulations promulgated by the Department.

AMENDMENT NO. 22 OFFERED BY MS. VELAZQUEZ

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Ms. VELAZQUEZ:

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the dollar amount specified for Youthbuild program activities, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $10,000,000)''.

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

Ms. VELÁZQUEZ. Mr. Chairman, my amendment will increase funding for the YouthBuild program by $10 million. We are in the midst of an affordable housing crisis in this country. One of our most basic needs is to increase access to safe, affordable housing. That is why I am so concerned about the significant underfunding of so many of our most vital housing programs. Not only do many of our communities face a shortage of housing stock, but much of what is currently available is in disrepair and cannot be lived in.

That is where YouthBuild comes in. This program involves young people in meaningful work in their communities, constructing or rehabilitating much-needed homes for homeless and low-income people. Projects range from rehabilitating 10-unit buildings to constructing new single-family homes.

Finished buildings are rented as affordable housing. Sometimes they represent opportunities for low-income community residents to buy their first homes. As a result, housing that is substandard is transformed into attractive homes in communities where there is a critical need for housing.

As my colleagues are aware, the YouthBuild program provides grants on a competitive basis to nonprofit organizations to assist high-risk youth between the ages of 16 to 24 to learn housing construction job skills and to complete their high school education. What is more, program participants enhance their skills as they construct or rehabilitate affordable housing for low- and moderate-income persons. In fact, to date, more than 7,000 units of housing have been produced by YouthBuild participants.

As they develop these marketable skills which will allow them to secure future employment, they are contributing to the revitalization of their community, and they are doing it in conjunction with the many community-based organizations, local small businesses and international corporations who have provided matching funds for these programs.

YouthBuild is currently training 6,500 people at 145 sites in 43 States. While this is certainly commendable, we could and should be reaching so many more people and places. In fiscal year 2000, HUD received 273 YouthBuild applications but could only fund 78 of them. And while we should be increasing funding for this important program to allow every applicant to receive funding, it is instead funded well below the need.

What do we say to an 18-year-old kid who wants to get into the construction trade but cannot get training? ''I am sorry, the funding is not there. You will have to find another way.''

Although YouthBuild deserves a significant increase, given the current budget restraints, I am merely asking that this vital program receive an additional $10 million in fiscal year 2002. With this increase, we will provide aid to over 100 communities nationwide.

My amendment offsets this increase by taking an equivalent amount from HUD's Salaries and Expenses account, which receives a $25 million increase. It stands to reason that if we can afford the money to implement a program that requires our neediest citizens to work for free, then we should provide the funding necessary to give these people access to job training.

This is an amendment that everyone can support. If one supports promoting self-sufficiency and community involvement for at-risk youth, one should support the YouthBuild program. If one agrees that we are in a housing crisis and affordable housing that these programs produce will be valuable to our communities, one should vote for this amendment.

I hope that Members will support this amendment and work with me to begin a dialogue on the productive, successful means of promoting self-sufficiency.

I urge my colleagues to vote for the Velazquez amendment.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am reluctant to oppose my good friend and colleague from New York who does such a great job for our State, but its difficulty is that the cut that has been proposed in the HUD Salaries and Expenses account would force HUD to either cut over 100 staff members in order to provide the 17 percent increase in YouthBuild, or find some other accommodation, which I think would dramatically affect HUD's ability to operate and administer its programs.

Last year, the YouthBuild program received a 17 percent increase in the fiscal year 2001 bill, and that increase was maintained in 2002.

This is obviously a very difficult choice, but I would ask Members to stay with the subcommittee bill; and, therefore, I would oppose the amendment, which would provide another significant increase to a program that was increased dramatically last year at the expense of HUD's staff.

Therefore, I urge rejection of the amendment.

Ms. WOOLSEY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the Sonoma County People for Economic Opportunity in Santa Rosa, California, my district, operates a successful YouthBuild program, one that could actually be set up as a model across this Nation.

I am absolutely pleased and proud to stand in strong support of this amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) to increase funding for YouthBuild. In fact, if I had my way, we would set a path in this Nation so that every single year we would increase the YouthBuild program by at least 17 percent.

While building and remodeling homes for low-income families, YouthBuild-Santa Rosa participants literally rebuild their own lives. YouthBuild participants, who are unemployed young people between the ages of 16 and 24, learn construction skills that start them down a career path to a lifetime of well-paid jobs, jobs they can actually afford to raise a family on.

If a participant does not have a high school diploma, it is possible, encouraged and mandated that they complete their education, with strong support from mentors, tutors and learning labs.

YouthBuild programs help young people to develop personal and family living skills as they develop their life goals and their life plans. We know they do a good job, because 85 percent of the participants who completed their YouthBuild program went on to either attend college or to take good jobs. With the tools and skills they learn at YouthBuild, young people take control over their future. They do not become a burden to their communities. They do become contributors to their communities and to our country.

YouthBuild programs are great investments. I urge my colleagues to support the Velazquez amendment; and I urge that we increase the funding for YouthBuild, not just this year but every year in the future.

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

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

Mr. OWENS. Mr. Chairman, everybody says that they want to do things for young people. They recognize they are a special problem. But when you have a perfect program like YouthBuild, we have a great deal of difficulty getting it continued and expanded.

YouthBuild is the perfect program in terms of maximum participation and use of resources by the people who are being helped and minimum bureaucracy, minimum overhead. I have a YouthBuild program in my district, and it functions in the poorest community in my district, in one of the poorest communities in the United States.

Brownsville is a community that has many indices that run parallel in a negative way. No matter how you look at it, the number of young people who are in juvenile delinquency programs, the number of AIDS cases, the low level of education, the low reading levels, that community has every strike against it, and young people have a rough time.

But the YouthBuild program has a director who came aboard several years ago and said, ''If you want to be in this program, no alcohol, no drugs. You have got to be here on time, and you have got to be here frequently. One or two absences, and you are out.'' Yet the program has a long waiting list.

Young people see the program as having a concrete and immediate consequence. They see themselves being able to get a job. They also are required to get a high school diploma at the same time.

You have some other features in this program which run parallel to some of the kinds of things that are being talked about at great length nowadays, the faith-based initiatives.

The program that runs in my community would not be there if it was not for the Episcopal Diocese working in cooperation with the community. A large investment was made by the Episcopal Diocese. They have helped to keep the program going and develop it, and now the program has been able to get funding from other sources.

YouthBuild on a national level has been able now to attract funding from foundations and from private industry. It is the model of a kind of partnership program that we should all be striving for.

But let us not let the willingness of the private sector to invest or the willingness of foundations to invest be a cop-out for the Federal Government. Why should we bow out of a program that costs very small amounts of money, and I think we are talking about a $10 million increase here? Every year we have asked for very small increases, and the money is definitely directed into the activities and the programs which help the young people.

It has a double impact, of course: the training for the young people, and then they actually do renovation and reconstruction of housing that poor people are able to go into.

So I would like to have us send a message out there, that we are no longer going to continue the present trend of backing away from the sponsorship of meaningful youth programs. In the Department of Labor, we have moved away from the Summer Youth Employment Program. Programs for young people have been relegated to the States to continue. The Summer Youth Employment Program, which was so vital, some States are doing a good job, some are not. But we backed away from that vital program. In general, the funding for youth programs has gone down in the Department of Labor, job training programs of the type offered by YouthBuild.

At the same time that we are backing away from job training programs, the programs that are meaningful in terms of providing occupational development for young people, shortages of all kinds keep developing. We are being told now that school construction in New York City is costing too much because they have a shortage of skilled craftsmen.

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We do not have enough carpenters; we do not have enough sheet metal people in the construction industry. We are having a problem of being overpriced because of the great pressure where the demand is greater than the supply in terms of skilled personnel.

Some years ago, we backed away from vocational education in New York City and the Federal Government. And we also ratcheted up the effort to provide vocational education to a new category we call technical education, and we got so technical until it got away from the education of youngsters who could go into some trades that pay very well and that are in demand. Youth Build brings us back to the reality that there are large numbers of young people who will not stay in school they will not go to college, but they are serious and they will respond to an effort where they see a concrete benefit at the end. Youth Build offers a concrete benefit at the end. They have a job doing something in the neighborhood, doing something that not only pays well to begin with, but it promises to pay more and more, and they are encouraged to go into the apprenticeship programs of the various trades.

So for $10 million we get $1 billion worth of response in terms of helping young people. I urge a yes vote for this important amendment.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

I will not take the 5 minutes. I just wonder how many of my colleagues, particularly the chairman and others on the other side of the aisle, who would restrict this program have visited one. I visited them twice in my district, and it is an inspiration to see young people who have dropped out, who are at risk, whose lives could end up being a total mess, back in school and learning construction skills and building housing for low-income families.

Now, what could be a more efficient and more productive use of Federal dollars for housing? We are taking at-risk kids, diverting them from problems, giving them education, teaching them construction skills and building housing for low-income people. This

program could use a 50 percent or a 100 percent increase every year and put tens of thousands of kids back on the right track.

I urge my colleagues to support this very modest amendment to increase this program.

Mrs. MALONEY of New York. Mr. Chairman, I rise to strike the requisite number of words.

I thank the gentlewoman from New York for offering this amendment.

I strongly support her efforts to increase the appropriation for YouthBuild by $10 million. The current level of $60 million in the bill flat funds this laudable program—a program that helps at-risk youth learn valuable skills enabling them to gain employment and ultimately break the cycle of poverty. This $10 million increase will make a significant difference.

YouthBuild students work across the country, including in my city and state. In New York City, the unemployment rate is above the national average, and a significant number of these unemployed New Yorkers are young people. Programs like YouthBuild can have a positive impact on our nation's young adults.

The program offers job training, education, counseling, and leadership opportunities to unemployed and out-of-school young adults, ages 16–24, through the construction and rehabilitation of affordable housing in their own communities. Many graduates go on to construction-related jobs or college.

YouthBuild works in conjunction with Community Based Organizations, local small businesses, and international corporations who provide matching funds for these programs.

This is a great initiative we all can support. Not only does YouthBuild help individual young people, but their work benefits many low-income families in our neighborhoods.

I support the Valázquez amendment.

I urge my colleagues to invest in our young people!

Vote in favor of this amendment.

The CHAIRMAN. Is there further debate on the pending amendment?

Hearing none, the question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Of the amount made available under this heading, $29,387,000 shall be made available for capacity building, of which $24,945,000 shall be made available for ''Capacity Building for Community Development and Affordable Housing'' for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, with not less than $4,989,000 of the funding to be used in rural areas, including tribal areas, and of which $4,442,000 shall be for capacity building activities administered by Habitat for Humanity International.

Of the amount made available under this heading, the Secretary of Housing and Urban Development may use up to $54,879,000 for supportive services for public housing residents, as authorized by section 34 of the United States Housing Act of 1937, as amended, and for residents of housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and for grants for service coordinators and congregate services for the elderly and disabled residents of public and assisted housing and housing assisted under NAHASDA.

Of the amount made available under this heading, $25,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, that any unobligated balances of amounts set aside for neighborhood initiatives in fiscal years 1998, 1999, 2000, and 2001 may be utilized for any of the foregoing purposes.

Of the amount made available under this heading, notwithstanding any other provision of law, $59,868,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: *Provided*, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: *Provided further*, That no more than ten percent of any grant award may be used for administrative costs: *Provided further*, That of the amount provided under this paragraph, $2,000,000 shall be set aside and made available for a grant to YouthBuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $77,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of economic development efforts.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $14,000,000, to remain available until September 30, 2003, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $608,696,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended: *Provided further*, That in addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000, which shall be transferred to and merged with the appropriation for ''Salaries and expenses''.

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $25,000,000, to remain available until September 30, 2003: *Provided*, That the Secretary of Housing and Urban Development shall make these grants available on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,996,040,000 to remain available until September 30, 2003: *Provided*, That of the total amount provided under this heading, $200,000,000 shall be available for the Downpayment Assistance Initiative, subject to the enactment of subsequent legislation authorizing such initiative: *Provided further*, That should legislation authorizing such initiative not be enacted by June 30, 2002, amounts designated in the previous proviso shall become available for any such purpose authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended: *Provided further*, That of the total amount provided under this heading, up to $20,000,000 shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968; and no less than $17,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems.

AMENDMENT NO. 15 OFFERED BY MR. LA FALCE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. LAFALCE:

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the aggregate dollar amount, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the dollar amount specified for the Downpayment Assistance Initiative, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOMELESS ASSISTANCE GRANTS'', after the aggregate dollar amount, insert the following: ''(increased by $122,600,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $22,600,000)''.

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

Mr. LAFALCE. Mr. Chairman, this amendment, which the gentlewoman from California (Ms. LEE) and I are offering jointly, would restore funding cuts made in the bill to vital homeless prevention programs in order to provide sufficient funding to renew expiring rental assistance grants for the disabled, the mentally ill, veterans, and other individuals at risk of homelessness.

One year ago, in a very bipartisan effort, Congress was forced to take emergency action to reinstate funding for

the renewal of homeless Shelter Plus Care, and SHP permanent housing grants which HUD did not renew as part of its continuum of care funding process. This rescued thousands of our most vulnerable Americans from losing their rental assistance and from becoming homeless. In my district alone, almost 200 very low income individuals were threatened with the loss of assistance and the loss of a home.

Learning from this experience, last year's House-passed VA–HUD appropriations bill authorized renewal of expiring Shelter Plus Care grants through the section 8 certificate fund, which would have eliminated the risk of nonrenewal. In conference, the House and Senate agreed to a similar approach establishing a separate $100 million account for expiring Shelter Plus Care grants and directing HUD to develop a mechanism to renew expiring SHP permanent housing grants. Early this year, the administration's budget request was to continue funding this separate renewal account in the amount of $100 million.

So it seems inexplicable to me that the majority has elected to cut this $100 million renewal account. The effect is to reduce funding for homeless programs by $100 million and put tens of thousands of individuals at risk of losing their rental assistance.

The National Alliance to End Homelessness, which strongly supports the amendment of the gentlewoman from California and myself, has written that projects would be shut down in the best of circumstances under this bill, and further pointed out that effective planning would be impossible, and that local communities would be in grave doubt about the ongoing viability of existing projects.

The National Alliance for the Mentally Ill has written in strong support of our amendment and notes that the bill would have the effect of undoing last year's farsighted decision by Congress to promote long-term stable funding from HUD and threatened to disrupt successful local programs.

This amendment of the gentlewoman from California (Ms. LEE) and myself would avert this crisis by restoring the $100 million cut made to the account to renew Shelter Plus Care grants and providing an additional $22.6 million to renew all SHP permanent housing grants. Specifically, the bill increases the homeless assistance grants account by $122.6 million with the intent in conference to establish a reliable source of renewals, either through the section 8 account or a separate renewal account.

I understand that the majority will argue, as it does in their committee report, that action is not needed at this time to address renewal needs. The problem is that grants which expire on October 1, 2002 and later have no source of funding to renew such grants, except to apply for funding under the fiscal 2002 continuum of care competition. This is because the account established last year for renewals may not be used to renew any grants expiring after fiscal year 2002.

This exposes tens of thousands of at-risk families to the same risk of nonrenewal that we faced last year. However, even if such renewal grants are approved under the competitive award process, many projects will run out of money, and that is because the continuum of care awards have historically been made in December, months after many of the grants run out of money. It is for these reasons that all of the groups that deal with these programs say that the bill does not adequately address the problem of renewals.

I understand that the majority will argue, as it does in their committee report, that action is not needed at this time to address renewal needs. The problem is that grants which expire on October 1st, 2002 and later have no source of funding to renew such grants—except to apply for funding under the FY 2002 continuum of care competition. This is because the account established last year for renewals may not be used to renew any grants expiring after fiscal year 2002.

Finally, I would like to briefly anticipate objections the majority may have with our offset—the 50 percent reduction in new funding the bill provides for the administration's proposed $200 million Downpayment Assistance Initiative. $100 million is more than enough money in the first year for a program that has not even been authorized. If this program is so important, I would ask why the Housing Subcommittee has not even held a hearing on this initiative.

It would also ironic be ironic if the majority insists on $200 million for this initiative, when its very first action on taking over the House six years ago was to eliminate the $50 million in funding for a virtually identical program, the National Homeownership Trust Act, which also block granted funds to states for down payment assistance.

It is interesting to note Republican arguments at that time, that a down payment block grant program authorizes nothing that is not currently allowed under HOME and CDBG. That argument is still valid; apparently the majority no longer wants to emphasize this fact. $6 billion is currently available under these two programs for states, cities, and counties; so it is hard to argue that it is critically that they need all of the $200 million for this new initiative.

Finally, our amendment cuts $22.6 million from the HUD Salaries and Expense Account, still leaving a small increase compared to last year.

So I think we are faced with a simple choice: should we restore homeless funding cuts in this bill, cuts which threaten tens of thousands of individuals with the risk of homelessness—in order to fully fund a new, untested, unauthorized, undebated initiative that is already fully authorized under HOME and CDBG.

I think the choice is obvious. I urge support for the LaFalce-Lee amendment.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, this is one of many amendments which goes after the President's initiative to provide funds to low-income families to help them to buy homes. As I mentioned earlier, we have about $16 billion in the bill for section 8 housing vouchers, and I think there has been a high demand for those, and it is a popular program. We have provided additional funds for section 8. Some of those funds will be used in pilot programs around the country to help to encourage low-income families who are now renting to utilize those vouchers for homeownership, to make monthly mortgage payments.

What the President has proposed, and Secretary Martinez has asked us to support, is providing $200 million nationally so that those individuals would be provided with the funds to make that down payment, that big chunk of money that we all know we have to come up with in order to make the initial mortgage deal. The section 8 housing vouchers hopefully will provide the taxpayer and the owner with a very good investment, a very good return on those section 8 vouchers.

So it is an important initiative, and it would be wrong to deny low-income families moving from welfare to work and from tenantship to ownership. Those funds are important. We need to keep those funds where they are.

Now, as far as the homeless program where these funds would be provided, let me just state my feeling. I feel very strongly that we need to provide funds to help people who are homeless to find permanent homes. My first action as city council president in Syracuse back in 1987 was to establish a homeless and housing vulnerable task force. It has been working ever since. The need continues, but I think we have done a very good job in central New York in providing homes for the homeless.

We have provided over $1 billion in this bill for that purpose nationwide. It is an increase, albeit a slight increase, over last year. So the subcommittee's commitment and support for programs to provide help to the homeless is in place.

As I believe the gentleman knows, all fiscal year 2002 renewal costs for Shelter Plus Care programs are fully funded. Mr. Chairman, 2002 is fully funded. The committee has already indicated it would address fiscal year 2003 needs for this program in next year's bill. The committee's action is identical to the way funding for these costs have always been treated with the exception of 2001, and is identical to the way all programs in this bill are treated.

This amendment proposes to treat this program differently than every other program in this bill by using fiscal year 2002 funds to forward-fund fiscal 2003 costs. To do this, the gentleman would cut $100 million out of this very important program, and those funds would be divided amongst the States, including New York's, which would get a large proportion of these funds, and also to 594 cities to help provide affordable housing to members of our communities.

In addition, it would cause HUD to eliminate over 268 jobs by taking $22 million from salaries and expenses.

□ 2100

I believe the real intent behind the gentleman's agreement is to ensure that fiscal year 2003 funding needs for this program do not compete with any other program next year.

While I have sympathy for his desire to essentially create an entitlement program, we cannot support this. We oppose it. It makes no sense to cut funds to States and localities and eliminate HUD employees to set aside funding that is not even needed next year for this program. I would therefore urge rejection of the amendment.

Ms. LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me say that the LaFalce-Lee amendment really aims to correct, as we heard, just one piece of this appropriations bill that cuts $1.7 billion in budget authority from HUD's budget.

This amendment is also, incidentally, supported by the United States Conference of Mayors. It restores funding for some of the most vulnerable people in our society, those who are homeless and have the special problem of dealing with mental illness, disabilities, or who are turning around their lives in recovery from alcohol or drug abuse.

The Shelter Plus Care and Supportive Housing Program subsidizes housing for people with these special challenges and also offers continuum of care services for mental illness and other disabilities. For example, in my home district in Alameda County of California, there are approximately 13,000 homeless people and many more at risk for homelessness.

Mr. Chairman, most of these people now more than ever are women and children. In every one of our congressional districts there are homeless people. Shelter Plus Care operates nationwide and helps keep thousands of disabled and mentally ill people from walking the streets at night untreated and with no place to live.

A California study found that supportive housing reduces emergency room services and in-patient hospital stays by more than 57 percent. So with this very small investment we can save taxpayers hundreds of millions of dollars and provide humane treatment and shelter.

In our affordable housing debate, we talk about rental assistance, we talk about home ownership for low-, moderate-, and middle-income individuals and families, which we all support. But our debate and our initiatives are very devoid of housing issues as it relates to the homeless, so this amendment really does recognize them as deserving of our attention, also.

The offsets to this amendment still leave $100 million for this unauthorized downpayment assistance program. We have not even held hearings yet on this unauthorized program, so we have all supported downpayment assistance programs, even when my colleagues on the other side have not.

This offset leaves intact a net increase also in HUD salaries and expenses over the last fiscal year. So, Mr. Chairman, there is really nothing compassionate about the cuts to HUD, nearly $2 billion in cuts made to fund the nearly $2 billion tax cut. That is not very compassionate, if you ask me.

This bill actually cuts $493 million from public housing programs, including the complete elimination of the Public Housing Drug Elimination Program. It cuts $640 million from Section 8, $322 million from Community Development Block Grants, $200 million from empowerment zones, and $25 million from the Rural Housing and Economic Development Program. So now with this, also, we are really seeing the real impact in the cost of this Bush administration tax cut.

So I guess what I want to ask tonight is, will this Congress really continue to place the burden of the tax cut on the back of the homeless, the mentally ill, and the indigent? What type of a society will we be if we approve this really I think disgraceful bill, if we do not amend it tonight?

I ask Members for an aye vote on this amendment to restore and support decent and humane treatment for our homeless and the mentally ill, who also happen to live in the richest country in the world.

Finally, let me just say that States, counties, and cities will get $6 billion in HOME and CDBG funds in fiscal year 2002 which can be used to do all of the activities authorized under the downpayment housing initiative.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in opposition to the amendment offered by my colleague, the gentleman from New York (Mr. LAFALCE). This amendment unfortunately would cut in half the funding for an important initiative proposed by the President to assist low-income families to purchase their own homes.

With this money, he proposes to forward-fund the Shelter Plus Care program. While I am a strong supporter of the Shelter Plus Care program, it is not necessary to add additional funds to the program to ensure that all contract renewals will occur. This funding would then be used to forward-fund contracts in fiscal year 2003.

This would set an unnecessary precedent. I believe the money is put much better to use in the downpayment assistance initiative next year. We must do more to move low-income families into their own homes. This is a critical need that we need to work to address. We know the barriers for low-income families to purchase their own home, and one of the largest is the downpayment.

I cannot understate the importance of this initiative. So many Americans lack the opportunity to purchase a new home and spend a large percentage of their income on their monthly rent. That can be the right choice for some but not for all.

Most families greatly benefit from the purchase of their own homes. A home helps a family create wealth through equity. It also invests them into the community. In short, we help these families rise on the economic ladder and build stronger communities in the process.

It is truly the American dream to own one's own home, a dream we must make a reality for families who currently lack the opportunity to realize this goal.

In addition, the LaFalce amendment cuts $23 million from the salary and expense accounts from HUD. HUD is struggling with real problems these days. They have shut down programs because their mission in recent years has been so spread out that they have been incapable of properly overseeing and implementing the programs that they administer.

Secretary Martinez has been working to refocus HUD on their true core mission, one of providing and facilitating the creation of housing. This is not the time to reduce the resources of HUD.

The gentleman from Ohio (Mr. OXLEY), the chairman of the Committee on Financial Services, says he will oppose any amendment that cuts money for the downpayment assistance program of the HOME program. In short, let us work on the funding for the Shelter Plus Care program next year when they really need the funding.

In the meantime, let us fully fund the President's downpayment assistance initiative in this bill by joining me in defeating the LaFalce amendment.

Mr. FRANK. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, the gentleman from New York has offered a very thoughtful amendment, once again aimed at helping the people in our society most in need of help.

Now, it is unfortunate that the motif of this bill comes through again. It is so substantially underfunded because the tax cut deprived us of these revenues that it makes a choice between two needy groups.

This choice is a little easier for this reason. The $200 million in the HOME program which has, in this bill, been earmarked for a home ownership program is an interesting example of retrograde behavior on the part of my colleagues on the other side; not the only example, but an interesting one. This one more clearly leads to a repudiation of some of their own professed principles.

The HOME program has been a block grant, in effect. It gives monies to the cities and the consortia with a great deal of flexibility. It had been working very well, apparently too well for the Republican leadership and the President. The President decided he wanted

to do something for poor people, but he did not want to actually spend any new money on doing it.

The President went shopping for the poor, but he unfortunately did not think when we were talking about poor people that he could go to a store, because that requires money, and he gave that away in the tax cut. So the President went to the recycling bin to see what he could find for the poor people.

He found $200 million that had already been assigned to the poor people. This great act of charity that comes forth Members should understand is not additional money. It is an earmarking of $200 million that had previously been sent to the mayors. I should not even say recycling, because that assumes somebody else had discarded it. The mayors had not discarded this. This is something the mayors had been planning to spend.

Indeed, the $200 million for home ownership, again, it is not a new money program. It is $200 million for home ownership taken out of a pot of money that had previously been given as a block grant to the mayors. So it is putting a categorical stamp, to a certain extent, on what had been a block grant program, which the Republicans will do from time to time when they want to, rhetoric to the contrary notwithstanding.

The mayors, the National Conference of Mayors, the League of Cities, do not like this earmark, so the $200 million here is over the objection of the people who have been the administrators of the program and the recipients of the program.

If indeed this amendment were ultimately not to pass, and of course the way we are working it tonight we will not know that for a while, probably until a couple of days until we have these roll calls, or maybe later, I will propose we will cancel out the $200 million earmarks and leave it where the mayors and League of Cities want it to be.

In other words, I think we should go back to the block grant and repudiate this faux gift that comes from the President. He is making a gift of somebody else's money for home ownership.

But, on the merits, we talk about the American dream. Let us first try to alleviate the American nightmare. Let us first try to show a response to the poorest of the poor, the homeless. Can there be in this wealthy society anything less morally tolerable than homeless children? Can anyone let any other program go by while children are still homeless?

The gentleman from New York gives us a chance to remedy that situation, to a certain extent, by taking money that is now being assigned to programs that the people who run the programs do not want. Granted, their first choice would be to have the money on an unrestricted basis, but the way it now stands, that is why we have, from so many mayors, support for this.

The President is also a bad one from that standpoint. HOME has been a very flexible, very well-run block grant. The notion of now letting conservative politicians look generous, not by providing any additional funding for low-income people but by putting restrictions on what has heretofore been a successful, relatively unrestricted set of programs geared to local needs, ought to be rejected.

So I hope this amendment is adopted. If this amendment is not adopted, I will then be offering next the amendment, and we will have the choice when the roll calls come to put all that money at least back into the unrestricted pot.

Let us not allow a situation in which the President plays Santa Claus with money that really should have gone to the mayors and which the mayors would rather see go to alleviating the homeless than not.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is horrible to be in a time of tight budgets and deficits. I have been through that in this Congress. But, of course, that is not the case today. But from the debate tonight on the floor, we would think that that was the case.

Earlier we heard, well, we could not afford to improve and enhance veterans' health care. There is just not enough money. We had to make tough choices. They had to make copayments and be deprived of needed health care.

We could not afford more money for the YouthBuild program to help reform youth, get them on a straight path, and build low-income housing.

Now we are being told we have to choose between the downpayment initiative and the Shelter Plus Care program. I thought we had a multitrillion dollar looming surplus. I thought that was why the Republicans jammed through a $1 trillion tax cut, particularly heavily oriented towards those who earn over $273,000 a year. Most of whom are not homeless, I expect.

Mr. Chairman, 3.5 million people are likely to experience homelessness during a given year in the United States, and 45 percent of those people will be employed. They do not meet the stereotypes. Thirty-nine percent are children, as mentioned by the gentleman from Massachusetts before me, and 27 percent are disabled.

One-third of families currently requesting shelter have to be turned away for lack of room, families trying to stay together. The family values party does not want to help them stay together because they are not putting the money out to do the job.

I am especially concerned in light of the committee's decision to increase the permanent housing set-aside, the 35 percent. Just last year the permanent housing set-aside was raised to 30 percent of all funds under McKinney-Vento. That last-minute change does not sound like it means anything except a percent here, in Washington, D.C.; a billion here, a billion there. But the last-minute change of Congress caused HUD to reprioritize their grants, and new transitional housing projects for homeless families were left on the chopping block.

In fact, in my district alone, Douglas County lost $126,458, a county with a very high unemployment rate that has been hit hard because of the recession in the timber industry. Curry County lost $113,637. Benton, Lincoln, and Lynn lost $271,518.

Other States lost money because of this additional set-aside.

□ 2115

We should not be forcing these sorts of choices; $1.3 million all together for rural Oregon counties and $1 million for rural continuum of care.

We do not have to make that choice. If I just went back and pulled out the budget and the rosy scenario and all the things that have been used here on the floor to pass the tax cut that favors those who earn over $273,000 a year, we would find that if we just applied those same assumptions and rosy scenarios, or God forbid we cut back on the big tax breaks for those at the very top, we could afford all these and we would not have to make these choices.

So I reject what is being offered on the majority side, saying, oh well, we just cannot afford that this year, maybe next year; and, well, we have to make these tough choices. These are choices that need to be made to hold together the social fabric of this society, to hold together homeless families, to help the 39 percent of homeless kids, and the 27 percent who are disabled. We, the greatest society on Earth, can afford to do this little bit.

I urge my colleagues to strongly support this amendment.

Ms. PELOSI. Mr. Chairman, I rise in strong support of the Lee-LaFalce amendment. According to HUD, over 10,000 San Franciscans are currently homeless. Shelter Plus Care and Supportive Housing Program permanent housing grants are a critical component of our nation's response to this growing crisis. These programs must be preserved, and this amendment provides the necessary funding.

Supportive housing programs link employment, substance abuse, mental health, and other supportive services to permanent supportive housing for chronically ill homeless individuals and families. Studies show that these programs are very successful. Tenants of supportive housing use fewer emergency room and inpatient hospital services, increase their earned income and rate of employment, and reduce their dependence on public assistance.

The claim that Shelter Plus Care does not need funding in FY 2002, and that such action would constitute ''forward funding'' is untrue. Failure to provide renewal funding will result in a significant shortfall for Shelter Plus Care Programs nationwide, and a loss of approximately 260 units of housing in my district.

I urge my colleagues to support the Lee/LaFalce amendment.

The CHAIRMAN. Is there further debate on the amendment?

The question is on the amendment offered by the gentleman from New York (Mr. LAFALCE).

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

Ms. LEE. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. LAFALCE) will be postponed.

The point of no quorum is considered withdrawn.

Mr. FRANK. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 230, not voting 14, as follows:

[Roll No. 280]

AYES—189

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

NOES—230

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McKeon
Menendez
Mica
Miller, Gary
Mollohan
Moran (KS)
Morella
Myrick
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Blumenauer
Cubin
Hall (OH)
Hutchinson
Istook
Linder
Lipinski
McKinney
Meeks (NY)
Miller (FL)
Nethercutt
Radanovich
Spence
Stark

□ 2149

Messrs. MCHUGH, KINGSTON, GUTKNECHT, GILLMOR, and PORTMAN changed their vote from ''aye'' to ''no.''

Mr. RAHALL and Ms. JACKSON-LEE of Texas changed their vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. ARMEY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. ARMEY. Mr. Chairman, after consulting with the committee that has jurisdiction on the floor this evening, we have determined that it is possible, with cooperation from our Members, for us to take the five votes that have been ordered thus far this evening in just a few more moments. Those five votes would be the last votes that Members would be asked to cast this evening. We would ask that the committee continue to work through title II this evening, with an understanding that any votes that are ordered on title II will be taken up at 9 o'clock in the morning when we resume the bill, and having completed the work through title II should make it possible for us, with good cooperation, to complete consideration of this bill by 2 o'clock tomorrow, our normal Friday getaway time.

The committee has been very cooperative. The committee is to be commended for their good spirit and their efforts to make life better for the Members. I should, however, advise the Members at this time that if we are unable to finish the work by 2 o'clock tomorrow, and everybody that has examined the amendments that are before us is in agreement that we should be able to do so comfortably given the time agreements that we can make, but if that is impossible, we will continue tomorrow to work beyond our normal Friday getaway time until such time as the bill is completed, and we will not leave until the bill is completed.

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

Mr. ARMEY. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, on a bit lighter note for all of our colleagues, tonight happens to be a great event that you may not be aware of, but tonight happens to be the 20th anniversary of MIKE OXLEY being a Member of this great institution, having been elected in a special election in 1981. I think we all owe MIKE OXLEY a great round of applause for his 20th anniversary.

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

Mr. ARMEY. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I thank the distinguished leader for yielding.

I question the gentleman's estimate about when we can finish this bill even if we were to proceed here tonight. There is a lot of material here. He might be right, he might be wrong, but my judgement is he is probably underestimating the amount of time it is

going to take to finish this bill. I would not expect to be able to be finished by 2 o'clock tomorrow.

Mr. ARMEY. I appreciate the gentleman's observation. Let me just say, Mr. Chairman, that would be unfortunate for so many Members who had planned to leave by 2, but it has been my experience in this body that when we all work together and pull in the same direction, in good humor and cheer, that we can meet our goal. I fear we must try. Our schedule for next week is, quite frankly, very exciting; and we simply cannot afford to let this bill hold over for next week.

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

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

Mr. FRANK. Mr. Chairman, I understand Members' desires to leave, but there is a constitutional responsibility to debate seriously important issues. I am the ranking member of the Subcommittee on Housing and Community Opportunity. Under the schedule proposed by the majority leader, we would be debating much of these important housing issues beginning sometime after 11 o'clock tonight until the early hours with no votes. I cannot agree to that, and I must inform Members that there will be no assurance of not having votes. There are votes on appeals from the chair. There are motions to rise. The problem is that important issues have to be discussed. We have all week next week. I am ready to work, but I will not agree, and Members should not expect to leave at 11 o'clock while we debate these important issues and not have votes.

Mr. ARMEY. Mr. Chairman, the gentleman from Massachusetts has made his point. The fact is he can, in fact, delay everything we try to do tonight and prevent us from completing our work. In that event we would have to work through the weekend.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment offered by the gentleman from Florida (Mr. FOLEY); amendment No. 17 offered by the gentleman from New York (Mr. NADLER); amendment offered by the gentleman from Illinois (Mr. DAVIS); amendment No. 22 offered by the gentlewoman from New York (Ms. VELÁZQUEZ); amendment No. 15 offered by the gentleman from New York (Mr. LAFALCE).

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

AMENDMENT OFFERED BY MR. FOLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. FOLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 311, not voting 15, as follows:

[Roll No. 281]

AYES—107

Ackerman
Akin
Baird
Barr
Bilirakis
Bonilla
Boswell
Boyd
Bryant
Cannon
Cantor
Capito
Chabot
Coble
Condit
Costello
Crane
Crowley
Davis (FL)
Davis, Jo Ann
DeMint
Deutsch
Diaz-Balart
Dingell
Duncan
Dunn
Edwards
Engel
Evans
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Gallegly
Gekas
Gephardt
Gilman
Goodlatte
Goss
Greenwood
Gutierrez
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hostettler
Hutchinson
Israel
Jenkins
Johnson (CT)
Johnson (IL)
Jones (NC)
Keller
Kelly
Kerns
Kildee
King (NY)
Kingston
Larsen (WA)
Lewis (KY)
LoBiondo
Maloney (CT)
Manzullo
McCarthy (NY)
Mica
Moran (KS)
Myrick
Ney
Otter
Pascrell
Paul
Pence
Pitts
Putnam
Ramstad
Rangel
Ros-Lehtinen
Royce
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sessions
Shadegg
Shaw
Simmons
Simpson
Skeen
Stearns
Strickland
Tancredo
Tauscher
Thurman
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Visclosky
Weiner
Wexler

NOES—311

Abercrombie
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Ford
Frank
Frelinghuysen
Frost
Ganske
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Gordon
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Harman
Hastings (FL)
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stenholm
Stump
Stupak
Sununu
Sweeney
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Towns
Udall (CO)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Bass
Blumenauer
Cubin
Hall (OH)
Hall (TX)
Hunter
Istook
Linder
Lipinski
McKeon
Miller (FL)
Nethercutt
Northup
Spence
Stark

□ 2214

Mr. PICKERING and Mr. Langevin changed their vote from ''aye'' to ''no.''

Messrs. FLETCHER, SCHROCK, SESSIONS and ENGLE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. BASS. Mr. Chairman, on rollcall No. 281, I was unavoidably detained. Had I been present, I would have voted ''no''.

Mrs. NORTHUP. Mr. Chairman, on rollcall No. 281, I was inadvertently detained. Had I been present, I would have voted ''no''.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6, of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which

the Chair has postponed further proceedings.

AMENDMENT NO. 17 OFFERED BY MR. NADLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 139, noes 284, not voting 10, as follows:

[Roll No. 282]

AYES—139

Abercrombie
Ackerman
Allen
Baca
Baldacci
Baldwin
Barrett
Becerra
Berkley
Berman
Berry
Blagojevich
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Carson (IN)
Clay
Coyne
Crowley
Davis (FL)
Davis (IL)
DeFazio
DeLauro
Dicks
Doggett
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frost
Gonzalez
Gutierrez
Harman
Hinchey
Hinojosa
Holt
Honda
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Luther
Maloney (NY)
McCarthy (NY)
McCollum
McDermott
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Price (NC)
Rahall
Rangel
Reyes
Rivers
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Tancredo
Tanner
Tauscher
Thompson (CA)
Thurman
Tiberi
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—284

Aderholt
Akin
Andrews
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Condit
Conyers
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cummings
Cunningham
Davis (CA)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frank
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lofgren
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCrery
McGovern
McHugh
McInnis
McKeon
Meek (FL)
Mica
Miller, Gary
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Stupak
Sununu
Sweeney
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Blumenauer
Combest
Cubin
Hall (OH)
Linder
Lipinski
Miller (FL)
Nethercutt
Spence
Stark

□ 2222

Mrs. CLAYTON, Mr. CONYERS, and Mr. BARTLETT of Maryland changed their vote from ''aye'' to ''no.''

Mr. RUSH and Mr. BERMAN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DAVIS OF ILLINOIS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 60, noes 360, not voting 13, as follows:

[Roll No. 283]

AYES—60

Andrews
Bishop
Blagojevich
Bonior
Brady (PA)
Carson (IN)
Carson (OK)
Clay
Clyburn
Condit
Conyers
Costello
Cummings
Davis (IL)
Davis, Jo Ann
DeGette
Doyle
Evans
Fattah
Filner
Gephardt
Gutierrez
Hilliard
Hoeffel
Holt
Honda
Jackson (IL)
Johnson, E. B.
Kaptur
Kildee
Kilpatrick
Kucinich
Lampson
Lee
Lewis (GA)
Lucas (KY)
McCarthy (NY)
McKinney
Mink
Myrick
Napolitano
Owens
Payne
Pelosi
Rahall
Ross
Rush
Sandlin
Schakowsky
Scott
Shays
Solis
Tauscher
Thompson (MS)
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Wynn

NOES—360

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Collins
Combest
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes

Hayworth
Hefley
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—13

Berman
Blumenauer
Cubin
Hall (OH)
Hilleary
Linder
Lipinski
Meehan
Miller (FL)
Nethercutt
Otter
Spence
Stark

□ 2229

Ms. HARMAN, Mr. BAIRD, and Mr. DOGGETT changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 22 OFFERED BY MS. VELÁZQUEZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 209, not voting 9, as follows:

[Roll No. 284]

AYES—216

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chabot
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Fossella
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Honda
Hooley
Horn
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Woolsey
Wu

NOES—209

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Castle
Chambliss
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holt
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Gary
Moran (VA)
Morella
Myrick
Ney
Northup
Norwood
Nussle
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Blumenauer
Cubin
Hall (OH)
Linder
Lipinski
Miller (FL)
Nethercutt
Spence
Stark

□ 2239

Mr. HILLEARY, Mr. STEARNS, Mrs. JOHNSON of Connecticut, and Mr. ISAKSON changed their vote from ''aye'' to ''no.''

Ms. KILPATRICK, Mr. SKELTON, Mr. MATHESON, Mrs. MEEK of Florida, and Mr. HASTINGS of Florida changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. LAFALCE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. LAFALCE)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 124, noes 300, not voting 9, as follows:

[Roll No. 285]

AYES—124

Abercrombie
Ackerman
Allen
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Carson (IN)
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Engel
Etheridge
Evans
Farr
Fattah
Filner
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Holt
Honda
Hooley
Israel
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Miller, George
Mollohan
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Ross
Roybal-Allard
Sabo
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Sherman
Smith (WA)
Solis
Strickland
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wu

NOES—300

Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (MO)
McCrery
McHugh
McInnis
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Scarborough
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Blumenauer
Cubin
Hall (OH)
Linder
Lipinski
Miller (FL)
Nethercutt
Spence
Stark

□ 2247

Mrs. NAPOLITANO changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ARMEY. Mr. Chairman, I ask unanimous consent that there be no more procedural votes this evening; that the committee be allowed to work with the Members in question on title II of the bill, without interruption; and as they complete that work this evening, any votes that are ordered on amendments be postponed until 9 a.m. tomorrow morning.

The CHAIRMAN. The Chair already has the authority to postpone votes on amendments but not on procedural motions.

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that there be no more procedural votes this evening and that the committee be allowed to continue its work on title II.

The CHAIRMAN. The Committee of the Whole cannot entertain that request.

Mr. ARMEY. Mr. Chairman, I ask unanimous consent that title II be considered as read and open for amendment at any time.

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

Mr. FRANK. I object.

Mr. ARMEY. Mr. Chairman, it is clear and obvious to me that the Members of this body cannot work tonight effectively and make progress on this bill. That is unfortunate. Obviously, it will delay our departure tomorrow. But in consideration of the mood that we find on the floor this evening,

Mr. Chairman, I move that the Committee do now rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. SHIMKUS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

PLAN COLOMBIA SEMI-ANNUAL OBLIGATION REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and the Committee on Appropriations and ordered to be printed.

To the Congress of the United States:

Pursuant to section 3204(e) of Public Law 106–246, I hereby transmit a report detailing the progress of spending by the executive branch during the first two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 26, 2001.*

REPORT ON H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Mr. TAYLOR of North Carolina, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107–169) on the bill (H.R. 2647) making appropriations for the legislative

branch for the fiscal year 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2172

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2172.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. DEFAZIO 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 California (Mr. HORN) is recognized for 5 minutes.

(Mr. HORN 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 New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE 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 Iowa (Mr. NUSSLE) is recognized for 5 minutes.

Mr. NUSSLE. Mr. Speaker, Pursuant to Sec. 314 of the Congressional Budget Act and Sec. 221(c) of H. Con. Res. 83, the concurrent resolution on the budget for fiscal year 2002, I submit for printing in the Congressional Record revisions to the allocations for the House Committee on Appropriations.

Adoption of the conference report on H.R. 2216, the bill making supplemental appropriations for fiscal year 2001, reverses the $184,000,000 outlay adjustment for fiscal year 2002 that was required upon the reporting of that bill by the Appropriations Committee. The conference report on the supplemental did not include any emergency-designated appropriations, which necessitated the earlier adjustment.

As reported to the House, H.R. 2620, the bill making appropriations for Veterans Affairs, Housing and Urban Development, and Independent Agencies for fiscal year 2002, includes an emergency-designated appropriations providing $1,300,000,000 in new budget authority to the Federal Emergency Management Agency. No outlays are expected to flow from that budget authority in fiscal year 2002. Under the provisions of both the Budget Act and the budget resolution, I must adjust the 302(a) allocations and budgetary aggregates upon the reporting of a bill containing emergency appropriations.

As passed by the House, H.R. 2590, the bill making appropriations for the Department of Treasury, the Postal Service, and General Government for fiscal year 2002, included $146,000,000 in new budget authority and $143,000,000 in outlays for an earned income tax credit compliance initiative. I also must adjust the 302(a) allocations and budgetary aggregates upon the reporting of a bill containing appropriations for that purpose, up to the limits specified in the Budget Act (which are the same as the amounts shown above).

To reflect these required adjustments, I hereby increase the 302(a) allocation to the House Committee on Appropriations to $662,746,000,000 for budget authority and $682,919,000,000 for outlays. The increase in the allocation also requires an increase in the budgetary aggregates to $1,627,934,000,000 for budget authority and $1,590,617,000,000 for outlays.

These adjustments apply while the relevant legislation is under consideration and take effect upon final enactment of such legislation. Questions may be directed to Dan Kowalski at 67270.

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

(Mr. LANGEVIN 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 Ohio (Mr. BROWN) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Mrs. JONES) is recognized for 5 minutes.

(Mrs. JONES of Ohio 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 Maryland (Mr. HOYER) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

(Ms. BROWN of Florida 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 Utah (Mr. MATHESON) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

(Ms. CARSON of Indiana addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HMO REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Iowa (Mr. GANSKE) is recognized for half the time between now and midnight as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, we have some important issues coming up in this next week, I hope. One of those, I hope, will be a full debate with a fair rule on a patient's bill of rights.

We have been working on this legislation for about 5 years, and when we had this debate here on this floor 2 years ago, a young man and his mother came up from Atlanta, Georgia, to see how the debate would go. This little boy's name was James Adams.

When James was 6 months old, one night about 3 in the morning, he had a temperature of about 105 degrees. He was a pretty sick little baby. His mother phoned the 1–800–HMO number and she said, my little baby is really sick and has a temperature of over 104, and I think he needs to go to the emergency room. She was following the rules to get an authorization.

The HMO reviewer at the end of that telephone line said, well, I guess that would be all right. I will authorize you to go to this one particular emergency room because that is where we have our contract. But if you go to another one, you are on your own. So Jimmy's mother said, well, where is it? And the voice at the end of the telephone line said, I do not know, find a map.

Well, it turned out that this authorized hospital was clear on the other side of Atlanta, Georgia, at least 50 miles away. So, with an infant who was critically ill, a mom and dad who were not health professionals put little Jimmy in the car, they wrapped him up, and started their trek to the hospital. En route they passed three emergency rooms, but they did not have authorization to stop at those emergency rooms, and they knew if they did they would be left with the bill.

They were not medical professionals. They did not know how sick little Jimmy was.

□ 2300

So they pushed on. But before they made it to the authorized emergency

room, little James Adams had a cardiac arrest.

Imagine yourself as the mother of this little baby, trying to keep him alive, or as the father driving this car when your wife is holding your son. He is not breathing, and you are trying to find the authorized emergency room.

Finally, he pulled into the driveway. His mother, Lamona, leaped out of the car screaming, ''Save my baby. Save my baby.''

The nurse came running out and started resuscitation. They put in an IV. They gave him drugs. They got his heart going, and they managed to save his life. But you know what? They did not save all of Jimmy.

Because of that arrest and the loss of circulation to his hands and to his feet he developed gangrene. Both hands and both feet had to be amputated. That was a medical decision that that HMO made. That reviewer could have said, your baby is sick. Take him to the closest emergency room. No. Dollars came over good sense. We have a contract with that distant emergency room. So we are only going to authorize care there.

Mr. Speaker, I suspect that we are going to have some people on this floor next week or maybe in September when we debate this bill, and they are going to get up here and they are going to say we should not legislate on the basis of anecdotes. That is just an anecdote.

I would say to those folks, that little boy is never going to touch the cheek of the woman that he loves with his hand. He is never going to play basketball. He is able to pull on his leg protheses with the stumps of his arm. But to get on his bilateral arm prostheses he needs help. He has hooks.

I will tell you, that little anecdote, he is now about eight. He is a pretty good kid. He is doing all right. I think he will be a productive member of society. But that little anecdote, as some would call that little boy, if he had a finger and you pricked it, it would bleed.

So I talk to my friends here on both sides of the aisle and I ask, why has it taken 5 years to rectify that? Do you know why that HMO did not take the proper care and precaution? Why they ''cut the corners,'' as a judge who looked at the case said. That HMO's margin of error was razor thin, razor thin that judge said about that HMO's margin of safety. Probably about as razor thin as the scalpel that had to cut off both hands and both feet.

Do you know why that HMO did that? Because they passed here in Congress a law 25 years ago that said that the HMO is responsible for nothing but the cost of care denied. If they deny care to somebody who is dying and the patient dies, then they are not responsible for anything. In the case of this little boy, the only thing that HMO was responsible for was the cost of his amputation.

That child was in an employer plan protected under a law that was passed here in Congress 25 years ago, never meant to be applied to the health system. It was a pension law meant to benefit the people who were to get the pensions. It was not supposed to be a protection for health plans.

Mr. Speaker, how did this come about? Well, there has been a change in the health care system. It used to be the insurance companies, back 25 years ago, they did not make those kinds of decisions. They did not manage the care like they do now. You had a fee-for-service system, but the system has changed. We have seen time and time again HMOs consider the bottom line to be better or more important than the care of their beneficiaries.

That is why it is very important that we address this situation. I can tell one story after another, but those would just be anecdotes.

I can tell about a woman in Des Moines, Iowa, who just a week or two ago came up to me with tears in her eyes. She said, Congressman, I have had breast cancer. I have been on chemotherapy. My doctor told me that I needed a test to see whether the cancer had come back. But my HMO would not authorize it. They said it was not, quote, medically necessary. And HMOs can define medical necessity any way that they want. Some define medically as the cheapest, least expensive care, quote/unquote.

She said, I had to ask my husband to do something I had never asked him to do before. She said, I told my husband, Bill, you are going to have to fight and battle that HMO for me because they have worn me out. I am fighting my cancer. I need a test. All of my doctors say I do. There is no specific exclusion of coverage in my contract, and they will not give it to me.

Well, after a long time they finally said, yes, we will give it to you; and the morning she was supposed to have the test they changed their mind.

Mr. Speaker, we need a way to resolve these disputes before patients are injured. That is why in the Ganske-Dingell-Norwood bill we have a way to resolve these disputes. If an HMO denies care, a patient can appeal it in the HMO; and if they continue to deny it and the patient thinks they are not being treated fairly, the patient can go to an independent, external review panel of physicians. Their decision will be binding on the plan. But their decision would not be bound by the plan's own arbitrary guidelines of medical necessity, and that is one of the crucial differences between the Ganske-Dingell bill and the Fletcher bill.

If we look at the details of the language in the Fletcher bill, the bill supported by the leadership of this House, Members will see that through very, very clever, I would say cunning language, the independent panel can really only tell the HMO to do what an HMO reviewer would have done.

Furthermore, that HMO would not be liable for anything other than what a person acting in a similar situation, i.e., another medical reviewer, would have done. Ordinary care is the definition defined in a way that puts into legislative language protections that the HMOs do not even have now. The Fletcher bill gives HMOs affirmative defenses that they do not have under ERISA now. What we are trying to do is fix the law as it exists now.

□ 2310

So I tell my colleagues and friends on both sides of the aisle, if you vote for that Fletcher bill, you are going to be voting for a bill that is worse than current law. You are going to be voting for a bill that protects HMOs more than ERISA does now.

I do not know whether my colleagues want to go home and explain to their constituents how when we are dealing with a bill that is supposed to protect patients, they voted for a bill that protected HMOs. That does not make sense. We need a real patient protection bill.

I could go through a long list and read in boring detail how the legislative language in the Fletcher bill is worse than current law. But let me just read a short section from a nonpartisan law professor at George Washington University who has analyzed the Fletcher bill and says of the Fletcher bill:

First through its strong preemption language, the Fletcher bill would significantly restrict legal remedies that are potentially available now under State law in the case of death and injury caused by managed care organizations that operate medically substandard systems of care. In doing so, the Fletcher bill would displace decades of American jurisprudence regarding the liability of health organizations for the death or injury that they caused.

The Fletcher bill basically moves State law into Federal law. So for all of my colleagues who have spoken highly of States rights and the 10th amendment in the past, how are you going to justify that position with a vote for Fletcher? Dr. Rosenbaum says:

Second, the Federal remedy created by the legislation fails to provide a minimally acceptable alternative and even this remedy is rendered meaningless through caveats, limitations and provisos. The Federal remedy would have the effect of federalizing managed care medical liability law.

Now, my friends, you have an alternative. It is called the Ganske-Dingell-Norwood-Berry bill. This bill has been debated in the Senate. A lot of Republican Senators worked very hard to improve that bill. For instance, Senators SNOWE and DEWINE further strengthened the bill's language protecting employers from liability. It allowed an employer to shift responsibility to a designated decision-maker and thus free itself from liability when it is not involved in medical decision-making. That is important. That adds to our employer protections on liability that

says unless you are directly participating in an HMO's decision, you cannot be held liable. That is fair. Almost all the employers in my district back home hire a PPO or an HMO, they do not get involved in the decisions that they make and they are not responsible. They would not be liable. That will be in our bill as we bring it to the floor.

The DeWine amendment, Senator DEWINE from Ohio, a Republican, further restricted the ability to file class actions. The Warner amendment, JOHN WARNER, Republican from Virginia, had an amendment that will be in our bill. It caps attorneys' fees. The Thompson amendment, Senator FRED THOMPSON, Republican from Tennessee, will be in our bill, that requires exhaustion of appeal remedies before a cause of action can be brought. The Phil Gramm amendment, Senator PHIL GRAMM, Republican from Texas, clarified that nothing in the bill prevents independent medical reviewers to require plans or issuers to cover specifically excluded items or services. That will be in the Ganske-Dingell-Norwood-Berry bill.

There are a number of other important amendments that will be in our bill. One of them was the Santorum amendment, Senator RICK SANTORUM, Republican from Pennsylvania, defines fetuses born alive as persons under Federal law and makes them eligible for protection under the patients' rights bill. That will be in our bill. Furthermore, we have provisions in the Ganske-Dingell-Norwood bill that would help people afford health insurance. We have 100 percent deductibility for the self-insured, for their health premiums, as an example. We expand medical savings accounts. That was a significant compromise from the Democratic side.

We think that the cries that the sky will fall, the sky will fall that we heard in Texas but never happened, that premiums would go out of sight, that lawsuits would just multiply, there would be an explosion, none of that happened. We wrote our bill several years ago based on Texas law. The Congressional Budget Office estimated that the cost of this bill in terms of insurance premiums would be a cumulative 4 percent over 5 years. Our opposition bill based on the Breaux-Frist bill from the Senate would raise premiums about 3 percent cumulative over 5 years. That is about 1 percent difference. We are talking in terms of increased costs for our bill of somewhere in the order of one Big Mac meal per employee per month. Most people in this country think that that would be well worth it in order to know that their insurance will actually mean something if they get sick.

There certainly has not been any explosion of lawsuits in Texas which our bill is modeled after. There have just been a handful. Several of them involve health plans that did not follow the law, demonstrating that there is a need for some type of enforcement. But a health plan ought to be liable if they are not following the law. There is a health plan in Texas that had a patient in the hospital who was suicidal, the doctor said the patient needed to stay in the hospital, the health plan said, "No, in our judgment, he doesn't need to be there, we're not going to pay for it," the family could not afford it, they took him home, he drank half a gallon of antifreeze and committed suicide that night. That health plan did not follow the law, because the law said that if there is a dispute, you are supposed to go to an expedited independent review and they just ignored it. If there is not an enforcement provision in these bills that is worth the paper it is written on, then nothing else in the bill will be worth what it is written on.

We have over 800 endorsing and sponsoring organizations commending our bill, calling for its passage. This includes most if not all of the consumer groups, the professional groups. They have looked at this bill in detail. They have looked at the Fletcher bill in detail. They know that if the Fletcher bill became law, it would abrogate the advances that have been made in States around the country in terms of protecting patients, particularly in the States that have placed some responsibility, some legal responsibility, on HMOs, States like Texas.

□ 2320

Now, Mr. Speaker, President Bush has issued a list of principles. We firmly believe that the Ganske-Dingell-Norwood bill meets those principles, especially after the addition of the amendments that were passed almost unanimously in the Senate.

The President has rightly been concerned about increases in costs. We think that our bill is affordable. The estimates by the Congressional Budget Office confirm that. Since the President during his campaign spoke glowingly of the patient protection bills in Texas, this is what we wrote our bill after. When I look at those seven points that the President said he would need to have for his signature, our bill meets those requirements.

Now, we are more than happy to work with President Bush on this, and our door is open. Members of our group have continued to discuss these items with the President. But it is time to move. It is time to get this legislation through the House and get it into the conference. We will be more than happy to continue discussions with the President on these.

I believe President Bush wants to see a Patients' Bill of Rights signed into law and this is the bill that meets his requirements, and it would just be a darn shame not to end up at the end of the day with a bill that meets those requirements, as we think our bill does.

Mr. Speaker, the Speaker of the House promised that we would have a vote on this patient protection bill before we left for our August recess. In fact, we were supposed to have this debate last week. Then it was postponed to this week. The word is out now that we may not have this vote next week either before we go home for August recess.

I would just remind my colleagues that every day HMOs around this country are making health decisions that in many cases are life and death. Those decisions are affecting our family members, our friends, our colleagues, our constituents back home. There is no excuse for not moving ahead and allowing the will of the House to work.

This is supposed to be a democratic institution. Let us have a fair debate, with a fair rule. Sure, there can be amendments. And let us let the will of the people work, and let us move forward in a prompt manner to help patients and our friends get a fair shake from their HMOs and their health insurers in their time of need.

I expect that people will keep their word on this. If we do not have this debate next week, that would be a shame. We should at least move promptly in early September.

But I will tell you, to not bring this bill up because you just cannot have your way, because you do not have the votes, is what I would call a pocket veto without a debate, and I do not believe that is the democratic way that we should run this House.

Mr. Speaker, let us move to a prompt and fair debate on this bill, and let us get on with the people's business.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LINDER (at the request of Mr. ARMEY) for after 5 p.m. today and the rest of the week on account of personal reasons.

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. OLVER) to revise and extend their remarks and include extraneous material:

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mr. MATHESON, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

The following Members (at the request of Mr. DEMINT) to revise and extend their remarks and include extraneous material:

Mr. HORN, for 5 minutes, today.
Mr. NUSSLE, for 5 minutes, today.

ADJOURNMENT

Mr. GANSKE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Friday, July 27, 2001, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the speaker's table and referred as follows:

3094. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, ''Parity of Pay and Benefits For Active Duty Service and Reserve Service; to the Committee on Armed Services.

3095. A letter from the Secretary of the Navy, Department of Defense, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 25 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

3096. A letter from the Inspector General-Defense, Department of Defense, transmitting the semiannual report of the Inspector General and classified annex for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Armed Services.

3097. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Increase in Rates Payable Under the Montgomery GI Bill—Selected Reserve(RIN: 2900–AK40) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3098. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Safety Standard for Automatic Residential Garage Door Operators—received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3099. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X; Standard for the Flammability of Children's Sleepwear: Size 7 through 14—received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3100. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision to the California State Implementation Plan, Bay Area Air Quality Management District, Lake County Air Quality Management District, Monterey Bay Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, San Joaquin Valley Unified Air Pollution Control District [CA 210–0285; FRL–7013–4] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3101. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Pinal-Gila Counties Air Quality Control District and Pinal County Air Quality Control District [AZ099–0039; FRL–7013–3] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3102. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permits Program in Alaska [FRL–7012–9] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3103. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District and San Joaquin Valley Unified Air Pollution Control District [CA 169–0282; FRL–7013–5] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3104. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Amendments to the Iranian Assets Control Regulations—received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3105. A letter from the Acting Director, Office of Personnel Management, transmitting a report on the Physicians' Comparability Allowance Program, pursuant to 5 U.S.C. 5948(j)(1); to the Committee on Government Reform.

3106. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–105, ''Health-Care Facility Unlicensed Personnel Criminal Background Check Temporary Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3107. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–103, ''Carter G. Woodson Memorial Park Designation Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3108. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–96, ''Corrections Information Council Temporary Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3109. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–99, ''Closing of a Public Alley in Square 192, S.O. 93–89, Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3110. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–98, ''Campaign Finance Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3111. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–93, ''Lorenzo Larry Allen Memorial Park Designation Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3112. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–97, ''Closing of a Public Alley in Square 622, S.O. 99–24, Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3113. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–91, ''Election Petition Penalty Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3114. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–94, ''Fort Stanton Civic Association Real Property Tax Exemption and Equitable Real Property Tax Relief Temporary Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3115. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–90, ''Corrections Information Council Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3116. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–92, ''Chesapeake Regional Olympic Games Authority Temporary Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3117. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–106, ''Closing of Portions of 2nd and N Streets, N.E. and the Alley System in Square 710, S.O. 00–97, Act of 2001''received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3118. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3119. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–100, ''Public School Enrollment Integrity Temporary Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3120. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2000; to the Committee on Government Reform.

3121. A letter from the Acting Director, Office of National Drug Control Policy, transmitting the Office's FY 2001–FY 2007 Strategic Plan; to the Committee on Government Reform.

3122. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Recruitment and Relocation Bonuses and Retention Allowances (RIN: 3206–AJ08) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3123. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2001, through June 30, 2001 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 107–108); to the Committee on House Administration and ordered to be printed.

3124. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No. 010122013–1013–01; I.D. 070901A] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3125. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS332L2 Helicopters [Docket No. 2001–SW–04–AD; Amendment 39–12271; AD 2001–12–

16] (RIN: 2120–AA64) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3126. 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 Equipped With Pratt & Whitney Model PW4400 Series Engines [Docket No. 2001–NM–115–AD; Amendment 39–12215; AD 2001–09–10] (RIN: 2120–AA64) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3127. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2001–NM–32–AD; Amendment 39–12154; AD 2001–06–07] (RIN: 2120–AA64) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3128. A letter from the Secretary, Department of Transportation, transmitting a report in accordance with the requirements of Section 2006(e) of the Transportation Equity Act for the 21st Century entitled, ''Evaluation of Driver Licensing Information Programs and Assessment of Technologies''; to the Committee on Transportation and Infrastructure.

3129. A letter from the Deputy Administrator, General Services Administration, transmitting a report of Building Project Survey for Canton, OH; to the Committee on Transportation and Infrastructure.

3130. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–36] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3131. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Foreign Trusts That Have U.S. Beneficiaries [TD 8955] (RIN: 1545–AO75) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3132. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Recognition of Gain on Certain Transfers to Certain Foreign Trusts and Estates [TD 8956] (RIN: 1545–AY25) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3133. A letter from the Chair, Ticket to Work and Work Incentives Advisory Panel, transmitting the Panel's Preliminary Advice Report on the Ticket to Work and Self-Sufficiency Program (the Ticket Program); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 210. Resolution providing for consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–164). Referred to the House Calendar.

Mr. YOUNG of Florida: Committee on Appropriations. report on the Revised Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. 107–165). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 988. A bill to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse'' (Rept. 107–166). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. House Resolution 193. Resolution requesting that the President focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority, and for other purposes (Rept. 107–167). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and commerce. H.R. 943. A bill to amend the Public Health Service Act with respect to the availability of influenza vaccine through the program under section 317 of such Act; with an amendment (Rept. 107–168). Referred to the Committee of the whole House on the State of the Union.

Mr. TAYLOR of North Carolina: Committee on Appropriations. H.R. 2647. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–169). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COMBEST (for himself and Mr. STENHOLM):

H.R. 2646. A bill to provide for the continuation of agricultural programs through fiscal year 2011; to the Committee on Agriculture.

By Mr. ALLEN (for himself, Mr. BALDACCI, Ms. CARSON of Indiana, Mr. CONYERS, Mr. CROWLEY, Ms. DEGETTE, Mr. FROST, Mr. HINCHEY, Mr. HOLT, Mr. ISRAEL, Mr. LANTOS, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Mr. MORAN of Virginia, Ms. NORTON, Mr. PASCRELL, Mr. PAYNE, Mr. REYES, and Mr. WAXMAN):

H.R. 2648. A bill to ensure excellent recruitment and training of math and science teachers at institutions of higher education; to the Committee on Education and the Workforce.

By Mr. BURR of North Carolina (for himself, Mr. TOWNS, Mr. BORSKI, Mr. SCARBOROUGH, Mr. BOUCHER, Mr. COX, Mr. KOLBE, Mr. ISAKSON, Mr. OXLEY, Mr. WHITFIELD, Mrs. EMERSON, Mr. SWEENEY, Mr. EHRLICH, Mr. GOODE, Mr. BARTON of Texas, Mr. BARCIA, Mr. NORWOOD, Mr. BISHOP, Mr. WYNN, Mr. GREENWOOD, Mr. LEWIS of Georgia, Mr. UPTON, Mr. BRYANT, Mrs. BIGGERT, Mr. RUSH, and Mr. HALL of Texas):

H.R. 2649. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CALLAHAN:

H.R. 2650. A bill to extend the temporary suspension of the duty on 2–Methyl-4,6-bis[(octylthio) methyl]phenol; to the Committee on Ways and Means.

By Mr. CALLAHAN:

H.R. 2651. A bill to extend the temporary suspension of the duty on 4-[[4,6–Bis(octylthio)-1,3,5-triazin-2-yl]amino]-2,6-bis(1,1 dimethylethyl)phenol; to the Committee on Ways and Means.

By Mr. CALLAHAN:

H.R. 2652. A bill to extend the temporary suspension of the duty on Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate]; to the Committee on Ways and Means.

By Mrs. CLAYTON (for herself, Mr. TOWNS, Mr. THOMPSON of Mississippi, Mr. BISHOP, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, Ms. KILPATRICK, Ms. KAPTUR, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Ms. CARSON of Indiana, Ms. DELAURO, Mr. POMEROY, Ms. BROWN of Florida, Mr. CLYBURN, Mr. CONYERS, Mr. FATTAH, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. MEEKS of New York, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. WATT of North Carolina, Mr. WYNN, Mr. CLAY, Mr. FARR of California, Mr. SCOTT, Mr. RUSH, Mrs. THURMAN, Mr. ETHERIDGE, Mr. JEFFERSON, Mr. RANGEL, Mr. FORD, Mr. CUMMINGS, Mr. JACKSON of Illinois, Mr. PRICE of North Carolina, Mr. HASTINGS of Florida, and Ms. JACKSON-LEE of Texas):

H.R. 2653. A bill to amend the Consolidated Farm and Rural Development Act to improve the agricultural credit programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. CLEMENT (for himself, Ms. KAPTUR, Mr. BLUMENAUER, Mrs. TAUSCHER, Mr. MICA, and Mr. HONDA):

H.R. 2654. A bill to designate the Surface Transportation Board as a forum to improve passenger rail and other fixed guideway passenger transportation by allowing improved access to freight track and rights-of-way for fixed guideway transportation in consideration for just and reasonable compensation to freight railroads; to the Committee on Transportation and Infrastructure.

By Mrs. DAVIS of California:

H.R. 2655. A bill to amend title 32, United States Code, to establish a National Guard program to assist at-risk youth develop life skills; to the Committee on Armed Services.

By Ms. DEGETTE (for herself and Mr. UDALL of Colorado):

H.R. 2656. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Resources.

By Mr. DELAY (for himself, Ms. NORTON, Mrs. MORELLA, and Mr. TOM DAVIS of Virginia):

H.R. 2657. A bill to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes; to the Committee on Government Reform.

By Mr. DEMINT (for himself, Mr. ARMEY, Mrs. JOHNSON of Connecticut, Mr. BURR of North Carolina, Mr. COOKSEY, Mr. FLETCHER, Mr. HERGER, Mr. HOEKSTRA, Mr. MCKEON, Mr. SAM JOHNSON of Texas, Mr. SHADEGG, Mrs. MYRICK, Mr. SOUDER, Mr. RYAN of Wisconsin, Mr. TOOMEY, Mr. STEARNS, Mr. PITTS, Mr. BARTLETT of Maryland, Mr. PENCE, Mr. TIAHRT, Mr.

PAUL, Mr. MANZULLO, and Mr. TIBERI):

H.R. 2658. A bill to amend the Internal Revenue Code of 1986 to exclude employer contributions to health care expenditure accounts from gross income, and to amend title I of the Employee Retirement Income Security Act of 1974 to clarify the applicability of such title to plans employing such accounts; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of Ohio (for himself, Mr. BOEHLERT, Mrs. TAUSCHER, Mr. HOBSON, and Mr. BOYD):

H.R. 2659. A bill to amend title 10, United States Code, to enhance science and technology planning and budgeting by the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. HASTINGS of Florida:

H.R. 2660. A bill to direct the Secretary of Health and Human Services to prepare and publish annually a consumer guide to prescription drug prices; to the Committee on Energy and Commerce.

By Mr. GEORGE MILLER of California (for himself, Mr. SPRATT, Mr. BONIOR, Ms. MCKINNEY, Mr. KENNEDY of Rhode Island, Mr. FRANK, Mr. KUCINICH, Ms. KAPTUR, Mr. HILLIARD, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. FILNER, Mr. SANDERS, Mr. STARK, Mr. FROST, Mr. ABERCROMBIE, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. LUTHER, Mr. BRADY of Pennsylvania, Ms. PELOSI, Mr. HINCHEY, Mrs. CLAYTON, Ms. LEE, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Ms. WOOLSEY, Mrs. MINK of Hawaii, Mr. BARRETT, Mr. CROWLEY, Mr. ENGEL, Mr. JACKSON of Illinois, Mr. PASCRELL, Mr. EVANS, Ms. LOFGREN, Mr. LANTOS, Mr. GUTIERREZ, Mr. BERMAN, Mr. OWENS, Ms. BALDWIN, Mr. KLECZKA, Mr. PALLONE, Mr. MASCARA, Mr. RAHALL, Mr. TRAFICANT, Mr. ALLEN, Ms. SLAUGHTER, Mr. MCDERMOTT, and Mr. VISCLOSKY):

H.R. 2661. A bill to provide certain requirements for labeling textile fiber products and for duty-free and quota-free treatment of products of, and to implement minimum wage and immigration requirements in, the Northern Mariana Islands, and for other purposes; to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2662. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Government Reform, and 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 Mr. STARK (for himself, Mr. SENSENBRENNER, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. SERRANO, and Ms. RIVERS):

H.R. 2663. A bill to require the Federal Trade Commission to amend the trade regulation rule on ophthalmic practice to require the release of prescriptions for contact lenses, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KOLBE (for himself, Mr. GILMAN, Mr. OBERSTAR, Mr. DREIER, Mr. HINCHEY, Mr. LEACH, Mr. MCGOVERN, Mr. REGULA, and Mr. UPTON):

H. Con. Res. 201. Concurrent resolution expressing the sense of the Congress that the United States should establish an international education policy to further national security, foreign policy, and economic competitiveness, and promote mutual understanding and cooperation among nations; to the Committee on International Relations, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. MCKINNEY, Mr. CONYERS, Ms. CARSON of Indiana, and Ms. KILPATRICK):

H. Res. 211. A resolution expressing the sense of the House of Representatives that the Bush Administration should send a high-level delegation to participate at the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. DAVIS of California:

H.R. 2664. A bill for the relief of Brenda Jean Nellis; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 2665. A bill to authorize the use of a vessel to transport the former naval medium harbor tug USS *Hoga* to Port Everglades, Florida, for use as a memorial to veterans and for providing vocational seamanship training; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 68: Mr. EVANS.
H.R. 87: Mr. ANDREWS.
H.R. 97: Mrs. NAPOLITANO.
H.R. 162: Mr. EHRLICH, Mr. BONILLA, and Mr. KING.
H.R. 189: Mr. GOODE.
H.R. 218: Mrs. CUBIN, Mr. WELLER, Mrs. CAPITO, and Mrs. BIGGERT.
H.R. 239: Mr. HEFLEY, Ms. PELOSI, Ms. BALDWIN, Mr. DOYLE, and Mr. RADANOVICH.
H.R. 257: Mr. PLATTS, Mr. PETERSON of Minnesota, Mr. MCINNIS, and Mr. VITTER.
H.R. 267: Mr. PAYNE.
H.R. 303: Mr. FORBES.
H.R. 599: Mr. EHRLICH.
H.R. 606: Mr. TIERNEY.
H.R. 633: Mr. BOSWELL and Mr. NADLER.
H.R. 661: Mr. REYNOLDS and Mr. BLUNT.
H.R. 668: Mr. SHUSTER.
H.R. 684: Ms. NORTON, Mr. LANTOS, Ms. MCKINNEY, Ms. PELOSI, Mr. CUMMINGS, and Mr. EVANS.
H.R. 701: Mrs. BIGGERT, Mr. BOEHLERT, Mr. WATT of North Carolina, and Mr. ACKERMAN.
H.R. 703: Mr. BONIOR.
H.R. 774: Ms. LOFGREN.
H.R. 804: Mr. GRAHAM and Mr. SHIMKUS.
H.R. 822: Mr. GRAHAM.
H.R. 854: Ms. MCKINNEY.
H.R. 868: Mr. MOLLOHAN, Mr. COLLINS, Mr. SMITH of Washington, Mr. DICKS, and Mr. SCOTT.
H.R. 909: Mr. FOSSELLA.
H.R. 918: Ms. MCCOLLUM, Mr. UPTON, and Mr. GREENWOOD.
H.R. 936: Mr. ISRAEL, Mrs. NAPOLITANO, and Mr. SABO.
H.R. 951: Mr. JACKSON of Illinois, Mr. BLUMENAUER, and Mr. SERRANO.
H.R. 968: Mr. ROTHMAN.
H.R. 972: Mr. FATTAH.
H.R. 995: Mr. FRANK.
H.R. 1073: Mr. UPTON.
H.R. 1110: Mr. WICKER.
H.R. 1134: Mr. MCINNIS.
H.R. 1136: Mr. SHERMAN.
H.R. 1151: Ms. CARSON of Indiana.
H.R. 1170: Mr. BOSWELL.
H.R. 1177: Mr. GOODE, Mr. COYNE, Mr. LATOURETTE, Ms. BALDWIN, and Mr. FARR of California.
H.R. 1178: Mr. FRANK.
H.R. 1194: Mr. PRICE of North Carolina.
H.R. 1198: Mr. PLATTS, Mr. PRICE of North Carolina, Mr. OBERSTAR, and Mr. ABERCROMBIE.
H.R. 1202: Mr. PAYNE, Mr. GUTIERREZ, Ms. DELAURO, and Mr. GRAHAM.
H.R. 1238: Mr. MATSUI, Mr. CARDIN, and Mr. SHAW.
H.R. 1243: Ms. MCKINNEY.
H.R. 1268: Mr. TANCREDO.
H.R. 1296: Mrs. KELLY, Mr. BOSWELL, Mr. BEREUTER, Mr. NUSSLE, and Mr. KUCINICH.
H.R. 1305: Mr. STRICKLAND and Mr. PASTOR.
H.R. 1350: Mr. OLVER.
H.R. 1367: Mr. BONIOR.
H.R. 1377: Mr. INSLEE, Mr. BEREUTER, and Mr. FOSSELLA.
H.R. 1408: Mr. CRAMER.
H.R. 1507: Mr. BENTSEN, Mr. NETHERCUTT, and Mr. DOYLE.
H.R. 1536: Mr. MARKEY, Mr. FORD, Mr. UDALL of Colorado, and Mr. MORAN of Virginia.
H.R. 1556: Mr. SHUSTER and Mr. GOODE.
H.R. 1582: Mr. RODRIGUEZ.
H.R. 1596: Mr. FILNER and Mr. MCHUGH.
H.R. 1600: Mr. PRICE of North Carolina and Mr. WELLER.,
H.R. 1602: Mr. KELLER, Mrs. BIGGERT, Mr. SAM JOHNSTON of Texas, Mr. FLETCHER, Mr. GRAHAM, Mr. UPTON, and Mr. DEAL of Georgia.
H.R. 1605: Ms. HART.
H.R. 1609: Mr. LUCAS of Kentucky.
H.R. 1613: Mrs. BIGGERT and Mr. RANGEL.
H.R. 1624: Mr. FARR of California, Mr. HASTINGS of Florida, Mr. SESSIONS, Mr. WEINER, Mr. CROWLEY, Mr. BRADY of Texas, Mr. SABO and, Mr. REGULA.
H.R. 1650: Ms. BALDWIN.
H.R. 1680: Mr. ACKERMAN, Mr. DINGELL, and Ms. KAPTUR.
H.R. 1693: Mr. GUTIERREZ, Mr. LEACH, and Mr. ABERCROMBIE.
H.R. 1770: Mr. HASTERT.
H.R. 1779: Ms. WOOLSEY, Mr. BISHOP, Mr. LAMPSON, and Mr. EHLERS.
H.R. 1835: Mr. ENGLISH.
H.R. 1841: Mrs. MINK of Hawaii, Mr. GREEN of Texas, and Mr. FATTAH.
H.R. 1875: Mr. QUINN.
H.R. 1896: Mr. ANDREWS.
H.R. 1948: Mr. LANGEVIN.
H.R. 1964: Mr. KILDEE.
H.R. 1979: Mr. COOKSEY, Mr. KELLER, Mr. HALL of Texas, and Mr. GORDON.
H.R. 1998: Mr. BLUNT, Mr. ORTIZ, and Mr. GEKAS.
H.R. 1987: Mr. SESSIONS, Mr. BAKER, Mr. SMITH of Texas, and Mr. TIBERI.
H.R. 1990: Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. FORD, Mr. HASTINGS of Florida, Mrs. JONES of Ohio, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. WATERS, Mr. WATT of North Carolina, and Mr. BERMAN.

H.R. 2012: Mr. GILMAN and Mr. RYAN of Wisconsin.
H.R. 2033: Mr. BECERRA, Mr. PASTOR, Mr. WATERS, Ms. LOFGREN, Mr. LANTOS, and Mr. MCGOVERN.
H.R. 2037: Mr. THOMAS, Mr. REYNOLDS, Mr. HOEKSTRA, Mr. SAXTON, Mr. BOEHLERT, and Mr. MCINTYRE.
H.R. 2070: Mr. DOOLEY of California.
H.R. 2074: Ms. PELOSI, Mr. PASTOR, and Mr. RODRIGUEZ.
H.R. 2081: Mr. ROHRABACHER.
H.R. 2094: Mr. PAUL and Mr. OTTER.
H.R. 2095: Mr. RODRIGUEZ.
H.R. 2117: Mr. WEINER.
H.R. 2118: Mr. PITTS and Mr. FRANK.
H.R. 2154: Ms. BALDWIN.
H.R. 2155: Mr. SCHAFFER.
H.R. 2156: Mr. PALLONE.
H.R. 2211: Ms. BALDWIN, Mr. WU, and Mr. NADLER.
H.R. 2219: Mr. GOODE.
H.R. 2220: Mrs. MCCARTHY of New York, Mr. THOMPSON of California, Mr. EHRLICH, and Mr. MCNULTY.
H.R. 2258: Mr. WEXLER.
H.R. 2310: Mr. MCDERMOTT.
H.R. 2317: Mr. FILNER, Mr. BORSKI, Mr. STARK, Mrs. THURMAN, Mr. MATSUI, Mr. MCNULTY, Ms. MCKINNEY, Mr. GRUCCI, Mr. LIPINSKI, Mr. MCGOVERN, Mr. FROST, Mr. KILDEE, and Mr. GONZALEZ.
H.R. 2329: Mr. THOMPSON of Mississippi, Mr. JACKSON of Illinois, Ms. LOFGREN, Mrs. CLAYTON, Mr. GOODE, Mr. TIERNEY, Mr. REHBERG, Mrs. MORELLA, Mr. DELAHUNT, Mr. WYNN, Ms. SCHAKOWSKY, and Mr. WU.
H.R. 2333: Ms. RIVERS.
H.R. 2334: Mr. COBLE.
H.R. 2337: Mr. SCHAFFER.
H.R. 2339: Mr. WOLF.
H.R. 2348: Mr. HONDA, Mr. BONIOR, Mr. MASCARA, Mr. MORAN of Virginia, Mrs. CHRISTENSEN, Mr. RUSH, and Ms. LEE.
H.R. 2357: Mr. DELAY, Mr. BAKER, Mr. HALL of Texas, Mr. DEMINT, Mr. RILEY, Mr. PETERSON of Pennsylvania, Mr. THORNBERRY, Mr. HUNTER, Mr. KINGSTON, Mr. ARMEY, Mr. PAUL, Mr. ROHRABACHER, Mr. LEWIS of Kentucky, and Mr. GRAHAM.
H.R. 2363: Mr. HOEFFEL, Ms. ROYBAL-ALLARD, and Mr. PASCRELL.
H.R. 2404: Ms. WOOLSEY.
H.R. 2466: Mr. DEMINT, Mr. SHOWS, and Mrs. NORTHUP.
H.R. 2478: Ms. SANCHEZ.
H.R. 2484: Mr. DOYLE and Mr. BOUCHER.
H.R. 2485: Mr. MATSUI.
H.R. 2487: Mr. RANGEL.
H.R. 2492: Mr. LEWIS of California, Mr. HALL of Texas, and Mr. HILL.
H.R. 2507: Mr. ROGERS of Michigan.
H.R. 2560: Mr. ACKERMAN and Mr. DEUTSCH.
H.R. 2573: Ms. RIVERS, Ms. ESHOO, Mr. WAXMAN, and Ms. BALDWIN.
H.R. 2592: Mr. EHRLICH.
H.R. 2608: Ms. DEGETTE, Mr. TOWNS,, and Mr. SAWYER.
H.R. 2615: Mr. FLAKE.
H.R. 2624: Mr. GILMAN, Mr. NADLER, Mr. CROWLEY, Mr. HOLDEN, Mr. MCNULTY, Ms. NORTON, and Mr. CRAMER.
H.R. 2629: Mr. BLAGOJEVICH.
H.R. 2630: Mr. BARRETT.
H.R. 2637: Mrs. MEEK of Florida and Mr. GREENWOOD.
H.J. Res. 6: Mr. FRANK.
H.J. Res. 15: Mr. MOLLOHAN.
H.J. Res. 54: Ms. HART.
H. Con. Res. 36: Mr. TOOMEY and Mr. PLATTS.
H. Con. Res. 58: Mr. HOEFFEL.
H. Con. Res. 155: Mr. MATHESON.
H. Con. Res. 160: Mr. GEKAS and Mr. MCGOVERN.
H. Con. Res. 162: Ms. ROYBAL-ALLARD.
H. Con. Res. 195: Mr. MCDERMOTT.
H. Res. 132: Mrs. NAPOLITANO, Mr. DELAHUNT, and Mr. WALSH.
H. Res. 144: Mr. DUNCAN and Mr. OTTER.

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. 2172: Mr. LANGEVIN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2620

OFFERED BY: MR. BARCIA

AMENDMENT NO. 24: Page 62, line 21, after the first dollar amount insert the following: ''(reduced by $140,000,000)''.

Page 64, line 5, after the dollar amount insert the following: ''(increased by $140,000,000)''.

H.R. 2620

OFFERED BY: MR. BISHOP

AMENDMENT NO. 25: At the end of the bill (before the short title), insert the following:

SEC. ___. ESTABLISHMENT OF PROGRAM.

Subtitle B of title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5197–5197g) is amended by adding at the end the following:

''SEC. 629. MINORITY EMERGENCY PREPAREDNESS DEMONSTRATION PROGRAM.

''(a) IN GENERAL.—The Director shall establish a minority emergency preparedness demonstration program to research and promote the capacity of minority communities to provide data, information, and awareness education by providing grants to or executing contracts or cooperative agreements with eligible nonprofit organizations to establish and conduct such programs.

''(b) ACTIVITIES SUPPORTED.—An eligible nonprofit organization may use a grant, contract, or cooperative agreement awarded under this section—

''(1) to conduct research into the status of emergency preparedness and disaster response awareness in African American and Hispanic households located in urban, suburban, and rural communities, particularly in those States and regions most impacted by natural and manmade disasters and emergencies; and

''(2) to develop and promote awareness of emergency preparedness education programs within minority communities, including development and preparation of culturally competent educational and awareness materials that can be used to disseminate information to minority organizations and institutions.

''(c) ELIGIBLE ORGANIZATIONS.—A nonprofit organization is eligible to be awarded a grant, contract, or cooperative agreement under this section with respect to a program if the organization is a nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under section 501(a) of such Code, whose primary mission is to provide services to communities predominately populated by minority citizens, and that can demonstrate a partnership with a minority-owned business enterprise or minority business located in a HUBZone (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p))) with respect to the program.

''(d) USE OF FUNDS.—A recipient of a grant, contract, or cooperative agreement awarded under this section may only use the proceeds of the grant, contract, or agreement to—

''(1) acquire expert professional services necessary to conduct research in communities predominately populated by minority citizens, with a primary emphasis on African American and Hispanic communities;

''(2) develop and prepare informational materials to promote awareness among minority communities about emergency preparedness and how to protect their households and communities in advance of disasters;

''(3) establish consortia with minority national organizations, minority institutions of higher education, and faith-based institutions to disseminate information about emergency preparedness to minority communities; and

''(4) implement a joint project with a minority serving institution, including a part B institution (as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2))), an institution described in subparagraph (A), (B), or (C) of section 326 of that Act (20 U.S.C. 1063b(e)(1)(A), (B), or (C)), and a Hispanic-serving institution (as defined in section 502(a)(5) of that Act (20 U.S.C. 1101a(a)(5))).

''(e) APPLICATION AND REVIEW PROCEDURE.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an organization must submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require. The Director shall establish a procedure by which to accept such applications.

''(f) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section $1,500,000 for fiscal year 2002 and such funds as may be necessary for fiscal years 2003 through 2007. Such sums shall remain available until expended.''.

H.R. 2620

OFFERED BY: MR. DAVIS OF ILLINOIS

AMENDMENT NO. 26: In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND'', after the aggregate dollar amount, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the aggregate dollar amount, insert the following: ''(increased by $100,000,000)''.

H.R. 2620

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 27: In title I, in the paragraph under the heading ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'' after the first dollar amount, insert the following: ''(increased by $1,000,000)''.

H.R. 2620

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 28: Page 7, line 19, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

H.R. 2620

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 29:

Page 21, line 13, after the first dollar amount, insert the following: ''(increased by $1,000,000)''.

Page 21, line 24, after the first dollar, insert the following: ''(increased by $1,000,000)''.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 30:

In title III, under the heading ''NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES''—

(1) strike ''orderly termination of the''; and

(2) strike the proviso at the end.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 31: At the end of title II, insert the following new section:

SEC. 2___. For an additional amount for providing public housing agencies with tenant-based housing assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to provide amounts for incremental assistance under such section 8, and the amount otherwise provided by this title for ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND'' is hereby reduced by, $100,000,000.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 32: In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the aggregate dollar amount, insert the following: ''(reduced by $50,000,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the seventh dollar amount (relating to incremental vouchers), insert the following: ''(reduced by $50,000,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the eighth dollar amount (relating to amounts made available on a fair share basis), insert the following: ''(reduced by $50,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the aggregate dollar amount, insert the following: ''(increased by $50,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the second dollar amount (relating to the community development block grant program), insert the following: ''(increased by $50,000,000)''.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 33: In title III, at the end of the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION-SCIENCE, AERONAUTICS AND TECHNOLOGY'' insert the following: ''Additionally, for the Space Grant program, to promote science, mathematics, and technology education for young people, undergraduate students, women, underrepresented minorities, and persons with disabilities in the State of Texas, for careers in aerospace science and technology, $8,900,000.''.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 34: In title III, at the end of the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION-SCIENCE, AERONAUTICS AND TECHNOLOGY'' insert the following: ''Additionally, for the Minority University Research and Education Program to emphasize partnership awards that leverage the National Aeronautics and Space Administration's investment by encouraging collaboration among the National Aeronautics and Space Administration, Historically Black Colleges and Universities, Other Minority Universities, and other university researchers and educators, $58,000,000.''.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 35: In title III, at the end of the matter relating to ''NATIONAL SCIENCE FOUNDATION-EDUCATION AND HUMAN RESOURCES'' insert the following: ''Additionally, for training young scientists and engineers, creating new knowledge, and developing cutting-edge tools that together will fuel economic prosperity and increase social well-being in the years ahead, $662,000,000.''.

H.R. 2620

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 36: Page 54, after line 6, insert the following new section:

SEC. 208. The amounts otherwise provided by this title are revised by increasing the aggregate amount made available for ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', increasing the amount specified under such item for incremental vouchers under section 8 of the United States Housing Act of 1937, reducing the amount specified under such item for rescission from unobligated balances remaining from funds previously appropriated to the Department of Housing and Urban Development, increasing the amount made available for ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', and increasing the amount specified under such item for the community development block grant program, by $100,000,000, $100,000,000, $324,000,000, $224,000,000, and $224,000,000, respectively.

H.R. 2620

OFFERED BY: MS. PELOSI

AMENDMENT NO. 37: Page 92, strike lines 3 through 9.

H.R. 2620

OFFERED BY: MR. RANGEL

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following new section:

SEC. 4___. None of the funds made available by this Act may be used to implement or enforce the requirement under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c); relating to community service).

H.R. 2620

OFFERED BY: MRS. TAUSCHER

AMENDMENT NO. 39: In title III, in the matter relating to ''ENVIRONMENTAL PROTECTION AGENCY-STATE AND TRIBAL ASSISTANCE GRANTS'', after each of the first 2 dollar amounts insert the following: ''(increased by $150,000,000)''.

In title III, in the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION-HUMAN SPACE FLIGHT'' after the overall dollar amount insert the following: ''(reduced by $150,000,000)''.

H.R. 2620

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 40: At the end of the bill (preceding the short title) insert the following new section:

SEC. ___. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

H.R. 2620

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 41: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used by the Department of Veterans Affairs to implement any provision of the April 2001 report entitled ''Plan for the Development of a 25-Year General Use Plan for Department of Veterans Affairs West Los Angeles Healthcare Center''.

H.R. 2620

OFFERED BY: MR. WELDON

AMENDMENT NO. 42: Page 47, line 10, after the first dollar amount insert the following: ''(reduced by $50,000,000)''.

Page 72, line 5, after the dollar amount insert the following: ''(increased by $50,000,000)''.

H.R. 2620

OFFERED BY: MR. FRANK OF MASSACHUSETTS

AMENDMENT NO. 43: In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS ACT'', strike ''That of the total amount provided under this heading, $200,000,000'' and all that follows through ''as amended: *Provided further*,''.

H.R. 2620

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 44: At the end of title II, insert the following new section:

SEC. 2___. For carrying out the Public and Assisted Housing Drug Elimination Act of 1990 (42 U.S.C. 11901 et seq.) and the functions of the clearinghouse authorized under section 5143 of the Drug-Free Public Housing act of 1988 (42 U.S.C. 11922), and the aggregate amount otherwise provided by this title for the ''HOME INVESTMENT PARTNERSHIPS PROGRAM'' is hereby reduced by, and the amount provided under such item for the Downpayment Assistance Initiative is hereby reduced by, $175,000,000.

H.R. 2620

OFFERED BY: MR. BONIOR

AMENDMENT NO. 45: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. **[-]**. None of the funds appropriated by this Act may be used to delay the national primary drinking water regulation for Arsenic published on January 22, 2001, in the Federal Register (66 Fed.Reg. pages 6976 through 7066, amending parts 141 through 142 of title 40 of the Code of Federal Regulations) or to propose or finalize a rule to increase the levels of arsenic in drinking water permitted under that regulation.

H.R. 2620

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 46: At the end of the bill, add the following new section:

''SEC. . Funding made available under this Act for salaries and expenses, excluding those made available for the Department of Veterans Affairs and the Environmental Protection Agency, are reduced by $25,000,000 and funds made available for ''Environmental Programs and Management'' at the Environmental Protection Agency are increased by $25,000,000 for activities authorized by law: Provided, none of the funds in this Act shall be available by reason of the next to last specific dollar earmark under the heading ''State and Tribal Assistance Grants.''

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

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Senate

The Senate met at 12 noon and was called to order by the Presiding Officer, the Honorable JON S. CORZINE, a Senator from the State of New Jersey.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, the afternoon and evening ahead are filled with challenges and decisions. In the quiet of this creative moment of conversation with You, we dedicate these hours. We want to live them for Your glory. We praise You that You give strength and power to the Senators when they seek You above anything else. You guide the humble and teach them Your way. Speak to the Senators so that they may speak both in the tenor of Your truth and the tone of Your grace. Make them maximum by Your spirit for the demanding responsibilities and relationships of this day. And now we pray Your historic, Biblical blessing on every Senator. ''The Lord bless You and keep You; the Lord make His face to shine upon You and be gracious to You; the Lord lift up His countenance upon You and give You peace.'' Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON S. CORZINE 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 26, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON S. CORZINE, a Senator from the State of New Jersey, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CORZINE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the previously scheduled cloture vote on the Murray-Shelby substitute amendment occur at 2 p.m. today and that the time from noon until 2 p.m. be divided as previously ordered—that is, equally between the two sides—and that it be in order for Senators to utilize some of the available time to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I further ask unanimous consent that the last 10 minutes of the debate, the time from 1:50 until 2 p.m., be divided between the two leaders or their designees, with Senator DASCHLE controlling the last 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I further ask unanimous consent that Senators have until 1:30 p.m. today—that is, from the previously scheduled 12:30 p.m. today—to file second-degree amendments to the pending legislation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, for the benefit of Senators, we felt it was imperative—and we are grateful there has been agreement between the two leaders—that this time be changed. There is a ceremony taking place in the Capitol today dealing with the Code Talkers, these very courageous Navajos who contributed so much to our success during World War II. So today there will be 2 hours of debate equally divided between Senators DASCHLE and LOTT or their designees prior to 2 p.m. A cloture vote on the substitute amendment to the Transportation act will occur at 2 p.m. We expect to remain on the Transportation act until we complete that. There will be rollcall votes throughout the day today, and there is much more work to do.

We hope we can recess for the August time period next Friday, and there is a lot of work to do from now until then. We hope everyone will cooperate and allow us to move forward as quickly as possible.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mrs. CARNAHAN. Mr. President, I yield myself such time as I may consume from the time allotted to the majority leader or his designee in order to speak in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mrs. CARNAHAN pertaining to the introduction of S. 1250 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. GRASSLEY. We are in morning business, is that right?

The ACTING PRESIDENT pro tempore. The Senator is correct.

TAX RELIEF FOR WORKING FAMILIES—PART II

Mr. GRASSLEY. Mr. President, I rise to speak on the tax relief for working families that the Senate passed a few weeks ago and was signed into law by President Bush.

This is the second in a series of speeches I am giving to highlight the details of this bipartisan tax cut that provided significant relief to millions of Americans.

In today's speech I want to focus on the many provisions in the bipartisan bill that provide tax relief for working families and particularly families with children.

First, I wish to discuss the efforts to address the marriage penalty that existed throughout the structure of the income tax. For far too many years, the Tax Code penalized working families where both the husband and wife work. It is simply wrong that we had a Tax Code that penalized marriage.

The bipartisan tax cut completely ends the marriage penalty for many low- and middle-income families and makes significant strides in reducing the marriage penalty for all other families.

This is accomplished through two actions. First, the bill provides that the standard deduction for those who are married filing jointly will be set at two times the rate of a single individual.

For example, when everyone filed their tax returns this last April 15, the standard deduction for singles was $4,400. However, the standard deduction for married filing jointly was only $7,350. If the new tax law had been fully enacted for tax year 2000, the standard deduction for married filing jointly would have been $8,800.

The second step we took was for the 10 percent and 15 percent marginal rate brackets for married filing jointly to be set at two times the rate of a single individual.

Again, to illustrate. If the first $6,000 of a single individual is taxed at 10 percent, then the first $12,000 of a married individual filing jointly will be taxed at 10 percent.

These two efforts will provide complete elimination of the marriage penalty for low- and many middle-income working families and will also benefit married couples with higher incomes.

Keep in mind, Mr. President, almost one-half of married couples take the standard deduction. These couples tend to be in the lower income brackets and they will get relief upfront.

The doubling of the 10 percent marginal rate bracket is done immediately. The remainder of marriage penalty relief is phased in over several years. The increase in the standard deduction is phased in over a 5-year period beginning in 2005 and the doubling of the 15 percent rate bracket also is phased in beginning in 2005 and is phased in over a 4-year period.

Many Senators were active in providing marriage penalty relief, but certainly Senator HUTCHISON of Texas was a leader in this issue.

Mr. President, let me take a moment to address the point some pundits have made about the fact that some of the marriage penalty relief provisions, as well as other provisions in the bill, are phased in. The requirement of phase-ins simply reflects the reality of the guidance we were provided by the budget resolution.

The budget resolution effectively requires us to phase in these, and other, provisions in the bipartisan tax bill. The budget resolution allows for more tax cuts over time as the economy grows and we see greater surpluses year-by-year.

The last piece of the bill that addresses marriage penalty is an expansion of the earned income credit, EIC, for married families with children. The EIC provides a cash payment to low-income working families. EIC is targeted particularly to help working families with children.

The EIC provision in the tax bill extends out the point at which the EIC begins to phase out for married families with children by $1,000 in 2002 increased to $3,000 by 2008. For example, this year, the EIC begins to phase out for married families with two children at roughly $13,000 of income. Under the new law, next year, the phase out for EIC will be approximately $14,000.

The EIC program directly benefits working families with children and this expansion sends a strong message to married couples that hard work will be rewarded under the tax code.

The extension of the EIC is certainly a tribute to Senator JEFFORDS' hard work.

All told, approximately $60 billion in tax reductions and outlays were devoted to addressing the marriage penalty. This bipartisan legislation provides marriage penalty relief to every family that pays income tax. In addition, millions of families who pay only payroll taxes, receive marriage penalty relief.

This is the most significant marriage penalty relief in over 30 years. And I would say 30 years is a long time. Finally, we're recognizing the value of marriage and stable families.

Mr. President, I have outlined the efforts to address marriage penalty in the bipartisan tax bill, and as you can see these provisions are strongly geared toward providing relief for low- and middle-income married couples.

Let me turn now, to another provision, the expansion of the child credit. The increase of the child credit will be a major benefit to the lives of millions of children in this country.

Under prior law, the child credit is $500 and only available to families that pay income tax. Further, this child credit phases out for single parents with income over $75,000 and $110,000 for married individuals filing jointly.

The bipartisan tax relief bill inreases the child credit to $600 immediately, and over time increases it to $1,000.

The bill protects middle income families from being hit by the alternative minimum tax, AMT, because of the child credit by making the child credit allowable against AMT. This provision helps ensure that middle-income families will realize the full benefit of the child credit. The AMT relief for middle-income families is due to Senator LINCOLN's strong advocacy.

In addition to increasing the child credit, the tax relief bill provides that millions of low-income children who previously did not benefit from the child credit because their parents did not have sufficient taxable income will now also benefit from the child credit. The bipartisan tax relief bill makes the child credit refundable for 16 million kids.

This expansion of the child credit program to low-income families happens immediately. I would say that this is a hallmark of the bill, that we sought to have provisions that help low- and middle-income families take place as soon as possible.

The refundable child credit provides that for every $1,000 above $10,000 that a family with a child makes, they will get $100 in child credit, up to the maximum amount of the child credit. In essence, a bonus of 10 percent for every dollar the working family makes over $10,000. For example, a single mother with one child making $16,000 will now get a check for $600. This is over and above the amount that single mother would receive from EIC. Thus, this single mother will pay no income taxes and will receive EIC as well as an additional $600.

Mr. President, let me make that clear: Last year, that single mom did not get one dime of child credit, this year because of this legislation that working mother will get a check for $600.

How many times have we heard complaints from the harsh critics of this legislation that it does nothing for those who pay only the payroll tax. That is just plain wrong. Under this legislation, the working mom, who pays no income tax receives a refund for this year of $600. Now, it doesn't come in the checks, but she gets it through an even bigger paycheck.

Let's take a look at another example: Under this example, a married couple with two children making $20,000 will now get $1000 from the new expanded child credit and will also benefit from the expansion of the EIC for married couples with children. Again, that is $1000 that family did not receive last year and now will receive because of the bipartisan tax cut.

Even better news for these families, the ten percent rate of payment for the child credit will increase from 10 percent to 15 percent in 2005. For example,

the single mother I cited above, would get a 15-percent bonus for every dollar above $10,000 and given that the child credit will be increased to $700 in 2005, that single mother will receive the entire $700 child credit.

It is estimated that 16 million children from low-income working families will benefit from this expansion of the child credit. We have a lot of complaints from the critics of this legislation that low-income kids are left out. Nothing could be further from the truth. Let me report 16 million children benefit right away from this bipartisan legislation.

There is no question that the expansion of the child credit and EIC is a tremendous benefit to millions of working families. Approximately $170 billion of the bipartisan tax relief bill is dedicated to the child tax credit.

It is particularly vital that we make sure that hardworking families that pay no income tax are made aware of these new benefits that are available to them. It is also important that these families hear an important message of this bill: work pays.

We have sent out a notice to millions of Americans who pay income tax telling them the check is in the mail. However, we haven't informed the millions of American families with children who work full-time, but do not pay income tax, about the enormous benefits this tax relief bill has for their families.

I intend to write Secretary Thompson of HHS and Secretary O'Neill of Treasury encouraging them to seek avenues that will educate and inform working Americans about these new provisions that put real money in the pockets of working families. I am particularly concerned that there be outreach to the millions of new Americans that speak Spanish, Vietnamese, Russian, and dozens of other tongues.

There is no doubt in my mind that this outreach to inform low-income families about the new child credit and expanded EIC is necessary. For clearly, anyone reading the New York Times or the Washington Post would have very little idea that the Congress passed, and President Bush signed into law, legislation that provides such great benefits to low-income families.

For example, the Washington Post on June 24, 2001, provided a summary of the tax provisions giving examples of the tax relief for different families at different incomes. Every example starts at $25,000 or higher.

Not a single example is given of the benefits of this legislation for a mother making say $14,000, $16,000, or $18,000. Nor is there a single example of the benefits for a married couple with two children that is making $17,000, $25,000, or $30,000.

I am stunned that these newspapers, that claim to be champions of working families, would completely ignore these major new benefits. Maybe the simple truth is they're a little embarrassed to admit that this bipartisan tax relief bill signed by President Bush actually does a great deal to help millions of working families that struggle to escape poverty.

So clearly there is a need to educate and inform because the newspaper editors are deciding that ''all the news that's fit to print'' is only news of interest to their middle-income and high-income readers and not their low-income readers.

Let me also add, that when we come to revisit welfare reform, I think it is important to bear in mind the billions of dollars that have been provided in this bill to encourage struggling families to enter the workforce or expand the number of hours they work. Too often, we get focused on the welfare-specific provisions and completely forget or ignore the major efforts to encourage work that are contained in the Tax Code.

Mr. President, that highlights the significant efforts the tax bill had to expand and increase the child credit. While many Senators were advocates of increasing the already existing child credit, and several Senators supported expanding the child credit and making it refundable—there is no question that Senator SNOWE was the key to making it a reality.

Now, I would like to discuss the provisions in the bipartisan tax bill to help working families meet the costs of child care.

The tax bill helps with the costs of child care in two provisions. First, the tax relief bill provides greater incentives for employer-provided child care with the creation of a tax credit for employer-provided child care facilities.

The tax relief act provides taxpayers a tax credit equal to 25 percent of qualified expenses for employer-provided child care and 10 percent of qualified expenses for child care resource and referral services. The maximum credit is $150,000 per year. This is $1.4 billion in tax incentives to encourage businesses to assist in providing child care for their workers.

This new tax initiative will help mothers and fathers to obtain child care—and hopefully child care near their place of work which will allow them the opportunity to spend more time with their children. Senator KOHL has long advocated this proposal and deserves great credit for making this part of the Tax Code.

The second provision regarding child care expands the already existing dependent care tax credit. This is a tax credit that particularly helps low- and middle-income families who pay for child care for their young children.

Thanks to Senator JEFFORDS' work, the bipartisan tax bill expands this program and will allow low and middle income families to take as a tax credit more of their costs of child care. The tax bill provides nearly $3 billion in additional tax relief for working families struggling to meet the costs of having their children in day care.

Thus, the bipartisan tax bill helps working mothers and fathers by encouraging employers to provide child care and also easing the cost burden of child care.

Let me turn now to the final provision I wish to discuss today in this speech that focuses on the provisions in the bipartisan tax relief bill that help working families and children. That provision is the expansion of the adoption tax credit.

I have long been a strong advocate of encouraging adoptions and know it brings joy to the children and the families. I am very pleased that the tax bill provides significant encouragement for families to adopt and reduces the costs of adopting parents.

Prior law provided for a $5,000 tax credit for qualified adoption expenses paid or incurred by a taxpayer in making an adoption. That amount was $6,000 for a special needs child. This full tax credit amount started to phaseout for taxpayers with modified adjusted gross income of over $75,000.

I am very pleased that the bipartisan legislation signed by President Bush increases the tax credit up to $10,000 for qualified adoption expenses and $10,000 for special needs children, regardless of whether there are qualified adoption expenses.

In addition, the new tax law expands the number of families eligible to take advantage of the adoption tax credit by having the credit begin to phaseout at $150,000 modified adjusted gross income.

This is a major expansion of the adoption tax credit and provides over $3 billion in tax incentives for families to adopt. Senators CRAIG and LANDRIEU are to be commended for their efforts in this matter.

Mr. President, that concludes my comments today on the tax relief act. As is plainly true, the tax relief accomplishes President Bush's goal of giving back the people's money. What is also plain and true is that a great deal of the tax relief is focused on helping working families with children.

I know many in the Capitol are very upset about the bipartisan tax bill because the tax relief means less money for them to spend. Incredibly, the Democratic leader in the other body has called for a tax increase.

But let me assure my colleagues, we do far better by allowing working families to keep more of their hard-earned money.

The benefits of the tax relief bill will be realized in millions of small, unseen, quiet acts and decisions that don't make the evening news and unfortunately for the politicians, don't involve cutting ribbons and making speeches.

I see working families now, because of the bipartisan tax bill, having more money in their pocket and being able to finally do the things they've planned or hoped for: be it buying a computer for their children; moving to a bigger apartment in a neighborhood with better schools; or purchasing healthier food for the dinner table.

These are just a few examples of the multitude of priorities that only the

families can best decide—and not the bureaucrats in Washington.

It is my belief that with families getting to keep more of their hard-earned paycheck—the quiet talks at the kitchen table, after the children have been put to bed, will be more about opportunities and possibilities rather than fears and concerns.

Mr. President, I hope this speech will make those who have recently called for a tax increase to think again. My hope is that they may now better appreciate the enormous benefits of this legislation and think long and hard before they try to undermine its accomplishments.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

MEXICAN TRUCKS

Mr. BAUCUS. Mr. President, I rise today to discuss the issue of Mexican trucks.

I want to applaud Senator MURRAY and Senator SHELBY for their efforts to craft a common-sense solution on this issue. Their provision would ensure strong safety requirements and would be consistent with our obligations under NAFTA.

As most people are well aware, the last Administration delayed opening the border to Mexican trucks because of serious safety concerns.

Indeed, numerous reports have documented these concerns—failing brakes, overweight trucks, and uninsured, unlicensed drivers—to name just a few.

The most recent figures of the Department of Transportation indicate that Mexican trucks are much more likely to be ordered off the road for severe safety deficiencies than either U.S. or Canadian trucks.

While a NAFTA arbitration panel has ruled that the United States must initiate efforts to open the border to these trucks, we need to be clear about what the panel has said.

The panel indicated:

> The United States may not be required to treat applications from Mexican trucking firms in exactly the same manner as applications from United States or Canadian firms. . . . U.S. authorities are responsible for the safe operations of trucks within U.S. territory, whether ownership is United States, Canadian, or Mexican.

Moreover, the panel also indicated that U.S. compliance with its NAFTA obligations ''would not necessarily require providing favorable consideration to all or to any specific number of applications'' for Mexican trucks so long as these applications are reviewed, ''on a case-by-case basis.''

In other words, the U.S. government is well within its rights to impose standards it considers necessary to ensure that our highways are safe.

The Administration has suggested that it is seeking to treat U.S., Mexican, and Canadian trucks in the same way—but we are not required to treat them in the same way. That's what the NAFTA panel said.

With Mexican trucks, there are greater safety risks. And where there are greater safety risks, we can—and must—impose stricter safety standards.

I yield the floor.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSPORTATION APPROPRIATIONS

Mr. GRASSLEY. Mr. President, I rise to speak on the issue of the cloture vote that is upcoming. I also rise to speak on the amendment that is pending called the Murray-Shelby amendment, which is in violation of NAFTA.

As a person who believes very much in reducing barriers to trade between countries—and particularly for the benefit of America because other countries have much higher barriers than the United States—as we bring down barriers to trade and other countries, going to our level, it is obviously going to help the United States have a more level playing field in order to export our products and to be able to do it in a way that creates jobs in America. We all know export-related jobs are jobs that pay 15 percent above the national average.

While we have had a very big expansion in trade as a result of the North American Free Trade Agreement between the countries of Canada, the United States, and Mexico, we now have a rider on this bill providing an opportunity to put in place some restrictions which may in fact bring retaliatory action on the part of Mexico.

Obviously, when I hear a threat against American agricultural products as one form of retaliation, it gets my attention, being from an agricultural State, particularly when we work so hard to get lower barriers on trade in these international agreements. Quite frankly, barriers to trade are much greater on agriculture than they are for manufactured products and for services, because the worldwide tariff on agricultural products is 45 percent, whereas for most other products the average is about 10 percent to 12 percent.

U.S. tariffs and obstacles to trade are very low in agriculture compared to other countries.

As indicated in a letter, which I cosigned, to our colleagues for them to consider when voting on this provision of the bill, I am as concerned about safety of trucks from other countries using our highways. But I also understand that our Department of Transportation is also concerned about that and is going to put in place very shortly the very successful California system for inspection of trucks so we can make sure the trucks and drivers from other countries are using our highways safely.

But it was suggested yesterday by the Economic Minister of Mexico that if the Senate approves this provision and it becomes law, as the Reuters news article of yesterday indicated, ''It would leave us''—meaning the country of Mexico—''with no other recourse than to take measures against the United States.'' The Economic Minister of Mexico, according to this report, said one option would be to block imports of high-fructose corn syrup from the United States.

This issue has already been one source of friction between our two countries. Mexico has already been placing prohibitive tariffs on our sweeteners. The United States won a World Trade Organization decision against Mexico on this issue. We will be putting in jeopardy the compliance of that measure if they retaliate.

I don't know why any Member of the Senate from an agricultural State—a very important industry in their respective States—would want to vote in support of the Shelby-Murray provision if there were a chance of retaliation against agricultural products, particularly those from the Middle West where corn is such an important agricultural product, and put in jeopardy our exports to China along the lines of the threat of the Economic Minister of Mexico.

I call upon Members of both parties who understand the importance of agriculture and understand the importance of our ability to export our agricultural production. We produce 40 percent more than we consume domestically, and the profitability of agriculture is very much tied to exports. Why would they want to do anything that would bring retaliation against American agriculture, particularly in the Midwest with products such as corn?

I hope every Member in every state where agriculture is an important product, where they are concerned about profitability of agriculture, and where they are particularly concerned about the ability to export our products, will consider the threat of the Economic Minister of Mexico and what they might do in retaliation. We ought to abide by the spirit of the North American Free Trade Agreement and reject the provisions of the appropriations bill that would restrict some of the international obligations of the United States.

I hope every Member will make sure they see their vote as a vote that could negatively affect American agriculture, particularly as it affects corn farmers in America. Why would anybody want to hurt American agriculture by voting for this provision?

American agriculture has benefited from the North American Free Trade

Agreement. We are exporting much more agricultural products to Mexico than we did 7 years ago when this agreement was put in place. We should respect the spirit of it. International trade is a two-way street. We cannot expect just to export everything to other countries and not import as well.

I want to make sure that people understand that this vote could be potentially negative to American agriculture. I ask them to consider that.

I ask unanimous consent to print in the RECORD a letter from Lee Klien, president of the National Corn Growers Association, and Charles F. Conner, president of the Corn Refiners Association, speaking to their concern about the Murray-Shelby amendment and asking us to take into consideration the position of the Mexican Government, that they might retaliate against American agriculture, particularly American corn and corn products exported to Mexico.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 26, 2001.

DEAR SENATOR LOTT: The National Corn Growers Association and Corn Refiners Association, Inc. urge that the Senate not permit unrelated trade actions to destroy the $90 million market for U.S. high fructose corn syrup shipped to Mexico.

The Government of Mexico has clearly stated that if legislation to restrict access of the Mexican trucking industry to the U.S. becomes law, they will retaliate by placing restrictions on U.S. exports of high fructose corn syrup. These exports have already been dampened by trade actions of the Mexican government and could be ended entirely if the Mexican trucking measure passed by the House becomes law. Exports of high fructose corn syrup to Mexico put over $35 million in the hands of U.S. corn farmers and provide a much needed market for U.S. grain.

The U.S. recently won a case in the World Trade Organization contesting existing Mexican restrictions on high fructose corn syrup exports. This case, and other developments, could point to achieving a much larger market for U.S. agriculture in the years to come. Our groups strongly support measures and actions to open, not close, trade between the U.S. and our NAFTA partners.

We urge that you protect this market for U.S. agriculture and reject unwarranted protection that can damage U.S. trade and violate the intent of NAFTA.

Sincerely,

LEE KLINE,
President, National Corn Growers Associations.

CHARLES F. CONNER,
President, Corn Refiners Association, Inc.

Madam President, I yield the floor and suggest the absence of a quorum. And I ask unanimous consent that the time during the quorum call be equally divided.

The PRESIDING OFFICER (Mrs. CLINTON). Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, how much time is left on both sides?

The PRESIDING OFFICER. On the Republican side there are 20 minutes 43 seconds; on the Democratic side there are 35 minutes 54 seconds.

Mrs. MURRAY. I thank the Chair.

Madam President, in every part of our country Americans are frustrated by the transportation problems that we face every day. We sit in traffic on overcrowded roads. We wait through delays in congested airports. We have rural areas that are trapped in the past without the roads and the infrastructure they need to survive. We have many Americans who make their living along our shores, fishing or boating. They count on the Coast Guard to keep them safe. But today the Coast Guard does not have the resources to fully protect us. We have many families who live near oil and gas pipelines. They are afraid that those aging, untested pipelines could rupture, and with very good reason, given all the tragedies we have had lately. They want us to make pipelines safer.

Our transportation problems frustrate us as individuals, and they frustrate our Nation's economy, slowing down our productivity and putting the brakes on progress. It is time to help Americans on our highways, our railways, our airways, and our waterways. We can do so by passing this transportation appropriations bill.

For months, Senator SHELBY and I have worked in a bipartisan way with virtually every Member of this Senate to meet the transportation needs in all 50 States. They told us their priorities, and we found a way to accommodate them. We have come up with a balanced, bipartisan bill that will make our highways safer, our roads less crowded, and our country more productive. Now is our chance to put this progress to work for the people we represent.

Our bill has broad support from both parties. It passed the Transportation Appropriations Subcommittee unanimously. It passed the full Appropriations Committee unanimously. Now it is before the full Senate ready for a vote, ready to go to work to help Americans who are fed up with traffic congestion and airport delays.

In a short time, the Senate will vote to move forward on this very important bill. I hope the Senate will vote to invoke cloture so that we can begin working on the many solutions across the country that will improve our lives, our travel, and our productivity.

This vote is about fixing the transportation problems that we face, and it is about ensuring the safety of our transportation infrastructure. If you vote for cloture, you are voting to give your communities the resources they need to escape from crippling traffic and overcrowded roads.

If you vote for cloture, you are saying that our highways must be safe and that trucks coming from Mexico must meet our safety standards if they are going to share our roads. But if you vote against cloture, you are telling the people in your State that they will have to keep waiting in traffic and keep wasting time in congestion.

If you vote against cloture, you are voting against the safety standards in this bill. A ''no'' vote would open up our borders to trucks that we know are unsafe, without inspections, and without the safety standards we expect and deserve.

This vote is not about partisanship or protectionism. It is about productivity and public safety.

I want to highlight how this bill will improve highway travel, airline safety, pipeline safety, and Coast Guard protection.

First and foremost, this bill will address the chronic traffic problems facing our communities. In fact, under this bill every State—every single State—will receive more highway construction funding than the President requested. And with this bill, every State would receive more highway construction funding than they would under the levels assumed in TEA–21.

Our bill improves America's highways. Our bill also includes money to increase seatbelt use so we can save lives on our roads.

Let's vote for cloture so we can begin sending help to our States.

Secondly, this bill will improve air transportation, and it will make air travel more safe. This bill provides additional funding to hire 221 more FAA inspectors. The administration's budget did not provide this funding, but our bill does because it is a national priority.

Let's vote for cloture so we can begin putting these new inspectors on the job for our safety.

Third, our bill boosts funding for the Office of Pipeline Safety by more than $11 million above current levels. That means: funding all new 26 positions requested by OPS; $4.7 million for pipeline safety research and development; $8 million for testing and best safety practices; and $3.4 million to improve community right-to-know and to update our national mapping system

Let's vote for cloture so we can begin making America's pipelines safer before another tragedy claims more innocent lives.

Fourth, this bill will give the Coast Guard the funding it needs to protect us and our environment. Our subcommittee has held several hearings on this issue, and we have great respect for the men and women of our Coast Guard. We want them to be able to do their jobs safely with the training and support they need.

Our bill will help modernize the maritime 911 system. It will address serious staffing, training, and equipment shortfalls at search and rescue stations. And our bill funds the mandatory pay and benefit costs for our Coast Guard service members.

Let's vote for cloture so we can begin making our waterways safer.

These examples show how this bill will help address the transportation problems we all so desperately face at home.

This vote, though, is also about making our highways safe, so I want to turn to the issue of Mexican trucks. And I want to clear up a few things.

Some Members have suggested that Senator SHELBY and I have refused to negotiate on this bill. That simply is not the case. As I have said several times in this Chamber, we are here, we are ready, and we are listening. And we have had extensive meetings, bringing both sides together.

On Tuesday, our staffs met until well after midnight. Again yesterday, Wednesday, our staffs met from mid-afternoon until 3 a.m. this morning. We have worked, as well, this morning, meeting one more time. We have worked with all sides to move this bill forward.

I want to point out something else to those who say we must compromise, compromise, compromise. The Murray-Shelby bill itself is a compromise. It is a balanced, moderate compromise between the extreme positions taken by the administration and the House of Representatives.

On one hand, we have the administration, which took a hands-off approach to let all Mexican trucks across the border and then inspect them later, up to a year and a half later. Even though we know these trucks are much less safe than American or Canadian trucks, the administration thinks it is fine for us to share the road with them, without any assurance of their safety.

At the other extreme was the ''strict protectionist'' position of the House of Representatives. It said no Mexican trucks can cross the border and that not one penny could be spent to inspect them. Those are the extreme positions.

The administration said: Let in all the trucks without ensuring our safety. The House of Representatives said: Don't let any trucks in because they are not safe.

Senator SHELBY and I have worked very hard. We have found a balanced, bipartisan, commonsense compromise. We listened to the safety experts, to the Department of Transportation's own inspector general, to the GAO, and to the industry. We came up with a compromise that will allow Mexican trucks onto our highways and will ensure that those trucks and their drivers are safe. With this balanced bill, free trade and highway safety can move forward side by side.

This bill doesn't punish Mexico, and that is not our intention. Mexico is an important neighbor, ally, and friend. Mexican drivers are working hard to put food on their own families' tables, and we want them to be safe, both for their families and for ours.

NAFTA was passed to strengthen our partnerships and to raise the standard of living in all three countries. We are continuing to move towards that goal, and the bipartisan Murray-Shelby compromise will help us get there.

Right now Mexican trucks are not as safe as they should be. According to the Department of Transportation inspector general, Mexican trucks are significantly less safe than American trucks. Last year, nearly two in five Mexican trucks failed their safety inspections. That compares with one in four American trucks and one in seven Canadian trucks.

Furthermore, Mexican trucks have been routinely violating the current restrictions that limit their travel to the 20-mile commercial zone. The Department of Transportation's own inspector general has found that 52 Mexican trucking firms have already operated illegally in more than half of the United States.

We have, as Members of the Senate, a responsibility to ensure the safety of America's highways. The Murray-Shelby compromise allows us to promote safety without violating NAFTA.

During this debate we have heard from some Senators who say that they think ensuring the safety of Mexican trucks would violate NAFTA. We have heard that some White House advisers think ensuring the safety of Mexican trucks would violate NAFTA. I appreciate all of their opinions, but with all due respect, there is only one authority, only one official body that decides what violates NAFTA and what does not. That organization, established under the NAFTA treaty itself, is the arbitration board known as the Arbitral Panel. Here is what that authority said:

> The United States may not be required to treat applications from Mexican trucking firms in exactly the same manner as applications from United States or Canadian firms . . .
>
> U.S. authorities are responsible for the safe operations of trucks within U.S. territory, whether ownership is United States, Canadian, or Mexican.

Those are not my words. Those are from the people who decide, the NAFTA arbitration panel. It is that simple. We can ensure the safety of Mexican trucks and comply with NAFTA. This bill shows us how with a commonsense safety measure.

Under our bill, when you are driving on the highway behind a Mexican truck, you can feel safe. You will know that truck was inspected and that the company has a good track record. You will know an American inspector visited their facility and examined their records, just as we do with Canadian trucking firms. You will know the driver is licensed and insured and the truck is weighed and is safe for our roads and bridges. You will know we are keeping track of which drivers are obeying our laws and which ones are not. You will know drivers who break our laws won't be on our roads because their licenses will be revoked.

You will know that the person behind the wheel of an 18-wheeler has not been driving for 20 or 30 straight hours. You will know that the truck didn't just cross our border unchecked but crossed where there were inspectors on duty. That is a real safety program. That will make me feel comfortable driving my family on our highways.

The administration's plan is just far too weak. Under the administration's plan, trucking companies would mail in a form saying they are safe and begin driving on our highways—no inspections for up to a year and a half. The White House is telling American families that the safety check is in the mail. I don't know about anybody else, but I wouldn't bet my family's safety on that.

I want an actual inspector looking at that truck, checking that driver's record, making sure that truck won't threaten me or my family.

The White House says: Take the trucking company at its word that its trucks and drivers are safe. Senator SHELBY and I say: Trust an American safety inspector to make sure that truck and driver will be safe on our roads.

This is a solid compromise. It will allow robust trade while ensuring the safety of our highways. The people of America need help in the transportation challenges they face every day on our crowded roads. This bill provides real help and funds the projects for which our Members have been asking.

Some Senators apparently would hold every transportation project in the country hostage until they have weakened the safety standards in the Murray-Shelby compromise. That is the wrong thing to do. Let's keep the safety standards in place so that when you are driving down the highway next to a truck with Mexican license plates, you will know that truck is safe. Let's vote for safety by voting for cloture on this bill.

In closing, this vote is about two things: Helping Americans who are frustrated every day by transportation problems, and ensuring the safety of our transportation infrastructure. Today I urge my colleagues to vote for cloture so we can put this good, balanced bill to work for the American people.

Voting for cloture means we can begin making our roads less crowded, our airports less congested, our waterways safer, our railroads better, and our highways safer. Virtually every Member of this Senate has come up to me and told me about the transportation challenges in their State. Senator SHELBY and I have listened. We have done everything we can to meet America's priorities.

Those who vote for cloture are voting to begin making progress across the country in ensuring the safety of our highways. Those who vote against cloture are voting to keep our roads and our airports crowded and to expose Americans to new dangers on our highways.

The choice is simple. I urge my colleagues to vote for cloture so we can

begin putting this good, balanced bill to work for the people we represent.

I reserve the remainder of my time.

I ask unanimous consent that time under the quorum call be equally divided and suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SHELBY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SHELBY. Madam President, I just want to make a few points before we vote on cloture. It is unfortunate that we are even at this point, but if cloture is the only way to move forward on the Transportation appropriations bill, then I urge my colleagues to support cloture.

This isn't a partisan issue—there is no such thing as Republican or Democrat roads. When the Transportation bill finally passes, I suspect that we will have all but a handful of Senators supporting the final bill.

You have to ask yourself who the winners and losers are in the situation we find ourselves today. I think it is hard to pick the winners, but clearly the loser in this situation is the administration. The amount of time that we have had to spend on this bill to this point—and that we will have to spend to complete action on it—pushes the appropriations process into an area that is dangerous for the administration.

The worst thing that can happen for the administration and budget hawks—I have been accused of being a budget hawk and a budget spender. I do not know how you do both—is to have appropriations bills back up against the end of the fiscal year. Unfortunately, the situation in which we find ourselves in this chamber today makes it much more likely that the President will be facing an omnibus appropriations bill.

If we have learned any lesson from the past few years, it is this: spending will increase in an omnibus bill. I know this President is committed to limiting the growth in government spending but, unfortunately, the Senate is making his job harder by failing to expeditiously move these spending measures.

Yesterday, the Department of Transportation, the Office of Management and Budget, and the White House all told me that Senators GRAMM and MCCAIN do not speak on behalf of the President—that the President speaks for himself.

So even if we could come to agreement on the Mexican truck safety provisions, we have no assurance that we have addressed the concerns that the President has with this measure.

The simple solution is to move this issue to conference. Although, I respect the rights accorded every Member of this body. I fail to understand why a small faction in the Senate to desire to tie up the Senate floor until this bill completely reflects their views.

The Senator from Washington and I have spent a great deal of time trying to understand and work with those Senators and their staffs to resolve these issues in the finest traditions of the Senate.

In fact, I remained hopeful that we could come to closure on a package that we could all support until shortly before noon this morning. Unfortunately, I believe we are at an impasse and it is time to let the Senate work its will.

I urge my colleagues to vote for cloture.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields, time will be charged equally to both sides.

Mr. BYRD. Madam President, I compliment the managers of this bill. They have put an enormous amount of time and effort and work into bringing the bill to the floor, marking it up in committee, and conducting hearings on it. I believe the Senate is in their debt.

This is a bill that is needed. It has important appropriations in it for our country and it is a bill that comes to the floor in a situation in which we are very constrained for time. We have the August recess fast approaching. We have already reported from the committee seven appropriations bills in addition to the supplemental appropriations bill.

The committee will be meeting this afternoon to report two additional appropriations bills. Thus, we will have nine appropriations bills reported by the committee, in addition to the supplemental, which has already been signed into law.

Here we are, with only a week remaining before the August break. Presumably, we will go home and not tackle this enormous task before we return. We have all these conferences that have to take place on these bills. I have talked with the chairman of the House Appropriations Committee just this morning. He agrees with me that we need to move ahead with these conferences. I have urged we at least get our staffs to work on the preliminary differences that exist between the two Houses, especially on my own bill, the Interior appropriations bill. So the two Houses, through the chairmen, are working together, not just the chairman. We also include our ranking member, Senator STEVENS, and in the case of my own bill, there is also, of course, Mr. OBEY and Mr. DICKS.

So we have work to do. I hope the Senate will invoke cloture on this motion. We must get on with our work. It is not my choice that we delay our work. Every Senator has certain rights. I respect the rights of any Senator to offer amendments, to debate, speak, even to delay. I have every respect for that. Those things are within Senate rules.

Again, I commend the managers of the bill. I commend our leader, Mr. DASCHLE; our assistant leader, Mr. REID of Nevada; and I hope Senators will respond to the demands of the moment, the demands being that we utilize our time, get on with the work of the Senate, pass this appropriations bill, and send it to conference.

There are 13 regular bills. Those bills have to be passed before we go home. They have to be passed to keep the Government running. I don't want to see an omnibus bill. I am against omnibus appropriations bills; things are done in a hurry. They are more costly because things are added which otherwise might not be added, and all too often the administration is virtually given an open invitation to come into the conference when there is an omnibus bill and we reach the fiscal deadline.

We have done very well thus far this year. We have a lot of work to do and I hope the Senate acts today to save time and act upon this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, it is my understanding that the time now is for the two leaders; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I say to Senator MURRAY, I have been impressed with her in days past. We worked together on a number of different issues. Her work this week in this appropriations bill has been exemplary. She has been tenacious. She has been willing to compromise, as a legislator must do. I think she and Senator SHELBY have done an outstanding job. It will be a real shame, in my estimation, if we do not have a bipartisan vote this afternoon to invoke cloture on this very important piece of legislation.

For me and the State of Nevada, this legislation is important. Transit, airports, highways—this is a bill that is vital to the people of the State of Nevada.

I want the ability shown by the Senator from Washington spread on the RECORD of the Senate. She has been a good, good legislator. I am proud to work with her, and I think, as far as the traditions of the Appropriations Committee are concerned, she is right there with the best.

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. REID. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I ask the last 5 minutes of the debate time today, as I asked earlier, be reserved for the Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. 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. DASCHLE. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The majority leader is recognized.

Mr. DASCHLE. Madam President, I compliment the distinguished Senator from Washington for her outstanding work and leadership in bringing us to this point. She inherited a very difficult and challenging legislative set of circumstances. She has maneuvered through those circumstances admirably. I am grateful to her for the leadership and the direction she has provided the caucus.

Let me say as he walks on to the Senate floor, I am also very grateful for the outstanding leadership and cooperation provided by the distinguished ranking member from Alabama, Mr. SHELBY. The two have shown what real bipartisanship on complicated matters can be, and they personify it. I am grateful to both of them.

I think it is important to say what this issue is not, then say what it is, and then I think we ought to have a vote. What this issue is not is any threat to NAFTA, any threat to free trade. There have been rumors, in the last 48 hours in particular, that somehow the language presented in this bill would violate NAFTA. Nothing could be further from the truth. I think Senator BAUCUS made that point very eloquently on the floor just recently. I am grateful to him. But this is NAFTA-compliant. There is nothing about which we will now vote that has anything to do with violating NAFTA, so let's make that point clear at the beginning.

Second, there are those, in the last several days, who have somehow tried to imply that to be in favor of the Murray-Shelby language is to be anti-Hispanic. That is not only disappointing, it does a disservice to this debate. That kind of rhetoric ought not be excusable. This is a bona fide, very thoughtful, deliberate consideration about what ought to be American policy with regard to safety. No one in this country—no one—should deny the importance of our relationship with Mexico. No one should deny in any way, shape, or form the importance of open and free trade with Mexico as we consider all the important ramifications of this trade.

But for anyone to say that somehow to be supportive of this makes one anti-Hispanic, in my view, is a direct confrontation with the prestige and the extraordinary reputation of the two Senators who are authors of this bill, along with many other members of the Hispanic caucus and Members on both sides of the Capitol and both sides of the aisle who want to find a resolution to this matter.

This legislation is simply an effort to deal with a problem that is growing in importance and concern. We have a safety problem in this country that has to be addressed. We have standards that are adhered to by every trucking company, every truckdriver, every State in the country. All we are saying is, simply, if we are going to have continued trade with Mexico, if we are going to have Mexican trucks, let's at least ensure that Mexican trucks meet our safety standards. That is all the Murray-Shelby language does. It ensures some degree of confidence that we can address the question of truck safety.

This is not the extraordinary language that was added to the House bill. This is a recognition that we can find middle ground. I will say before the vote, and it ought to be emphasized, how grateful I am that these two Senators in particular spent all the last several days—in fact, we accommodated them with our floor schedule—to try to find common ground with those who oppose this language. They were here last night until 2 o'clock in the morning. I give them credit for making the effort to try to achieve the common ground we failed to achieve as a result of these negotiations.

Let there be no mistake: This vote is a vote about truck safety. This vote is an absolute necessity if we are going to move this Transportation bill forward. I will have no other choice but to pull the Transportation appropriations bill and move on to other issues, given the extraordinary amount of work that has to be done in the brief time we have between now and the August recess.

Let me end where I began by thanking the distinguished chair and ranking member and all of those who have demonstrated good, bipartisan leadership in reaching a solution to this very complex issue.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I am very concerned about unsafe Mexican trucks entering the United States and endangering American motorists. I have no doubts that there will be accidents and lives will be lost.

I very strongly believe that the U.S. Senate must stand firm and do everything in our power to make sure trucks are not allowed to travel throughout the U.S. unless they comply with all U.S. safety rules and regulations. This includes making sure Mexican drivers hold valid drivers licenses, retain adequate American insurance, and abide by U.S. hours of service limits.

Right now on our border, even if a Mexican truck crossing into the United States is inspected, the safety inspector has no idea how long the Mexican driver has been driving. I believe we should not let a driver who has been driving 20 hours into the United States because doing so would endanger American lives.

I have spoken with the Mexican Ambassador on this issue, and we both agreed that Mexican trucks should meet all U.S. laws. I don't want to discriminate against Mexican trucks, but we need to have the proper procedures in place before these trucks expand their travel throughout the United States. There are clearly not enough inspections at the border right now because only 1 or 2 percent of the trucks crossing the border are given safety inspections.

I believe strongly in this issue, and I raised these concerns with Senator MURRAY, the Chairman of the Transportation Appropriations Subcommittee, and I think she has done an excellent job to include provisions to address safety while still ensuring the language is NAFTA compliant.

The Murray-Shelby provisions will keep our highways safe, while meeting our obligations under the North American Free Trade Agreement.

I strongly believe that we must make safety the highest priority and that is exactly what the Murray-Shelby provisions do.

Last year, more than 5,300 Americans died in accidents involving commercial trucks. As the Department of Transportation's Inspector General said last Wednesday, 5,300 fatalities would mean an airline crash every two weeks.

Now just think about that. If there were a catastrophic transportation incident every 2 weeks, would we want to do something to worsen the danger and increase fatalities? I hope we wouldn't, but that is exactly what we are doing if we allow the Bush Administration to proceed and open up the entire U.S. highway system to Mexican trucks.

Mexican trucks pose significant safety threats when out on the roads. U.S. safety inspectors have found that, on average, 36 percent of the Mexican trucks inspected have significant safety defects. This means over one-third of all Mexican trucks have serious safety violations, such as defective breaks, inoperative steering, and bald tires. Truck drivers might also not have a valid drivers license, lawful insurance, or logbooks to document how many hours they have been driving without sleep.

True, U.S. trucks have an ''out-of-service'' rate of over 20 percent, but the rate for Mexican trucks at 36 percent is still well above the U.S. average.

More importantly, safety inspectors can only evaluate 1 or 2 percent of the 4.5 million trucks that cross the U.S.–Mexican border each year.

I believe that until our Nation has the people and the infrastructure at the border necessary to inspect Mexican trucks sufficiently, they must be contained in the 20-mile commercial zone where they now operate.

There are three different approaches to address how to keep our roads safe:

First, the House has said, ''no matter what, keep the trucks out.'' On June 26 the House passed an unconditional ban on Mexican trucks, and that is one option.

Second, the administration and Senators working with the administration

on this issue have said, ''open the border as soon as possible.'' Now, they do call for some safety requirements and some enforcement to be in place, but this is not an issue where we should provide a half-loaf solution.

And third, there is the option that I support—the option chosen unanimously by the members of the Appropriations Committee—to put safety first and not open the border until specific safety requirements are in place.

The Senate Appropriations Committee has provided $103.2 million not approved by the House to pay for more resources at the border. The bill includes $13.9 million for additional safety inspectors, $18 million for grants to border states, and $71.3 million for facilities along the U.S.–Mexican border.

Even with the steps being taken, the Department of Transportation's Inspector General has said that ''additional actions are needed to reasonably ensure the safety of commercial vehicles and drivers as they enter at the southern border, operate within the commercial zone, and traverse the United States.''

To address these concerns, the Appropriations Committee included comprehensive safety provisions in this bill. Most importantly, Mexican trucks will stay within the commercial zone and off all other U.S. highways until they meet the safety standards demanded by American motorists.

Specifically, under the bipartisan Murray-Shelby provisions, Mexican carriers will be given full safety reviews before they will be allowed to operate in the United States and the Department of Transportation will keep a watchful eye on how they operate once they are found to be safe carriers through a follow-up safety audit.

In addition, the following steps must be taken by the Department of Transportation and the 190 Mexican carriers that are awaiting permits to send their trucks throughout the United States:

The Department of Transportation must:

Certify that all border crossings have complete coverage by trained inspectors during all operating hours;

Certify all 80 new border inspectors as ''safety specialists'';

Provide adequate facilities to conduct inspections and place unsafe trucks out of service;

Conduct a sufficient number of inspections to maintain safe roads; and

Certify that there is an accurate system to verify Mexican drivers licenses, vehicle registrations, and insurance certificates on the border.

Mexican carriers must:

Comply with U.S. hours-of-service rules so that U.S. inspectors know how long a trucker has been driving when they arrive at the border; and

Provide proof of valid insurance granted by a U.S. firm.

It is essential to recognize that the Murray-Shelby provisions don't open the border until safety standards are met, but the Bush administration wants to open the border as soon as possible and monitor safety while trucks are operating throughout the United States.

Should we not err on the side of caution and have our inspectors and infrastructure in place before Mexican trucks are allowed north?

As I mentioned, I have met with the Mexican Ambassador, Juan Jose Bremer, on this issue and we both agree that Mexican trucks should meet U.S. safety standards.

Because—at this stage—Mexican trucks present a greater danger than other trucks on our roads, we must protect American motorists.

I am encouraged by the steps Mexico has taken to work with the United States—not just on this issue, but on others as well. Yet, I am a strong supporter of the provisions authored by Senator MURRAY because I believe some more steps need to be taken on both sides to address safety before Mexican trucks travel throughout the United States.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam 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. DASCHLE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EDWARDS). Without objection, it is so ordered.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Resumed

Mr. DASCHLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The bill clerk read as follows:

A bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Pending:

Murray/Shelby amendment No. 1025, in the nature of a substitute.

Murray/Shelby amendment No. 1030 (to amendment No. 1025), to enhance the inspection requirements for Mexican motor carriers seeking to operate in the United States and to require them to display decals.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on amendment No. 1025, the Murray-Shelby substitute amendment.

Patty Murray, Ron Wyden, Patrick Leahy, Harry Reid, Hillary Rodham Clinton, Charles Schumer, Jack Reed, James Jeffords, Daniel Akaka, Bob Graham, Paul Sarbanes, Carl Levin, Jay Rockefeller, Thomas R. Carper, Barbara Mikulski, Tom Daschle, Richard Shelby.

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 1025 to H.R. 2299, a bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 70, nays 30, as follows:

[Rollcall Vote No. 252 Leg.]

YEAS—70

Akaka	Dorgan	Murray
Baucus	Durbin	Nelson (FL)
Bayh	Edwards	Nelson (NE)
Biden	Ensign	Reed
Bingaman	Feingold	Reid
Bond	Feinstein	Roberts
Boxer	Graham	Rockefeller
Breaux	Harkin	Santorum
Brownback	Hollings	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Cantwell	Inouye	Shelby
Carnahan	Jeffords	Smith (NH)
Carper	Johnson	Smith (OR)
Chafee	Kennedy	Snowe
Cleland	Kerry	Specter
Clinton	Kohl	Stabenow
Cochran	Landrieu	Stevens
Collins	Leahy	Torricelli
Conrad	Levin	Warner
Corzine	Lieberman	Wellstone
Daschle	Lincoln	Wyden
Dayton	Mikulski	
Dodd	Miller	

NAYS—30

Allard	Fitzgerald	Lott
Allen	Frist	Lugar
Bennett	Gramm	McCain
Bunning	Grassley	McConnell
Burns	Gregg	Murkowski
Craig	Hagel	Nickles
Crapo	Hatch	Thomas
DeWine	Helms	Thompson
Domenici	Hutchinson	Thurmond
Enzi	Kyl	Voinovich

The PRESIDING OFFICER. On this vote, the yeas are 70 and the nays are 30. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I yield my 1 hour postcloture debate to the Republican leader.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Illinois.

Mr. FITZGERALD. Mr. President, pursuant rule XXII, I yield my 1 hour to the Republican leader.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Texas.

Mr. GRAMM. I yield to Senator STEVENS.

Mr. STEVENS. Mr. President, I yield my 1 hour to the manager of the bill on this side, Senator SHELBY.

The PRESIDING OFFICER. The Senator has that right.

Mr. GRAMM. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending question is amendment No. 1030 to the substitute to the bill.

AMENDMENT NO. 1168 TO AMENDMENT NO. 1030

(Purpose: To prevent violations of United States commitments under NAFTA)

Mr. GRAMM. Mr. President, I have a second-degree amendment at the desk, amendment No. 1168. I call up this amendment on behalf of myself and Senator MCCAIN and ask for its immediate consideration. I ask it be read.

The PRESIDING OFFICER (Mr. DAYTON). The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself and Mr. MCCAIN, proposes an amendment numbered 1168 to amendment No. 1030:

At the appropriate place, insert the following: ''*Provided*, That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the North American Free Trade Agreement.''

Mr. GRAMM. Mr. President, this pending amendment is about as clear as the amendment can be. Basically, what the amendment says is that in terms of implementing this restriction on funding, notwithstanding any other provision of this section, which consists of 22 restrictions on the fulfillment of NAFTA in its transportation clause, that those provisions would be binding except to the extent the President finds them to be in violation of the North American Free Trade Agreement.

This amendment is very important because it gets down to the heart of the issue before us. The issue before us is when the President negotiates an agreement with sovereign foreign nations—as he did with the NAFTA, the most important trade agreement ever negotiated in the history of the Americas, with Mexico and Canada—when the President commits the Nation with his signature, as he did in San Antonio, TX, when he signed NAFTA, and then when Congress approves that trade agreement by an affirmative action of both Houses of Congress and the President's signature, whether we are bound by that agreement.

Having negotiated the agreement and having ratified the agreement, no matter how popular it may be, no matter what special interest group it might satisfy, we cannot give the word of our President and the ratification of our Congress and then come back after the fact and say we do not want to live up to our end of the bargain.

We have invoked cloture, which at some point 30 hours from now will bring a vote on the Murray amendment. The Murray amendment has many provisions. Many of those provisions violate NAFTA—the agreement that we entered into in San Antonio and ratified in the Congress—and, in doing so, go back on the word of the United States of America.

I object to this for a lot of reasons, but the biggest reason is whether one is an individual or whether they are the greatest nation in the history of the world, when they commit themselves to something, if they do not live up to it they lose their credibility.

It is an interesting paradox that we are in the Chamber of the Senate today going back on the commitment we made under NAFTA at the very moment that our President, our Secretary of State, and our trade representative are urging our trading partners all over the world to live up to agreements they have made with the United States of America.

All over the world today, parliaments and congresses are meeting. And just as it is true outside in the hallway here, there are representatives of powerful special interests there that are saying: Do not live up to this agreement with the United States because it is going to hurt some domestic economic and political interest. They are trying to make a decision: Should they live up to the commitment they made to the United States or should they go back on their word?

We are trying to exert moral authority and suasion in saying to them: Live up to the commitments you made to the United States. We are living up to our part of the agreement. We expect you to live up to your part of the agreement.

The biggest reason I am concerned by the action that we are starting to take here is that we are going back on our word, and not just our word in general, but our word to a neighbor that shares a 2,000-mile border with the United States of America. We are going back on our word with a neighbor that has had the equivalent of a political revolution and has elected a President who is more favorable toward trade, more favorable toward a strong and positive relationship with the United States, than any leader in Mexican history.

We all applaud what President Fox is doing and saying, his leadership, his reform. But I ask my colleagues what kind of signal are we sending to President Fox and what kind of position are we putting him in when we go back on an agreement that we have made with Mexico? This was not an agreement that was made by President George W. Bush alone; this was not an agreement made by President Clinton alone; this was not an agreement that was made by President Bush alone. This was an agreement that was made, ratified, and enforced by three Presidents—two of whom are Republicans and one on whom is a Democrat. It is an agreement that was ratified by a Congress that clearly understood that we were undertaking obligations in that agreement.

As some of my colleagues may have seen, there is a Reuters news story out this morning that describes Mexico's first response to what we are doing in the Senate. The headline on the Reuters news story is: ''Mexico Warns Retaliation Against U.S. on Truck Ban.'' The article goes on to say:

Mexico warned on Wednesday it would retaliate with trade measures against the United States if the U.S. Senate approves a measure prohibiting Mexican trucks from greater access to American roads.

''In the event the Senate approves this and it becomes law, it would leave us no other recourse than to take measures (against the United States),'' Economy Minister Luis Ernesto Derbez told reporters.

He said one option would be to block imports of high fructose corn syrup from the United States, long a source of trade friction. . . .

I am concerned about starting a trade war with Mexico.

Mr. DORGAN. Will the Senator yield?

Mr. GRAMM. I will when I get through.

I am not just concerned about starting a trade war with Mexico. I am concerned about what we are doing to President Fox when we are taking action that violates the treaty we entered into with Mexico. I don't know what kind of position we put him in with his own people when the most important agreement we have ever entered into with Mexico is being abrogated by an action on an appropriations bill in the Senate.

What I do in the pending amendment is make it clear that in implementing the provisions of the Murray amendment, nothing in that amendment will apply in a manner that the President finds will violate the North American Free Trade Agreement. Now, our colleagues who support the Murray amendment say the amendment does not violate NAFTA. If the amendment does not violate NAFTA, then this amendment will do it no violence. But if, in fact, the amendment does violate NAFTA, and I believe it is obvious to any objective observer that it does, then this amendment will say that those provisions that violate NAFTA will not be enforced. That is what the amendment does.

Let me try to explain further, because this is a very complicated issue. What often happens in any great deliberative body is that people cloak objectives in very noble garb. What we have before the Senate is an amendment that claims to be about safety, when most of the amendment is about protectionism and about preventing America from living up to the obligation that it made under NAFTA.

Let me outline what I want to do. First, let me outline what NAFTA says, what it commits us to. Then I will draw a clear distinction in four or five examples about what violates NAFTA and what does not violate NAFTA. Then I will go through the provisions in this bill that violates NAFTA. Then I will conclude by reserving the remainder of my time and letting other people speak.

First, in Chapter 12 of the North American Free Trade Agreement as signed by the President and approved by Congress, reference is made to America's and Mexico's and Canada's obligation on cross-border trade and services. Our agreement was not just about goods coming across the border, but it was about services coming across the border.

Obviously, the service we are talking about today is trucking. Here are the two obligations to which we agreed in the NAFTA. I will read them because it is important people understand exactly what we are talking about.

The first article is called ''National Treaty.'' What it says in English, and in Spanish, too, is that when we enter into this agreement, we are going to give Mexican companies and Canadian companies the same treatment we give to our own nationals. In other words, they are going to be treated the same. Hence the term ''national treatment.''

Specifically, it says ''Each party shall accord the service providers of another party treatment no less favorable than that it accords in like circumstances to its own service providers.'' That is the exact language of NAFTA.

Now, what does that language mean? It says if you are a Mexican trucking company, you will face the same requirements, the same obligations, the same rules, the same laws, as you would face if you were an American trucking company and the same rules, the same laws, the same obligations, the same regulations that you would face if you were a Canadian trucking company.

There is another provision which is very similar to the national treatment provision, but called the most-favored-nation treatment provision. When we entered into this agreement with Canada and Mexico, we not only said we were going to treat them as we treat ourselves in this cross-border trade and services, but we committed we would treat them as well as we treated any other nation.

That language is as follows: ''Each party shall accord to service providers of another party treatment no less favorable than it accords in like circumstances to service providers of any other party or of a nonparty.''

In other words, what we committed to Mexico on that day in the mid-1990s was they could provide services on a competitive basis with services provided by American providers and by Canadian providers, and that they would be treated the same in like circumstances.

Now, we did have a proviso, a reservation. That reservation is in Annex I. I want to make sure that people understand that reservation in no way applies to the bill we are talking about here. The first reservation said that within 3 years of the date of the signature of the agreement, cross-border truck services to or from border States would be allowed to California, Arizona, New Mexico, and Texas. That is where trucks are currently operating today. Then, within 3 years there would be an agreement concerning cross-border bus service. And finally, within 6 years after the agreement went into force—and it went into force in 1994—cross-border trucking services would be allowed.

So that is the agreement we entered into. There is a distinction that needs to be drawn to explain the problem with the Murray amendment. The distinction is as follows: If circumstances in Mexico are different than they are in Canada or the United States, so long as the standards we apply are the same, we don't have to enforce them exactly in the same way.

For example, we have had a long association with Canada. As a result you can apply on the Internet for a license in Canada to operate a truck in the United States. You can pay $300 and you are in business. Because we are beginning a new process with Mexico, obviously we have to have a more stringent regimentation than that.

Senator MCCAIN and I have proposed—and it is perfectly within the NAFTA agreement's purview—that to begin with, we inspect every single Mexican truck; inspect every single Mexican truck, and require that they meet every standard American trucks have to meet with regard to safety.

There is no debate here about safety. Everybody is for safety. I will just say that Senator MCCAIN and I both have numerous Mexican trucks operating in our States today. The chairman and ranking member of the Transportation Appropriations Committee have no Mexican trucks operating in their States. I would say, since my people are affected more today and will be affected more when NAFTA is fully implemented than either of the States that are represented by the chairman and ranking member, I am obviously at least as concerned about safety as they are.

But there is a difference between safety and protectionism. Here is where the difference lies. Under NAFTA, we have every right to set standards and every obligation to set safety standards so Mexican trucks have to meet the same standards as trucks of the United States. Because the situation in Mexico is different, we can have differences in how they are implemented. In fact, today we inspect Canadian trucks. We inspect about 48 percent of the Canadian trucks that come into the United States. We inspect 28 percent of U.S. trucks. In fact, today, even though trucks are limited to the border area, we inspect 73 percent of Mexican trucks. Today we are inspecting Mexican trucks at a rate almost three times the rate we are inspecting American trucks, and that is eminently reasonable because we are establishing the safety of Mexican trucks.

There is no argument that we should have the right initially to inspect every single Mexican truck until we establish the quality of those trucks. But here is where the line is drawn. We can inspect them differently. We can inspect them initially, as long as there is any reason to believe they are different, more intensely. But we cannot apply different standards. That is where the Murray amendment runs afoul of NAFTA.

Let me talk about four ways the amendment clearly violates NAFTA. The first is a fairly simple measure, but it tells you what is going on in this amendment. Today most Canadian trucks are insured by London companies such as Lloyd's of London. Today some Canadian trucks are insured by Canadian insurance companies, and some by American insurance companies. Most American trucks are insured by American insurance companies; some are insured by foreign insurance companies. The plain truth is, many of the companies we know are located all over the world, so the insurance domicile distinction really doesn't mean as much as it once did.

Under NAFTA, we have the right to require that Mexican trucks have insurance. I believe with regard to the health and safety of our own people we have an obligation to require that they have insurance. But we cannot put a requirement on them that is different from the requirement we put on ourselves or on Canada. The Murray amendment violates that principle by saying Mexican truck operators have to carry insurance from companies that are domiciled in the United States of America. American companies do not have to have insurance from companies domiciled in the United States of America. Canadian companies do not have to have insurance from companies domiciled in the United States of America. Most of them have insurance from companies domiciled in Great Britain. But the Murray amendment says Mexican trucks have to be insured by companies domiciled in the United States of America.

That is a clear violation of NAFTA. NAFTA says we have to treat Mexico and Canada the way we treat our own providers. We do not require our providers to have American insurance, and indeed some of them do not. They have insurance from companies domiciled elsewhere. We do not require Canadian trucks to have American insurance, and very few of them do. They have British insurance, and they have Canadian insurance. And we have no right under NAFTA to require Mexican trucks to meet a requirement that our trucks and Canadian trucks do not have to meet.

Second, if a company finds itself unable to operate for some reason—maybe it has lost business, maybe it is subject to some suspension of a license, maybe there is some restriction imposed on it—it has the right to lease its trucks. If you are in the trucking business and you have these rigs that cost huge amounts of money sitting in your

parking lot, and for some reason you cannot serve your customer and you cannot use this rig, it is a standard business procedure in the United States and in Canada to lease those trucks to somebody who can put them to use. That obviously is trying to protect your business from going broke.

We would have the right, under NAFTA, to say that Mexican trucks cannot be leased under a certain set of circumstances to another provider, as long as we did the same thing to our own trucks and to Canadian trucks. We have every right in the world to say to a trucking company that if they are subject to suspension, restriction, or limitations, they cannot lease their trucks. We have the national sovereign right, under NAFTA, to do that. But we do not have the right to say American companies can lease their trucks, Canadian companies can lease their trucks, but Mexican companies cannot lease their trucks under exactly the same circumstances. That is a clear violation of NAFTA—no ifs, ands or buts about it. You cannot have two different standards: One standard applies to the United States and to Canada and another standard applies to Mexico.

Under this amendment, if a Mexican company is found to be in violation of this provision, they can be barred from operating in the United States. In reading the language, this apparently could be a permanent ban. We have the right to ban any trucking company in America from having the right to operate if it should have a violation. And if we did that, since any big trucking company at any one time certainly will have a violation—maybe many violations—we could then we could apply it to Canada and Mexico and it would be NAFTA-legal. Of course we would all go hungry if we did that. It would be a crazy policy to do that, but we could do it.

But what we cannot do under NAFTA is say: OK, we have a regime of penalties for American companies and we apply that regime to Canadian companies, but for Mexican companies, we will apply a different regime even though we entered into a treaty—signed by the President and ratified by Congress—where we said we would treat them exactly as we treat ourselves.

We can't now come along and say that if you are an American trucking company or a Canadian trucking company these are your penalties, but if you are a Mexican trucking company the only penalty is the death penalty—i.e., we are going to put you out of business. That is a clear violation of NAFTA. There are no ifs, ands, or buts about it. It is a clear violation of NAFTA.

In 1999 we wrote a law that dealt with truck safety: the Motor Carrier Safety Improvement Act of 1999. When we wrote that law, we asked the Department of Transportation to promulgate regulations for its implementation. It turned out that it wasn't easy to do. The Clinton administration didn't get it done, and the Bush administration hasn't gotten it done yet.

We could say that until these regulations called for in this law are written and implemented, we will not allow any truck to operate in America. We could say that. That would not violate NAFTA. We could say the Federal Government has not written a regulation and, therefore, we are not going to let trucks operate in America. It would not violate NAFTA, because we wouldn't let Mexican trucks operate, we wouldn't let American trucks operate, and we wouldn't let Canadian trucks operate. We could do that. It would be crazy. I suspect people would be marching on the Capitol and the Senate would change it very quickly. But we could do it. It would not violate NAFTA.

But that is not what we are doing here. What we are saying here is that until the regulations that are called for in this act are written and implemented, American and Canadian trucks can operate freely. American trucks can roll right up and down the road with the radio going full blast, everybody happy. Canadian trucks can operate, come across the border, come and go wherever they want to. But until this law is implemented, Mexican trucks cannot come into the United States.

By saying that, we would be violating the national treatment standard of NAFTA. NAFTA says if you want to do something—no matter how crazy it is—as long as you do it to yourself, you can do it to Mexico and you can do it to Canada. But what you cannot do under NAFTA is simply say, arbitrarily: I don't want Mexican trucks operating in the United States. Until February 29 falls on a Thursday, we are not going to let Mexican trucks operate in the United States. That is about as arbitrary as the provisions of this amendment. There is no basis for doing that. It is arbitrary and it violates NAFTA.

There are many other things that could be violations. I have outlined just four. My amendment very simply does the following: It says that the Murray amendment would stand unless its provisions violate NAFTA. If they did violate NAFTA and remember that ratified treaties under the Constitution, to quote the Constitution, are the "supreme law of the land" then they would not be enforced. And I have outlined four examples of where the Murray amendment violates NAFTA.

I will conclude and reserve the remainder of my time, and let others speak. Here is the principle at issue: We can, should, and must require that Mexicans meet the same standard. We don't have to enforce them exactly in the same way.

For an example of something that would not be a violation to begin with but might become a violation: the checking of the driver's license of every trucker coming into the United States from Mexico. We don't do that for people coming in from Canada. We don't do that for every truck operating in the United States. We might choose to do that for people coming in from Mexico, until we establish the pattern for Mexican drivers.

Interestingly enough, so far our inspections show that the failure rate—the number of times that you don't let the driver on the road, you take them out of the truck—for American truckdrivers is 9 percent, and for Canadian truckdrivers it is 8.4 percent. Interestingly enough, only 6 percent of Mexican drivers are found to be in violation.

The plain truth is that most Mexicans who are driving big rigs are college graduates. The truth is, at least so far it appears, is that Mexican drivers are safer in terms of meeting our regimentation and requirements—if that in fact those requirements measure safety, and supposedly that is what they do—than our own drivers. That is data based just on trucks operating in our border States.

We would have every right to initially stop every truck and check every driver's license. But once we had established that there is no particular problem, then stopping every Mexican truck when we don't do it with our own trucks and we don't do it with Canadian trucks after we have established the pattern that Mexican drivers are just as qualified and licensed as ours would be a violation of NAFTA. Basically, the requirements don't have to be the same, but they do have to be reasonable in terms of burden relative to the problem.

I would think if our colleagues want to pass this bill, if they want to move this process forward, and if they don't want to violate NAFTA, they would simply accept this amendment. This would be a major step forward in fixing the problems we have with the bill. I wish they would accept it. They should accept it. They say this provision does not violate NAFTA, but then if they are right, the adoption of the amendment would have no impact on them.

Why is the amendment important? The amendment is important because we made an agreement with our neighbor to the south. We are in the process on the floor of the Senate, whether it is our intention or whether it is not our intention, of discriminating against Mexico, of saying to them that you are not really an equal partner in NAFTA. We said we were going to give you these rights, but we have decided we are not going to give you the same rights we give to Americans and we are not going to give you the same rights we give to Canadians. Quite frankly, I think it is outrageous.

I remind my colleagues that we are not saying you can't have different ways of enforcing our safety rules. We are simply saying in NAFTA you can't have a different set of rules.

Senator MCCAIN and I and the President support inspecting every Mexican truck and checking the license of every

Mexican driver as they come across the border. But at some point when the patterns are set and we are through this transition period, we are going to have to treat them as we treat our own trucking companies when they have proven themselves. Why are we going to have to do that? We are going to have to do it because that is what NAFTA says.

I know there is a powerful special interest involved here. I know the Teamsters Union does not want Mexican trucks to operate in the United States. They are not out saying we don't want trucks operating in the United States because we are greedy, we are self-interested, and we do not want competition. They are not saying that.

I don't remember anybody ever coming to my office saying: Protect me from competition. I don't want to have to compete. I want to sell at a higher price. I want to make more money. I want to have a place in Colorado. And I want you to cheat the consumer to protect me. Nobody ever came into my office and said that. But they do come into my office and say: Protect me from this unfair competition. Protect me from these products that are not safe. Protect me from this. Protect me from that.

What the Teamsters are against is competition. You can argue that we ought not to have Mexican trucks in America because we ought not to allow competition. But the point is, it is too late. We signed an agreement. We ratified the agreement. Now it is time to live up to the agreement.

Under the Murray amendment, we are going back on our agreement. The proponents of this amendment can say until they are blue in the face that it does not violate NAFTA. But if it does not, accept this amendment. But I do not believe they are going to do that, because I believe their amendment does violate NAFTA. That is why Mexico is talking about retaliation today. That is why the President said that he is going to veto this bill.

In the end, we are going to have to fix this situation. We are going to spend weeks now, it looks to me, fooling around with this issue, when everybody knows in the end that it is going to have to be worked out. But we don't have any recourse now except to do it the way we are doing it.

I am not going to let the President be run over on this. I am not going to let Mexico be discriminated against. I do not think this is right. I do not think it is fair. And I think it destroys the credibility of the United States of America. So I am not going away. We have four more cloture votes. I want to say to my colleagues, don't feel that you have to vote with me against cloture. Vote for cloture. It is obvious that the forces who are against putting NAFTA into effect with regard to trucks have the votes. So I am not asking anybody to vote with me. But I am just saying that we are going to end up having to vote on cloture four times to get this bill to conference.

It can be fixed very easily. Simply take out the parts of the Murray amendment that violate NAFTA. That is what we are going to have to do. We can do it now. We obviously are not going to, but we could. We can do it next week. We can do it in September. But we are going to do it eventually.

I reserve the remainder of my time and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1055

Mr. SPECTER. Mr. President, I have sought recognition to speak briefly about amendment No. 1055, which has been filed and is at the desk. This is an amendment which I understand will be included in the managers' package. I thought it might be useful to make a comment or two about it.

This amendment is necessary in order to clarify congressional intent on the highway congestion relief program created under the 1998 TEA–21 highway authorization bill. Under the ITS, Traffic.com, a Wayne, PA, company employing some 150 workers, competed for and won an initial $8 million contract to create a traffic management system to monitor congestion in Philadelphia and Pittsburgh. The bidders competing for this initial contract expected and were led to believe that the winner on the first phase of the contract would automatically receive the follow-on contract.

The intent of the TEA–21 ITS provision was to eventually expand this program beyond Philadelphia and Pittsburgh and award the next phase of the contract to the same team that won the first phase.

The fiscal year 2001 Transportation Appropriations Act contained a $50 million earmark to further fund an intelligent transportation system, ITS, section 378, Public Law 106–346. This intelligence transportation system project was originally conceived under TEA–21 to serve as a national, interoperable program that would allow local residents and trucking companies to receive up-to-date information on traffic patterns and congestion.

TEA–21 section 5117 (b)(3)(B)(v) set forth that the ITS program should utilize an advanced information system designed and monitored by an entity with experience with the Department of Transportation in the design and monitoring of high-reliability, mission-critical voice and data systems.

It was thought at the time by the draftsmen that this provision would cover the $50 million, but there has been a determination by general counsel for the Department of Transportation that this language is insufficient. We had thought we might correct it with a colloquy, but we have been advised that there needs to be a so-called legislative fix.

In that light, I have submitted the amendment, which is No. 1055, which has been reviewed by the Department of Transportation. And we have been assured, I have been assured that the language in the amendment will be satisfactory.

This is an important matter to my constituents. It is a Wayne, PA, company employing some 150 workers.

I have conferred with Senator WARNER, who was a party to the initial transaction where, as is the case with many highway projects, the arrangements were worked out that the firm winning the first contract of $8 million, which was, as I say, Traffic.com, would get the second contract. But the legislative draftsmen were not sufficiently precise, as I have said. Senator WARNER confirmed to me yesterday that was the intent at that time, and he is prepared to confirm that.

The distinguished Senator from Washington, Mrs. MURRAY, chairman and manager of this report, had wanted confirmation from the authorizing committee that this was acceptable, as is the practice, if a matter like this is included in an appropriations bill. The appropriate process is to have the authorizers agree that it may be inserted, not to have any jurisdiction taken away.

I had consulted with the distinguished Senator from Nevada, Mr. REID, who is the subcommittee chairman, who is on the floor now and hears what I am saying, and also with the distinguished chairman, Senator JEFFORDS. They have concurred in this.

As I say, it is my expectation, having just conferred with the chairman, Senator MURRAY, that it be included in the managers' package. I thought it would be useful for the record to have this brief explanation as to precisely what happened and what the intent of the amendment will be as included in the managers' package.

As they say at wedding ceremonies, Senator MURRAY and Senator REID, if you have anything to say, speak now or forever hold your peace.

I thank the Chair. They used to call that an adoptive admission before they were declared unconstitutional, when I was a prosecuting attorney.

I thank Senator MURRAY, Senator REID, and my other colleagues.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. 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. MCCAIN. Mr. President, I rise, obviously, in support of the amendment of the Senator from Texas. The reason the Senator's amendment

should be really approved without a single dissenting vote is that the amendment says exactly what the proponents of this so-called Murray language in the appropriations bill are alleging. They are alleging that the language to which we and the administration object is not in violation of NAFTA.

I don't know the number of times—I would be glad to have a scholar research the number of times the Senator from Washington has said this is not a violation of NAFTA; this is not a violation of NAFTA; this is not in violation of NAFTA. So if the language is not in violation of NAFTA, then she should have no problem in approving this amendment, which says:

> Provided that notwithstanding any other provision in the Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the North American free trade agreement.

Mr. President, during the previous two administrations, I supported a lot of legislation that gave the President of the United States a great deal of leeway in determining foreign policy issues. I did that because of my fundamental belief that the President of the United States should be the individual who conducts foreign policy, obviously, with the advice and consent of the Congress of the United States. So this amendment seems to me to be perfectly in keeping with the rhetoric of the proponents of the present legislation as it stands.

I don't quite understand the objections to it, when the allegations are that the language in the appropriations bill is perfectly in compliance with NAFTA and doesn't violate it.

I want to mention again, particularly in light of the last vote that was taken—and we all know we only got 30 votes on the cloture motion and we needed 41—first, I am still confident that, as to the vote yesterday and other votes that will be taken, we have sufficient votes to sustain a Presidential veto. As we all know, the President has said he would regretfully have to exercise that option.

I also want to point out for the benefit of my colleagues, we have just affirmed a very dangerous practice, in my view. That practice—which in the years I have been here has gradually increased year after year after year—is a proclivity to legislate on appropriations bills. We now have major policy changes, major legislative initiatives, included on appropriations legislation. So when the cloture was voted a short time ago, it not only affirmed, unfortunately, the right—or new right of appropriators to legislate on appropriations bills, but it also can set a very dangerous precedent for the future.

There may be other amendments on other appropriations bills, which individual Senators view is in violation—in this case, of course, in violation of a solemn treaty agreement, but it may be in violation and affect issues that are important to them.

Senators who are not members of the Appropriations Committee, Senators who are simply members of authorizing committees, have suffered under the impression that any major policy changes or legislation would originate in their committees of which they are members, the authorizing committees. Instead, we now see an abrogation—a growing abrogation—and an affirmation of that abrogation of the responsibilities of those who are members on the authorizing committees—in my view, a grossly unwarranted assumption of authority on the part of the Appropriations Committee.

We all know what the purpose of an Appropriations Committee is, and that is to appropriate funds for previously authorized programs. I will be glad to read to my colleagues what the charter of the Appropriations Committee is. I must say, when I first came here—and I think the Senator from Texas who came here a couple years before me would agree—it was a very unusual circumstance when you would see an appropriations bill that had a legislative authorizing impact. We would find the pork barrel projects, although they were dramatically less; we would find the earmark. But now we have a custom, that is increasing year by year, where the Appropriations Committee, in direct violation of their charter, are now setting parameters, which in this case affect a solemn treaty between three nations.

Not only does this particular language, which is called, ''not in violation of NAFTA,'' clearly authorize on an appropriations bill, but it even goes so far as to affect a solemn trade agreement.

I might add that is not just my view. That happens to be the view of the President of the United States and, almost as important, the view of the President of Mexico. Already the Mexican Government, in reaction to this pending legislation, has threatened sanctions which could reach a billion or more dollars against U.S. goods and services. Relations between the United States and Mexico, in my view—and coming from a border State I think I have some expertise on this subject—have never been better.

We have a new party in power in Mexico, a new leader, and for the first time we are seeing border cooperation the likes of which we have never seen before, including the apprehension and extradition of drug dealers, something we could not only not achieve before, I remember back in the 1980s when a U.S. drug agent was kidnapped, tortured, and murdered by individuals that at least allegedly could have had connections with the Mexican Government. We have come a long way in our relations.

I note the President's first state dinner will be in September in honor of President Fox of Mexico. The relationship between our President and the President of Mexico is close, it is cooperative, and it will act to the great benefit of all Americans, particularly those of us who represent border States because we have so many outstanding border issues: immigration, drugs, pollution, transportation, among others.

What do we do early in President Fox's administration? According to them, we violate a solemn treaty that was consummated years ago by previous administrations.

The provisions of Senator GRAMM and I require it, every vehicle beyond the commercial zones to be authorized and to display on their vehicle a decal of inspection, and the list goes on and on. State inspectors that detect violations will enforce such laws and regulations, and it goes on and on.

According to our legislation, we are not giving blanket approval to Mexican carriers to come across the border. What we are doing is imposing some reasonable restrictions which would then stay in compliance with the North American Free Trade Agreement.

Let me read from a letter we received from the NAFTA Coalition For Safe trucks:

> During its consideration of the bill to provide appropriations for the Department of Transportation for fiscal year 2002, we urge the United States Senate to adopt the McCain-Gramm amendment regarding the treatment of cross border trucking operations under the North American Free Trade Agreement.
>
> We represent the manufacturers, shippers and the transporters of the goods crossing the border, and want to ensure all necessary steps are taken to ensure the safe, reliable and efficient transportation of those goods between the United States and our trading partner to the South.
>
> Both the House-passed language and the language included by the Senate Committee on Appropriations violate NAFTA and will result in a ''closed'' border for the foreseeable future. While we commend the Senate Committee for seeking a solution to the outright ban contained in the House Bill, several of the requirements simply cannot be met and are unnecessary to ensure the safe operations of Mexican domiciled trucks when operating in the United States.
>
> Should the Congress vote to require the United States Government to continue to violate our obligations under NAFTA, Mexico will be free to impose extensive sanctions on U.S.-produced products. This will certainly lead to a loss of jobs for U.S. workers, particularly in manufacturing, which has already seen 785,000 lost jobs since July of 2000.
>
> We urge support of the McCain-Gramm Amendment, which will allow the United States to honor its commitments while establishing a safe and reliable flow of goods between the United States and our neighbor, trading partner and friend to the South.

It is signed by the American Trucking Association, National Association of Manufacturers, Grocery Manufacturers of America, U.S.-Mexico Chamber of Commerce, Agricultural Transporters Conference, Border Trade Alliance, United States Chamber of Commerce, National Foreign Trade Council, the Fertilizer Institute, and TASA Trucking, the very people who will be sharing the highways and bridges of America on both sides of the border with Mexican transportation carriers.

What we have done here—and I think it is important to put it in a certain

perspective because there is a lot of heat of the moment; there are conversations about what the Teamsters will or will not do, how important it is for Republicans to gain the support of the Teamsters, and underlying it all is sort of a concern about really what would happen if these Mexican carriers came into the United States.

As the Senator from Texas pointed out, they are 25 miles inside of our border States. We are proud of the relationship we have with our Mexican neighbors to the South. We are proud of their friendship. We are proud of the progress that they have made, both politically and economically. We are proud to call them our neighbors.

What we have done, intentionally or unintentionally, is adopt language in an appropriations bill which was unknown to those of us on the Committee of Commerce, Science, and Transportation, unknown to the authorizing committee on which I am the ranking member. Language was adopted which, in the view of the President of the United States, in view of the President of Mexico, and I am sure the Canadian Government, and I am sure the NAFTA panels that judge these things, is a violation of a solemn trade agreement.

I do not want to waste time reviewing the enormous economic benefit that has accrued to all three countries as a result of the North American Free Trade Agreement. They are phenomenal. When NAFTA was adopted in 1996, there was $300 million worth of trade a day between the United States and Canada. Today there is a billion dollars a day of trade between the United States and Canada.

The numbers are comparable in the south. We have seen the maquiladoras. We have seen the growth of the economy in the northern part of Mexico far exceed the rest of Mexico. Why is that? It is because of the enormous increase in goods and traffic and services between the United States and Mexico.

We have seen now one of the most successful treaties, from an economic standpoint and I argue cultural and other aspects, now being undermined or violated by an act of the appropriations subcommittee of the Senate, without a hearing.

We did have a hearing on Mexican trucks in the Commerce Committee. We never acted. There was never a bill proposed. There was never any legislation proposed for consideration and markup by the Committee on Commerce, Science, and Transportation. No, it was stuck into an appropriations subcommittee bill.

Here is where we are: The repercussions of this action are significant and severe, not only to the people of my State but the people of this country.

We do not grow a lot of corn in Arizona; I wish we grew more, but clearly corn is one of the first areas where the Economic Minister of Mexico has said they may have to impose sanctions because they are entitled to impose sanctions as of this very day.

We have also just heard that telecommunications equipment might be the next target of sanctions enacted by the Mexican Government. Why would they do that? With all due respect, because they have significant manufacturing capabilities within Mexico of telecommunications equipment and it probably would not be too bad for Mexico in the shortrun if they were not subject to foreign competition, although we all know the unpleasant and unwanted consequences of the lack of competition in all products. That is the situation we are in. It is very unfortunate.

The Senator from Texas has an amendment which basically says none of the provisions in the appropriations bill would be applied in a manner that the President of the United States finds to be in violation of NAFTA. Literally, every bill we pass out of this body that has to do with foreign policy has a national security provision stating if it is in the interests of national security, the President can act if he deems so. Basically, that is sort of what this amendment of the Senator from Texas is all about.

I also want to make one other comment about this issue and what we have done. The Senator from Texas and I were allowed to propose one amendment, which was voted on, and we had many other amendments. Obviously, that effort is going to be significantly curtailed because of a cloture vote. I view that as unfortunate, too, because if in the future Members of the Senate are seeking a number of amendments to be considered, and cloture is imposed without them being able to have all their amendments considered, then I think we are obviously setting another very bad precedent for the conduct of the way we do business in the Senate.

For all of those reasons, I not only intend to slow this legislation, but I think we will have to try to see that this issue, no matter how it is resolved, resurfaces on several different vehicles in the future. I am not sure that there are many other issues before the Senate that are this important. We may have to, even after we have exhausted—if we do—all of our parliamentary options, exercise others as well.

I say that not only because of the impact on this issue but the impact on the way we do business in the Senate. I was very proud during consideration of the campaign finance reform bill that everybody had an amendment. Anybody who had an amendment, we considered it; we voted on it; and we worked on it for 2 weeks. On the Patients' Bill of Rights, we worked on it; we had amendments; everybody was heard from; and everybody got their say.

That is not the case with this legislation. It is not the case with this appropriations bill. I regret that. I have been here not as long as many but long enough to know when a very dangerous trend, a very dangerous precedent has been set, I recognize that. I will continue to do what I can to see that every Senator has the right to exercise his and her rights as Members of this body to see that their issues, their concerns, and particularly those that affect international agreements, are fully examined and voted upon and discussed and debated.

I intend, obviously, to talk more on the specifics of what we are doing, but I hope my colleagues have no illusions as to what is being attempted on an appropriations bill where there is absolutely no place for this legislation. Those who are only members of authorizing committees, take note, my friends, because you may be next.

Mr. GRAMM. Will the Senator yield?

Mr. McCAIN. I am happy to yield.

Mr. GRAMM. Obviously, the Senator shares with me the fact that we represent States that border Mexico, and in that process we both have had an opportunity to work with President Fox. Would the Senator agree with me that of all the people who have ever been heads of state in Mexico, that he is, perhaps, the most pro-American in terms of his outlook and willingness to work with us of anyone we have ever dealt with?

Mr. McCAIN. In response, I say to my friend, I don't think we have ever seen a friend of this nature in the history of the country of Mexico. We all know that there was one-party rule since the 1920s. We all know that when one party rules any country for an inordinate length of time, there is corruption. This is a breath of fresh air.

The Senator mentioned we come from border States. Our States are going to be affected first by Mexican carriers coming across our border. In the State of Washington and on the northern tier, there is free access of carriers from Canada. So I kind of wonder about the contrast there. The State of Washington has free movement of trucks back and forth across their border. Yet Representatives of the State of Washington want to restrict flow across our borders with our southern neighbor. I find that interesting.

Mr. GRAMM. Could I ask another question? You obviously know President Fox, and know Mexican politics. What kind of position do you think it puts President Fox in when he has staked his whole political future on a good relationship with the United States, and has committed himself to enforcing NAFTA in his own country, when the Senate is in the process of adopting a provision on an appropriations bill that clearly violates the NAFTA agreement? What kind of position do you think it puts him in?

Mr. McCAIN. The answer, obviously, I say to the Senator from Texas, is it must be somewhat embarrassing for him. I think that was very much appreciated by President Bush. President Bush has expressed on several occasions his concern with what is happening and has taken a very personal interest in these proceedings.

That is another point I emphasize. The relationship between President Fox and President Bush is as close and cooperative and good as any in the history of this country. I appreciated President Reagan's relationship with his southern neighbor as Governor of California. I believe the relationship of President Bush and President Fox opens up a vista for relations with Mexico the likes of which we have never seen, which there has already been manifestations of, by the extradition to the United States of drug dealers from Mexico. That would never have happened under a previous regime.

I think President Fox, obviously, could not be very pleased today and may have to answer to some of his critics, of which there are many since he just unseated a party that had been in power for 60 years.

Mr. GRAMM. If the Senator will yield, I am sure there are people who wonder why we take this issue so seriously. It seems to me our colleagues should be concerned about our relationship with this good man who is president of Mexico and our friend, and with the kind of position it puts him in, and with the message it sends that somehow we treat our neighbors to the north differently than we treat our neighbors to the south. It seems to me that socialists and anti-American politicians in Mexico from the very beginning of our relationship with Mexico have preyed on this point: that we don't respect Mexico, that we don't respect their people, that we treat them differently, that they are our poor neighbors. I conclude with the following question. Don't you believe that this amendment, in all of its terrible manifestations, plays into exactly the kind of demagoguery that has traumatized our relationship with Mexico for all these years?

Mr. McCAIN. First of all, I agree with the Senator from Texas. But also let me point out that because of this action that is taking place right now, the Mexican Government and the President are having to respond to domestic discontent with the threat of sanctions, and they are judged to be able to enact sanctions because the panel determined we are in violation of NAFTA as we speak. Until this legislation was pending, there was no word out of Mexico that they would impose these sanctions. But in the last day, the last 24 hours, the Mexican Government has felt compelled to say they will enact sanctions. Why? Because the legislation before us makes permanent the blocking of the border to Mexican carriers, which was allowed according—not only allowed, but a part, an integral part of the North American Free Trade Agreement.

I mention again to my friend from Texas a letter from the Secretary of the Economy, Luis Ernesto Derbez Bautista:

We have been following the legislative process regarding cross border trucking on the floor of the U.S. Senate. This is an issue of extreme importance to Mexico on both legal and economic grounds. From a legal standpoint, Mexico expects non-discriminatory treatment from the U.S. as stipulated under the NAFTA. The integrity of the Agreement is at stake as is the commitment of the U.S. to live up to its international obligations under the NAFTA. I would like to reiterate that Mexico has never sought reduced safety and security standards. Each and every truck company from Mexico ought to be given the opportunity to show it complies fully with U.S. standards at the state and federal levels.

The economic arguments are clear-cut: Because of NAFTA, Mexico has become the second largest U.S. trading partner with $263 billion of goods now being exchanged yearly. About 75% of these goods move by truck. In a few years, Mexico may surpass Canada as the U.S. largest trading partner and market. Compliance with the panel ruling means that products will flow far more smoothly and far less expensively between our nations. Doing so will enable us to take advantage of the only permanent comparative advantage we have: that is our geographic proximity. The winners will be consumers, businesses and workers in the three countries.

We are very concerned after regarding the Murray amendment and the Administration's position regarding it that the legislative outcome may still constitute a violation of the Agreement. In this light, we hope the legislative language will allow the prompt and non-discriminatory opening of the border for international trucking.

Finally I would like to underline our position, that to the Mexican government the integrity of the NAFTA is of the outmost importance.

That is from the Secretary of the Economy of the country of Mexico.

I see my respected friend, the Senator from North Dakota, on the floor. I know his views on NAFTA. I do not know if many of the Mexican trucks will be getting up to North Dakota. But I do know that the Mexican Government right now is deeply concerned about this legislation, and if it passes, I can see no other action the Mexican Government would take but to enact sanctions. As the Senator pointed out, this is a critical stage of our relations with that country.

I thank the Senator from Texas. I yield the floor.

The PRESIDING OFFICER (Mr. EDWARDS). The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have great respect for my friend from Arizona and, for that matter, for my friend from Texas. I might say my colleague from Arizona and I agree on a lot of things and we work together on a lot of things. I do not necessarily agree with a lot of things with my colleague from Texas. We tend more often to come down on opposite sides of the spectrum. But I did want to respond a bit to a couple of questions that were raised.

I just came from the Senate Appropriations Committee. I had to be there because we were marking up an appropriations bill. I was on the floor earlier intending to ask the Senator from Texas a question, but I was not able to be here when he finished his comments. One of the things he said I found very interesting.

Do you know what he said? He said if we do not allow Mexican long-haul trucks into this country, Mexico is going to take action against the United States. Do you know what they are going to do? He was quoting a Mexican official. He said they are going to impose sanctions or tariffs on high-fructose corn syrup from the United States to Mexico.

Do you know what? They have already done that. They are already in violation of NAFTA. An arbitration panel has found Mexico is in violation on high-fructose corn syrup. In fact, they have a high grade and low grade. Guess what. Mexico imposes the equivalent of 43 percent tariff on the low-grade corn syrup and the equivalent of a tariff of 76 percent on the high-grade corn syrup. So my friend from Texas says Mexico is now threatening to do something with respect to high-fructose corn syrup when in fact they are already violating international trade agreements in terms of the tariffs and the obstructions they put in the way of high-fructose corn syrup going from the United States to Mexico.

God forbid we be upset about that, that Mexico is going to do something to us that they are already doing in violation of the trade agreement.

I heard a long discussion by my colleague from Texas saying we may not and we must not violate NAFTA. I said yesterday and I will say again, there is nothing in any trade agreement, including NAFTA, nothing that will ever require us to compromise safety on America's roads. There is nothing that makes that requirement of the United States.

I would also say this. If one would allege that what we are about to do would be to violate NAFTA on behalf of American road safety and complain about that, I wonder then whether someone would complain about Mexico, for example, violating trade agreements with respect to the obstructions and the tariffs applied to high-fructose corn syrup that we now send to Mexico, or that we now try to send to Mexico.

This cuts both ways. But it only cuts one way when you talk about things that really matter; that is, highway safety in this country. The United States and Mexico have had a half dozen years to understand the consequences of allowing long-haul Mexican trucks into this country. They have had a half dozen years to prepare for this. What have they done? Nothing. Now we are told in 5 months the United States border must be open to Mexican trucks to come into this country for long hauls.

I will say again what I said yesterday. I am sorry if it is repetitious to some, but it is important to say it. The anecdotal evidence obtained by a reporter from the San Francisco Chronicle, I think quite masterfully presented to us in that feature story, is compelling. The San Francisco Chronicle sent a reporter to Mexico to ride

with a long-haul trucker who began that ride in Mexico City and went 1,800 miles to Tijuana. That trucker was driving an 18-wheel truck that would not have passed inspection in this country, with a crack in its windshield among other things. That truck driver drove 3 days, 1,800 miles, and slept a total of 7 hours; had no logbook, no limits on his hours of service, and was never stopped for an inspection along the way. Now we are told: By the way, it is our requirement to allow that kind of truck to come into this country.

It is not our requirement. It is not. My colleagues will say: But what we are really saying is we want to inspect every truck. There is not a ghost of a chance of that happening, and we all know it.

Let me put up a chart that describes the differences in standards between the United States and Mexico. Hours of service: 10 hours of consecutive driving, and no more, in this country—10 hours, and no more. I am telling you, this reporter from the San Francisco Chronicle rode 3 days, 1,800 miles, with that truck driver, and the truck driver slept 7 hours in 3 days because there are no limitations on hours of service in Mexico. There are no limitations on the driver. These are drivers who make, on average, $7 a day, sleep 7 hours in 3 days. Is that what you want in your rearview mirror: A truck weighing 80,000 pounds with 18 wheels coming down the highway, perhaps with no brakes, with a driver that has been awake for 21 straight hours? Is that what we want in this country? I do not think so. And there is no trade agreement ever written—none—that requires this country to compromise safety on its roads.

I know some say: well, no one is suggesting a trade agreement would do that. They say they are suggesting a robust area of inspections. Not true. There is no requirement being proposed that investigators go into Mexico to investigate compliance of the Mexican trucking industry to make sure that when someone presents themselves at the border with a logbook, they have filled it out one-half hour before they arrived at the border. They simply fill out their logbook. They have been driving 21 straight hours, but they present a logbook saying they have only been on the road for 3 hours.

There is nothing remotely resembling a broad-scale compliance program or a broad inspection program at the border that would provide the margin of safety this country needs.

We have, I believe, 27 border entry points. Only two of them are staffed during all commercial operating hours. Most of them don't have telephone lines to access a driver's license database. Most of them don't have parking places where you can park a truck that is pulled out of service.

We asked the inspector general who testified last week: Why do you want a parking space if a truck shows up from Mexico that is not safe trying to come into this country? Why not just turn it around and send it back? He said: Let me give you an example. A truck shows up at the border and has no brakes. It happens. Are we going to send an 18-wheel truck back with no brakes? No. We have to park it.

The fact is that we only inspect a small percentage of trucks crossing the border. It is not a large percentage as has been alleged. We actually inspect a very small percentage of trucks coming into this country.

The proposal for additional investigators and inspectors is far short of what is needed to have a broad regimen of inspections. It is just far short of what is needed. I just did the math. I asked the Secretary of Transportation and the inspector general: Am I not right that you are short, and you don't have the people? The inspector general said: You are right, we are short of inspectors, because these numbers don't add up.

To those who say let's open the borders and somehow we will inspect all of these trucks, I say to them even if you could do that, where are the inspectors? They are not being proposed. They have some, but not nearly enough.

What about the compliance reviews of sending someone into Mexico to make sure the industry is going to require the kind of compliance that is necessary? I mentioned the requirement of logbooks. Mexico requires logbooks. They do. But nobody has them. It is just like Mexican laws with respect to the environment. They have very stringent laws with respect to pollution and the environment. They are not enforced. You can have wonderful laws, but if they are not enforced, they are irrelevant.

There is in Mexico a requirement for a standardized logbook. It is not enforced. Virtually no trucker in Mexico uses a logbook.

Alcohol and drug testing in this country, yes; Mexico, no.

Driver's physical considerations: In this country, a separate medical certificate, and an examiner's certificate is renewed every 2 years. In Mexico, a physical examination is required as part of licensing, But no separate medical card is required.

We have a weight limit of 80,000 pounds in this country. It is 135,000 pounds in Mexico.

Hazardous materials: I don't even want to describe the difference here. You can only imagine the difference.

Strict standards, training, and inspection regime in this country; there, a lax program, few identified chemicals and substances, and fewer licensure requirements.

Vehicle safety inspections: Here, yes, of course.

There they are not yet finalized.

Insurance: Incidentally, the inspector general pointed out that when they come across the border, they buy insurance for 1 day.

Some have questioned why I should care about this issue. One of my colleagues said: Senator DORGAN is from North Dakota, Mexican trucks probably won't even get to North Dakota.

But in fact they have already been found to be improperly operating in North Dakota. They have been stopped for a range of infractions and difficulties.

There is supposed to be a 20-mile limit for long-haul Mexican trucks in this country.

If someone says it is not going to affect North Dakota, they are wrong. It already has. They have already been apprehended on our roads.

Let me say, with this one question of inspections and all of the soothing words about, we will just inspect all those trucks, and there is not going to be any problem with the big 18-wheeler coming down the highway—let me describe where we are with inspections.

Out-of-service rates at El Paso, TX, 50 percent but only 24 percent at Otay Mesa, CA where they have a full inspection process.

I could put up 25 border crossings and you would find exactly the same thing.

It is preposterous to allege that in 5 months we are going to have a regime of inspections and compliance audits that will provide the margin of safety that we expect for our country's highways. It is not going to happen. There is not a ghost of a chance of it happening.

Let me again say that it is true, I voted against NAFTA.

Before this trade agreement which our trade negotiators negotiated with Mexico and Canada, we had a very small trade surplus with Mexico. It quickly turned into a very large deficit. Is it a trade agreement that works in our interest? I don't think so. We had a reasonably modest trade deficit with Canada. It quickly doubled. Is that a trade agreement that works in our interests? I don't think so.

Yes, I voted against the trade agreement. I have from time to time suggested that perhaps, just as we do in the Olympics, we require them to wear a jersey so they can look down and see a giant ''U.S.A.'' printed on this jersey to see whom they are working for, so they remember from time to time whom they represent. I am so tired of our trade negotiators negotiating agreements that they lose in the first week.

Will Rogers once said that the United States of America has never lost a war and never won a conference. Surely he must have been talking about our trade negotiators. It takes them just a moment to begin negotiating with some country and give away the store. That is the case with NAFTA.

But I say this: There is nothing in that trade agreement—nothing in NAFTA—that requires our country to sacrifice safety on America's highways—nothing. We have had 6 years, I say to my colleague from Texas, for both countries to prepare for Mexican

long-haul trucks to come into America, and neither country has done anything. Now we are told by the President that on January 1 we are going to take the lid off this 20-mile limit and Mexican long-haul trucks are coming in.

My position is this: There is not a ghost of a chance of our having the compliance and inspection capability to assure the American people that we have safety on our highways. I don't want my family, or yours, and I don't want any American family driving down the road looking in a rearview mirror and seeing an 18-wheeler coming with 80,000 pounds perhaps without brakes, with the driver having driven the rig for 21 straight hours, in a truck that has not been inspected. I don't want that for the American people, and no trade agreement requires that it happen.

To those of us who have come to the floor in the last several days on this issue, I say this isn't about trying to be discriminatory against anyone. If it were Norway, I would be saying the same thing. Canada has a reasonably similar system with trucking. We suspended trucking privileges for Canada for a number of years until they came into compliance. We restored them.

With airlines, what we do is very simple. We understand the safety issue with airlines. With airlines, we send compliance inspectors to airlines all around the world to insist and demand, if airlines want to come into our country, they must meet rigid compliance standards. We audit them and require them to comply. There are 13 countries in which their airlines are not allowed into the United States of America. Why? Because we have not deemed it safe to allow those airlines to come in.

That is the issue here with these long-haul trucks. It is very simple. This is not an issue about the Murray-Shelby language versus the Gramm-McCain amendment. There are more than two sides; there are three.

I happen to believe we ought to have the House language simply prohibiting funding for the issuing of licenses or permits to allow long-haul trucks to come in during the next fiscal year. I say no. If at the end of the next fiscal year it can be described to us that we have a full regime of compliance, investigators, and inspectors at the border, and if we set up all of the burdens to show us that this will work, then I will be the first to admit it and say I am with you. But that is not the case now. It will not be the case in January. In my judgment, it will not be the case in a year and a half.

Until that time, on behalf of the American people, we ought to insist—we ought to demand—on behalf of highway safety in this country that we take this issue seriously.

In my judgment, what we ought to do, at some point before this debate is over, is take the House language, the Sabo amendment that the House passed 2–1, put it on this bill, put it in conference, and keep it there; and say to the President: If you want to veto it, that is your choice. But if you want to do it, you are wrong. This Congress is going to do the right thing. If you want to do the wrong thing, that is up to you. But our job is to do the right thing right now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Mr. President, I have a statement in support of Senator DORGAN's comments, but Senator GRAMM had something he wished to do for a minute or two. If I could yield to him and reclaim my time, I would appreciate it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, let me yield myself 3 minutes off my time. If you would let me know when that time is up, I will stop. And I thank Senator BYRD, who came over to speak, for letting me do this.

Mr. President, when I was a boy and my brothers and I got into arguments, my mama would always say: Argue about whether something makes sense, but don't argue about facts. So I am not going to get into an argument with our dear colleague from North Dakota. But I want to reiterate what the facts are.

When we entered into NAFTA, we had every right in our obligations under NAFTA to enforce safety standards in the United States of America. Any safety standard that we impose on our own truckers and Canadian truckers, we can impose on Mexican truckers. We could inspect every single truck coming into the United States from Mexico so long as we can show that inspection was needed to assure Mexican compliance with American law. But what we cannot do, what NAFTA clearly says is a violation, is setting one standard for American trucks and Canadian trucks, and then another standard for Mexican trucks.

It is interesting that our colleague decided to talk about Mexican truckers, because even though Mexican trucks are operating only in the border States now, our experience with inspecting the Mexican drivers has been very encouraging. In fact, of all the drivers inspected in America last year—where the truck was inspected and the driver was tested in terms of their log, their license, and their training—Canadian truckdrivers failed that test 8.4 percent of the time. American truckdrivers failed that test 9 percent of the time. Mexican truckdrivers failed that test 6 percent of the time.

Why is that so important? Because they are operating only in border areas. The trucks coming across are not even big 18-wheelers; they are small trucks basically carrying produce. The point I want to make is that we cannot have two different sets of rules under NAFTA. Many of the Mexican drivers that are going to be driving 18-wheelers are college graduates. Our experience, thus far, indicates that we are going to have many problems, but drivers are not going to be one of them. My point is that under NAFTA we can set whatever standards we want on Mexican trucks, but they have to be the same standards that we set on our own trucks.

The PRESIDING OFFICER. The Senator has used 3 minutes.

Mr. GRAMM. That is what is being violated by the amendment before us.

I thank the Chair.

Mr. DORGAN. Will the Senator yield for 1 minute?

Mr. CAMPBELL. I do still have the floor, Mr. President?

The PRESIDING OFFICER. The Senator from Colorado, by previous order, is entitled to be recognized at this time.

Mr. CAMPBELL. I would like to give a statement, but if the Senator has a response for a minute or two, I do not mind yielding to him.

Mr. DORGAN. If the Senator would be kind enough to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I want to observe that the Senator from Texas said he doesn't think our States are involved because we have a 20-mile limit. My point is, Mexican truckdrivers have been stopped in North Dakota already exceeding the 20-mile limit, so of course we are involved. Twenty-four States have found that similar condition.

No. 2, the Senator from Texas said he didn't want to talk about the facts. The facts are that when Mexico alleged they are going to take action against our high-fructose corn syrup, does the Senator from Texas agree a panel has already ruled against Mexico, and they are now unfairly imposing tariffs on high-fructose corn syrup in violation of NAFTA? Does the Senator agree with that assertion?

Mr. GRAMM. Mr. President, I would respond that if you are trying to get somebody to live up to their agreement, are you in a stronger position if you live up to your end of it, or is your position weakened when you stop living up to your end of it?

If you want to enforce the agreement, then we need to live up to it. We need to be like Caesar's wife; we need to be above suspicion.

Mr. DORGAN. My point is, alleging somehow Mexico will hurt this country if we don't allow Mexican long-haul trucks into this country, with respect to high-fructose corn syrup, and actions they will take—the facts are stubborn. The Mexicans are already doing that unfairly.

I am a little tired of saying, ''let's blame America for something we might do.'' How about blaming Mexico for something they are doing with respect to high-fructose corn syrup that is in violation of NAFTA.

I thank the Senator from Colorado for yielding.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from Colorado.

Mr. CAMPBELL. Madam President, there are no Hispanic members of the Senate or I am sure they would say what I am about to with an equal amount of outrage. But since most Hispanics who trace their ancestry to Mexico are also part Native of the Americas, I think I can speak for them.

I am very disturbed that any Member of this body, regardless of party affiliation, would transform an issue of truck safety into a racial issue.

I take a back seat to no one in this body supporting Hispanics, like economic opportunity, race relations, English only, and a host of other issues. In fact, I believe I have the largest number of Hispanic staff members of any Senator in this body.

I am as concerned about jobs for Mexican workers as I am for American workers. I also know the only way to reduce illegal immigration is by stabilizing the Mexican economy. I want to do that. Does that mean I have to put my children's lives at risk on American highways? I won't do it, nor will I risk any American life in the name of free trade.

I would remind my colleagues that of the twenty Hispanic Members of the House, half of them voted for more restrictive measures than the proposed Murray-Shelby language.

I would strongly suggest that those who are using the race card in this debate for personal or political gain, put a lid on it and recognize that we have a duty to protect the lives and property of the people who sent us here.

Now that I have that off my chest, let me use a graphic illustration of just one—just one—of the reasons why we should be careful in allowing free access to our highways. The problems of hours of service, age of the trucks, drug testing, and monitoring compliance have been discussed by other Senators.

Since I am a certified CDL driver, let me focus on that facet of this problem. This is an enlarged page from a daily driver's log. These logs are required by the Federal Government and are reviewed and monitored. Mexican drivers have log books, too, but almost no oversight of their order. Note this area here on the log book. It is broken down into minute by minute sections of a 24-hour day.

Each working day, American drivers are required to fill out this form which enables Federal officials to track exactly what the driver was doing. I know of no other job in America, with exception of airline pilots, that has such a high degree of scrutiny. That scrutiny is meant to ensure safety on our highways. Why is it unfair to ask foreign trucks to comply with the same standards?

Let me now say a few words about the trucks themselves. We know that the American fleet averages 3 to 5 years old, while the Mexican fleet averages 15 years old. If the average is 15 years old, that means some trucks are 30 years old with all the inherent problems of old machinery.

What has not been mentioned is the use of the high-tech equipment that is on most new American fleets but rarely on older trucks. Modern U.S. trucks have CB radios, weather band radios, cell phones, and GPS tracking systems. This not only makes them more efficient but helps keep the driver out of trouble. His boss, the carrier, can tell at any given moment exactly where he or she is, what speed they are traveling, if there are bad road conditions ahead, if there are accidents or congestion that would require re-routing, and a host of other pertinent facts about both the driver and his vehicle.

The point is this. Do you think any company which pays as little as $7.00 per day to their drivers is going to invest the thousands of dollars to equip their trucks with this state-of-the-art efficiency and safety equipment? Not likely, particularly when you factor in the initial cost of $100,000 for each of those new tractors and for the $30,000 for those new trailers in the American fleet.

It is not always the big things that add up to safer highways. Sometimes subtle things are equally important. As an example, no driver or company that I know will run retreads on their front tires. There may be laws addressing this, but any driver with a lick of sense knows that the risk factor for himself and everyone near him goes up if, while thundering down the road at speed, pulling 80,000 pounds, a front tire blows out. They may run recaps on back tires because other tires will distribute the load in case of a blow out. But not the front.

Do Mexican trucks run recaps on front tires? Many do and again I would ask, do you think anyone paying his drivers $7.00 per day, will buy $400.00 tires for the front wheels when he can buy caps for a quarter of the price?

I stand before this body not just as a concerned Senator but as a licensed commercial truck driver. This amendment attempts to provide equal and fair standards. For my colleagues who believe this amendment violates components of our trade agreements, I challenge them to tell the American people they are willing to sacrifice the safety of our roads for the economic vitality of our neighbors.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, my friend from Arizona—we came to the House together; we came to the Senate together—stated a number of things in the last hour or so. He said, and I have it from the official transcript:

> I regret that. And I have been here not as long as many but long enough to know when a very dangerous trend or a very dangerous precedent has been set that I recognize it.

He further went on to say, again from the transcript:

> Cloture vote. I view that unfortunate, too, because if in the future Members of the Senate are seeking a number of amendments to be considered and cloture is imposed without them being able to have all their amendments considered, then obviously we are setting another, I think, very bad precedent for the conduct of the way we do business in the United States Senate.

He also said:

> I also want to make another comment about this issue and what we have done here. The Senator from Texas and I were allowed to propose one amendment, one amendment which was voted on, and we had many other amendments. But, obviously, that effort is going to be significantly curtailed.

My friend, the senior Senator from Arizona, said that a dangerous precedent has been set. No amendments could be offered. The senior Senator from Texas offered an amendment. It was tabled, defeated.

Senator MURRAY and I have begged for people to come and offer amendments, literally legislatively begged for people to come and offer amendments, day after day. No, there has been no dangerous precedent set.

This is the way the Senate has operated, by the rules. We want to move on with other legislation. The Senator from Arizona has refused to let us go forward, as has the Senator from Texas, to go forward on a Transportation appropriations bill that is vitally important to every State in the Union. Senator SHELBY and Senator MURRAY have worked very hard on this very important appropriations matter.

There was no choice but the leadership had to move to invoke cloture. What does that mean? It means stop unnecessary, dilatory debate. It was done on a bipartisan basis. This is not Democrat versus Republican. This is Democrats and Republicans wanting to move on with the business of this country; therefore, the business of the Senate.

We should move forward with this legislation. We are not doing that. Because of these dilatory tactics on this matter, we have been unable to move forward on other important legislative matters for this country.

Madam President, before we leave for the recess we have to finish the Export Administration Act. This is extremely important, and it expires August 14. This legislation is the most important aspect of the high-tech legislative agenda. The high-tech industry, by the way, is hurting. Just look at what is happening in the stock market. They need help. One of the things we can do to help is to change the rules so they can compete with the rest of the world. We don't want these jobs to be sent overseas. That is what is happening. We have a handful of Senators out of 100 who don't want us to move forward. Holding this up is wrong. The Export Administration Act is extremely important.

Madam President, the food and fiber in this country is produced by farmers and ranchers all over America. America is the greatest producer of food in the world. But we have another bill that we must take up before we leave to help the farmers and ranchers of America. It is called the agricultural supplemental bill. We have to do this

because if we don't, the farmers of this country, by virtue of some budgetary provisions that are placed in the law, will lose over $5 billion. This is essential to the very survival of many farmers and ranchers in America. We can't move forward on that because of the dilatory tactics on this issue. No, there is no bad precedent set. We are following the precedent established in the Senate to move forward when dilatory tactics are being used.

I repeat, we have stood here and asked for amendments to be offered. All day Tuesday we were in quorum calls. All day. Yesterday, almost all day. So we need to move forward. We not only need to pass the agricultural bill that is so important, which I have referred to, we have to finish the conference on that bill before August. We need to move expeditiously with the Export Administration Act. Senator BOND and Senator MIKULSKI have spent many days of their lives working on another appropriations bill, VA/HUD and Independent Agencies, which is worth approximately $50 billion to this country, to keep the institutions of Government running. That needs to be finished before the August recess. But, no, we are being held up in a filibuster—that is what it is—and the Senate, on a bipartisan basis today, said enough is enough.

I think this is wrong. We need to move forward. When my friend says that a dangerous precedent is set, I respectfully disagree. The Senate is working as it has for 200 years—in fact, more than that. We are the great debating institution. That is what we are called. But there comes a time, under our rules, when enough debate is enough, enough stalling is enough, enough dilatory tactics is enough. That was confirmed today on a bipartisan vote.

The Senate has done the right thing. We need to move off of this legislation and move forward with other important matters to this country.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, I wonder if I may have 15 minutes of Senator MCCAIN's time.

Mr. MCCAIN. Absolutely.

Mr. DOMENICI. Madam President, parliamentary inquiry. Is there a time limitation?

The PRESIDING OFFICER. The Senate is operating under cloture. Each Senator has a maximum of 1 hour.

Mr. DOMENICI. I ask to use 15 minutes of my time.

The PRESIDING OFFICER. The Senator has that right.

Mr. DOMENICI. I may even take 5 or 10 more. I think maybe 15 minutes is more than I ought to use.

First, I want my colleagues to know that I am not here as part of any dilatory tactics. I wish we could resolve this issue. But I thought that at least I ought to add a little bit to the notion of the kind of problem we have—that it is serious, which has the potential of very serious repercussions; or rather is this a typical problem on the Senate floor?

I came to the Chamber because I suggest there is a sea change occurring in this hemisphere between the United States and Mexico. It is a great and positive sea change. If we look at our history, it is incredible that we have come to the year 2001 and we still have a great country on our border with which, for some reason or another, the United States has not had a long and abiding friendship with that has yielded benefits for both countries.

We have been the victims of Mexican leadership that blamed America. There were a number of their Presidents who, when things didn't go well in Mexico, chose to say: It is America's problem. They are so wealthy that they ought to take care of things. They are letting all our workers go there and get jobs when we need them over here.

Today, however, sitting right on our border is potentially the greatest trading partner we could have in the world. What we need to do is what the NAFTA agreement called for and let Mexico grow and prosper, so that as neighbors, we become gigantic partners in trade. Many of the sore spots between our countries will disappear if Mexico has a chance to grow and prosper.

All of a sudden, there is on the horizon, as a result of a very different election in Mexico, a new kind of President. There is nobody writing about Mexico that says anything different than that. A new kind of President was elected in the most democratic election they have ever had. We all see him. We all admire him. I understand he was in the city of Chicago to have a meeting and to speak with those who might be concerned about Mexican problems, and 50,000 people showed up in Chicago to hear President Fox speak.

What has he said? He has said this about America: You are not our problem. I am not going to blame America for our economic situation. I want to be a friend, neighbor, and partner; and I want the Mexican people to have their own jobs. He said: I want them to grow and prosper. All I want is fair treatment from the United States.

Whether people like international agreements or not, we did approve and ratify an agreement with Mexico and Canada on this hemisphere regarding free trade. That is of the most serious type of agreement.

I noted that my good friend, Senator REID, was on the floor discussing with Senator BYRD the issue of a great book out there named ''John Adams,'' who was one of our great Founding Fathers. Would you believe that in the first 300 pages out of 600 pages of that book, which I am reading now, John Adams used the words ''America thrives on free trade.'' Think of this now; that was just after or during the Revolutionary War. ''Without free trade America cannot abide in this world, but we must sell our abundance in the world.'' John Adams said that more than one time.

Look at how long it took us to get an understanding that, with reference to Mexico and our neighbor Canada, we would open our borders and get rid of taxes that impose limitations upon free trade and move ahead together.

What else has the President of Mexico said? Believe it or not, he has actually said that he does not like the situation where Mexican men and women have to come here to find jobs. He does not like the situation with illegals coming here and getting jobs—not because he is angry at any of his people; he is saying they ought to be robust enough where that doesn't have to happen. He is saying: Let's work it out so we don't have the border conflicts over immigration that we are having today, which lead to big arguments and very serious sores between the two nations.

Right now, that country is growing. In fact, their gross domestic product is growing faster than America's. I wish we could turn around and reach that soon. So here is a rare opportunity to let this man lead Mexico and let the Mexican people become our friends and openly be sympathetic to us right now, as they are under his leadership. I can't think of anything worse than to turn that relationship around and have the Mexican leadership say that we are discriminating and treating them unfairly and watch this relationship sink into some kind of condition that will not let us, during the term of this new President who gets along with them very well, achieve the significant things that we can achieve together in this hemisphere. It will take some time.

I have come to the Chamber to give an example of how far we have come.

First of all, we have traveled a long road on this issue. The House of Representatives voted to ban Mexican trucks' access to the United States—period—and then put all kinds of limitations, including you cannot spend any money to help certify them or the like, which means we close the borders. That is essentially what the House amendment means: No trucks going back and forth. Everybody knows that would be a very serious mistake.

Some Senators here—minimal in number—had voiced their approval of this action of the House. Thankfully, Senator MURRAY did not. Senator MURRAY, chairman of this subcommittee, did not accept the House language, but proceeded to write her own language. She has attempted to craft something balanced to meet our obligation under NAFTA, while ensuring safety concerns.

Frankly, this Senator is as concerned as anyone about safety, but I do not believe implementing the NAFTA agreement, rather than breaking it, is inconsistent with safety, nor that it need be. I believe NAFTA can be implemented in such a way that we do no violence to it and we do not breach it or break it and still we have significant safety advantages over what we have today or

what we can expect today. I believe that is what we ought to do in due course.

I suggest that probably there is no part of our transportation system that does more good for American trade and American commerce than the trucking industry, be it large or small, be it those who are members of the Teamsters or independents. The trucking industry in America spends a lot of money on making sure trucks are as safe as they can be.

We are all having trouble getting people to be truckdrivers and trained to do the right job. For certain, the wages are pretty good and are moving in the right direction. America can be very proud of that.

We ought to say we want those trucks to have an opportunity to go to Mexico, and we want Mexico to move in the direction of having trucks as safe as ours and, indeed, adopt safety regulations and certification rules together with Mexico, not separate, but together with them which will make sure we can say the same things are happening in Mexico with reference to their future.

Now, I come to the point. Senator MURRAY, as I just said, tried very hard to produce an amendment. It is very detailed. We have a disagreement about what the amendment does. I still have people telling me it violates NAFTA; that is to say, if we were to adopt it and keep it in law, there would be a justification for Mexico to say: Since you do not abide by NAFTA, we have an opportunity to say we are not going to abide by some other things, and take their action against us.

The Minister of Economy for the Republic of Mexico, with whom I had the privilege of meeting 5 months ago, has voiced his concern about the language. The President of the United States has voiced his concern about the language.

I believe, after talking to fellow attorneys and those schooled in NAFTA, it does violate NAFTA, but I do not want somebody to think by saying that, I am accusing anybody of doing anything intentionally wrong. Not at all. It is just there are others who say it does not violate NAFTA.

Here we are in the Senate Chamber with a group of Senators, albeit at this point smaller in number, saying it does violate NAFTA, and another group, larger, saying it does not. I submit, and actually since the two people who have the most to do with this are here, I submit that at least we ought to adopt an amendment—I am not saying this amendment—but we ought to adopt an amendment that simply says it is not the intention of this legislation to violate NAFTA. It is pretty simple language. Do not bulk it up with a whole bunch of things. Just say, since both sides seem to say it does not violate NAFTA, why don't we adopt an amendment to say it is not the intention of any of these amendments that have to do with Mexican-American trucking to violate NAFTA.

Mr. REID. Will my friend yield for a question?

Mr. DOMENICI. Yes.

Mr. REID. If I thought that would move the legislation along, I would be happy to speak to the manager and the majority leader.

Mr. DOMENICI. I am not the one moving the legislation along, nor am I the one trying to stall it. I am stating that I believe there is a common ground which at some point we ought to adopt unequivocally, and that is that there is no intention to violate NAFTA.

Mr. REID. If I can ask my friend one more question.

Mr. DOMENICI. Sure.

Mr. REID. The senior Senator from New Mexico and I have served together on the Appropriations Committee since I came here. He is certainly someone from whom I have learned a great deal. I am fortunate to have been on the Energy and Water Development Subcommittee with the Senator from New Mexico for many years. We have been the chairman and ranking member off and on over those time periods.

After Senator BYRD, no one has as much experience as the Senator from New Mexico. I say to the Senator, you are a peacemaker. I understand that. Legislation is the art of compromise. I say to my friend from New Mexico, this is not an issue with which I have been heavily involved, but we do know the House has passed a very tough provision. In effect, what their provision says is no Mexican trucks coming to the United States, whereas the Senator from Alabama and the Senator from Washington have come up with a provision that is much softer than the House provision.

My point is, I cannot understand why this matter is not taken to conference and worked out there. That is where it is going to be worked out anyway, no matter what happens. I ask my friend if he will use his experience and the friendship everyone feels for him and the need to move this legislation along in an attempt, with his good offices, to work out a situation where we can take this to conference and work it out there.

Mr. DOMENICI. How much time do I have remaining, Mr. President?

The ACTING PRESIDENT pro tempore. The Senator has 1½ minutes of his 15 minutes remaining.

Mr. DOMENICI. Did Senator REID's comments count against my time?

The ACTING PRESIDENT pro tempore. The Senator yielded for a question.

Mr. DOMENICI. I ask unanimous consent that it not be counted.

Mr. REID. Mr. President, I ask unanimous consent that the time I consumed be charged against me.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOMENICI. Then how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 3½ minutes.

Mr. DOMENICI. I yield myself another 5 minutes, so I have 8½ minutes off my hour.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will conclude, hopefully not using the time I have allowed for myself. We have gotten to this point without anybody understanding how we got here. All of a sudden we are in an extreme logjam about something on which fundamentally we do not disagree.

I repeat, there is probably no Senator here who wishes Mexico and America to break off their ongoing friendly relationships which move in the direction of Mexico growing and prospering and together having a great trading relationship.

I have done the best I can to explain why free trade is important and why Canada, America, and Mexico can be important for all free peoples and how ludicrous it was we did not have this years ago, but now we have it.

I have concluded there are not very many Senators who want to openly defy and break that and cause Mexico to say we can now have repercussions on commodities that America is selling to Mexico by imposing duties. I don't think anyone wants that. We want the two countries to be able to work out, under NAFTA, a set of rules and regulations built around safety, fairness, and nondiscrimination toward Mexico.

That is very simple. That is what we ought to try to do. If I were to pose that question to Senators, I think there would be agreement. I came to the floor merely to suggest there ought to be a way to arrive at a conclusion that reaches the fundamentals.

It is strange that two groups of Senators say they are doing the same thing yet the things they are saying we should do are very different. For instance, those who favor the Murray amendment language—and I have just praised the Senator for her hard work and for how far she has come from the House proposal—there is a larger group who would say there is no intention to break the law and to break it and violate it in this Murray amendment.

It is interesting, on this side, if there are some people of bad faith—and I don't know of any of bad faith—it seems we are at each other's throats here. There appear to be relationships that are not working for some reason. On our side there are Senators—I am one—who think we do violate NAFTA with the amendment and its specificity, and it does discriminate against Mexico as compared with Canada, and we are not supposed to be doing that.

If we both—good, solid groups of Senators—think in that manner, that it doesn't violate, it does violate, or vice versa, why not find a way to not violate NAFTA? I cannot do it, I am not in control of this legislation. Why not find a way to unequivocally say we are not violating, there is no intention to violate NAFTA, it is not our intention, we want NAFTA to be implemented—

language that is affirmative about what we are doing?

Having said that, I have a pending amendment, and I would strike a portion of it. It is the amendment of which I am speaking. It says it is the intention that we not violate NAFTA in this bill. I cannot bring it up now. It is not my intention. Nor do I intend to wait around and use that as a dilatory tactic.

Whatever time I reserved I yield back, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. Mr. President, pursuant to rule XXII, I hereby yield 1 hour for Senator MCCAIN and 1 hour to Senator GRAMM.

The ACTING PRESIDENT pro tempore. The leader has that right.

Mr. LOTT. At this point, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent to use a portion of my time on a subject that is not germane to the matter before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. BYRD are printed in today's RECORD under ''Morning Business.'')

Mr. BYRD. Mr. President, I reserve the remainder of my time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I yield myself time under my time allotment.

Mr. President, I have been watching the debate intermittently this afternoon on the issue of trucks under the NAFTA agreement. I am really amazed that we are having this debate because I don't think there should be a question at all that we are going to make the safety of our highways the highest priority. I don't think anything in NAFTA says you can't. NAFTA does say that we will agree there is parity among Canada, the United States, and Mexico. There are ways to implement the differences in safety rules through negotiations. But the idea that we would give up the right to control the safety of our highways is a nonstarter.

I think we are very close in agreement on what those safety requirements should be. I think the administration and the Department of Transportation have been sitting at the table with many of us who are debating this issue. I think we are very close in substance with Senator GRAMM, Senator MCCAIN, Senator MURRAY, and Senator SHELBY. Everyone has been involved in the process. I think we all agree that we have the ability for safe highways, to assure that we have safety on our highways, and that we are going to be evenhanded.

I really think what we are talking about is process. We are really talking about when we come to that determination. Many of us are concerned that if we don't talk about exactly what is going to be the end result, maybe it is not going to come out that way. But I think we have the ability to talk across the aisle.

I am certainly supportive of the stricter definitions that are in the bill. It is certainly better than what the House passed, which abrogates the responsibility under NAFTA.

I do not think we are very far apart. For all the heat that is being generated, I think we are very close to the language in the Murray amendment with the language the Department of Transportation is seeking. I think we are very close to coming to a conclusion. I hope we can agree in due time on that final language, or at least a process to get there. I think we are talking process, even though it seems there is a lot of heat being generated on the issue.

I am going to call up an amendment at the appropriate time, No. 1133, that will assure we have the ability to weigh trucks at a crossing where at least 250 trucks a year go across, where there will be commercial scales available to weigh trucks.

One of the differences between Mexico and the United States is weight limits. There is also a difference between Canada and the United States on this issue.

This is an important issue because, of course, our highways are maintained based on our weight limits. The heavier a truck is, the more wear and tear there is on our highways. So we do need to make sure that we have a system, once we agree on what the weight limits are going to be, to check those weights and assure that everyone is meeting the requirements.

So I am hoping my amendment No. 1133 will be adopted in due course. Senator DOMENICI is a cosponsor of my amendment. We are two Senators from border States who understand very much the wear and tear on highways. I would also say that the bill that is before us, thanks to Senator MURRAY and Senator SHELBY, has enough money to equip these stations.

Another action that the House took was to wipe out the money that would allow us to inspect these trucks. The House just went into a hole and hid. We cannot do that. The bill before us that has been laid out by the appropriations subcommittee does have good regulations. There should be some changes in the language, but I think we are close to coming to that agreement. And it does have the money for the inspection stations. I want to make sure that included in that agreement also are weigh stations, if there are going to be any number of trucks that go through at any one time.

We have lived with the 20-mile commercial zone in Texas, which has the most border crossings. Texas has 1,200 miles of border of the 2,000-mile border with Mexico. So we do have the most crossings, of course. We have the most highways. We have had a 20-mile commercial zone that was established by NAFTA in the interim period while we were working on these regulations.

There have been some problems within these commercial zones. Many people who live on the border are very concerned about seeing trucks that do not have the clear safety standards that American trucks are required to have. Only 2 of the 27 U.S.-Mexico border crossings are currently properly equipped with infrastructure and manpower to enforce the safety regulations. That is why I have worked so hard with Senator MURRAY and Senator SHELBY on the committee to restore the President's request for border safety activities.

This bill does have $103 million dedicated to border safety activities. So most certainly, I think we are on the right track to making sure that families who are traveling on American highways are not going to have to worry about substandard trucks from any other country being on that highway.

We agree that we should have agreements with Mexico and that Mexico should be comfortable in that they are not being discriminated against. That is not even a question, although it has certainly been a question in the Senate debate.

I hear from my border constituents. I talk to people in El Paso and Laredo and McAllen and Harlingen. They are the most concerned of all about the trucks they are seeing in this 20-mile commercial zone, where we have Mexican trucks that are legal as NAFTA provided in this early transition time. It is those people who are complaining the most about Mexican trucks that might not meet the same safety standards.

We have had a lot of debate. It is legitimate debate. But I do not think anyone in this Senate Chamber intends to violate NAFTA. I do not think anyone in this Senate Chamber intends for us to have unsafe trucks on American highways. So if we can all agree on those two points, I think it is time for us to come to an agreement on the process.

Let's have strict safety requirements; let's have a process by which we can inspect Mexican trucks, where Mexican authorities can inspect U.S. trucks that want to go into Mexico,

and where we can have a certification process that requires that every truck must be inspected; but if it is inspected at a site before it crosses the border, and it gets a sticker, then we will agree that that truck can go through. But we also must have the facilities for those trucks that are not inspected and will not have that certification sticker.

We have to make sure that we provide the money for those inspection stations. This bill has the money. I want to make sure that weighing stations are as much a part of those border safety inspection facilities as are the checks that we would make for brakes, for fatigue, for driver qualifications, for good tires, and all of the other things that we would expect if we had our families in a car going on a freeway. We would hope that we would be safe from encroachment by a truck that did not meet the standards that we have come to expect in our country.

So I hope very much that we can come to a reasonable and expedited conclusion. I think we are all going for the same goal. I think there is no place in this debate for pointing fingers or name-calling. We do not need that. We need good standards, good regulations for the safety of our trucks, and to treat Mexican trucks and United States trucks in a mutually fair way. That is what we are trying to do.

I want to work with all of the parties involved. I think we have a good start in this bill, and I think we will be able to perfect this language in conference. I think everyone has shown the willingness to do that. I hope we can roll up our sleeves and pass what I think is a very good Transportation Appropriations Committee product. I think it is a good bill. It certainly adequately funds the major things that we need to do. With some changes in the Mexican truck language, which the sponsors of the legislation are willing to do, I think we can have a bill that the President will be proud to sign. That is my goal.

Mr. President, I reserve the remainder of my time and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CANTWELL). Without objection, it is so ordered.

ORDERS FOR FRIDAY, JULY 27, 2001

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Friday, July 27. I further ask that on Friday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date and the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of H.R. 2299, the Transportation appropriations bill, and that the time remaining under cloture be counted as if the Senate had remained in session continuously since cloture was invoked earlier this afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Reserving the right to object. Posing a question to the Chair, the time that is being used this evening will not count against any individual Senator's time; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAMM. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, the majority leader has asked that I announce that there will be no more rollcall votes tonight, but there are expected to be several tomorrow starting in the morning.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. SNOWE. Mr. President, today I rise to support an amendment to increase the Coast Guard's funding by $46.1 million. Unfortunately, under the funding levels in the pending bill, the Coast Guard would be forced to reduce routine operations by 20 percent. The increase provided by our amendment will address the Coast Guard's current readiness needs and raise the Coast Guard's law enforcement capabilities to the levels enacted in the budget resolution.

The past two national defense authorization bills mandated pay raises, new medical benefits, recruiting and retention incentives, and other entitlements that exceeded the funds appropriated during the consideration of the regular Transportation appropriations bills. Compounding this, the Coast Guard has had to face rising energy costs, aging assets, and missions that grow increasingly complex. To pay for these increases the Coast Guard has had to dip into its operational accounts resulting in reduced law enforcement patrols.

Without the funding authorized in this amendment, the Coast Guard will again be forced to reduce its level of operations. These routine operations are extremely important. As you know, the Coast Guard is a branch of the Armed Forces, but on a day-to-day basis, they are a multi-mission agency. Last year alone, the Coast Guard responded to over 40,000 calls for assistance, assisted $1.4 billion in property, and saved 3,355 lives.

These brave men and women risk their lives to defend our borders from drugs, illegal immigrants, and other national security threats. And in 2000, the Coast Guard seized a record 132,000 pounds of cocaine and 50,000 pounds of marijuana through successful drug interdiction missions. They also stopped 4,210 illegal migrants from reaching our shores. They conducted patrols to protect our valuable fisheries stocks and they responded to more than 11,000 pollution incidents.

On April 6 Senior DEWINE, myself, and 10 of the colleagues offered an amendment to the budget resolution which was adopted by the Senate that addressed this very issue. That amendment increased funding for the Coast Guard by $250 million.

The amendment that we are offering today, will go a long way toward repairing the fundamental problems facing the Coast Guard. It will increase funding by $46.1 million in fiscal year 2002 so that the Coast Guard will not need to reduce its routine operations.

Now, during the drafting of the fiscal year 2002 Transportation appropriations bill, Senators MURRAY and SHELBY had a daunting task in crafting a bill that would cover a wide range of priorities within the allocations provided to their subcommittee. Fortunately, they both recognize the importance of the Coast Guard to their home States and the Nation and their bill provides a significant increase above the President's budget request accordingly. However, based upon the Coast Guard's estimates, this increase will not eliminate the need for operational cutbacks.

The $46.1 million increase we are asking for in this amendment is well below the $250 million the Senate agreed to in April, but the Coast Guard has assured us that they have taken a careful look at the funding allocations provided in this bill and that this small increase is all that is needed to restore the Coast Guard's operations and readiness. This will allow the Coast Guard to address an alarming spare parts shortage, maintain operations, and take care of other basic readiness problems.

By supporting this amendment, my colleagues will be saying that it is unacceptable to reduce these critical law enforcement missions and supplying the Coast Guard with the resources and tools they need to fulfill the mandates Congress has given them. It provides the Coast Guard with the foundation needed to do its job.

This is a bipartisan amendment, and I thank Senators GRAHAM and DEWINE for their efforts on behalf of the Coast

Guard. This is noncontroversial amendment, and I urge my colleagues to support it.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators allowed to speak for not to exceed 10 minutes each, and further, of course, this time, under the previous unanimous consent agreement, will be charged against the postcloture time that is now pending.

The PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Madam President, reserving the right to object, may I ask a question?

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. I would be perfectly happy to go to morning business, but I want to be assured that tonight we are not going to go back on the bill.

Mr. REID. No. The only thing we are going to do is wrapup, and it will have no bearing whatsoever on the legislation.

Mr. GRAMM. With that understanding, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

NAVAJO CODE TALKERS' CONGRESSIONAL GOLD MEDAL

Mr. BYRD. Madam President, for those who toil in the clandestine world of national security, where the dictates of secrecy cloak heroes actions in vaults full of files marked with code words and warnings, there are precious few opportunities to stand before bright lights and listen to applause. Today, a group of men were honored who kept their secret from 1942 until 1968, when their talents and contributions in winning the war in the Pacific were finally declassified. Today was their turn in the sun, as the President awarded the original 29 Navajo Code Talkers the Congressional Gold Medal.

Now the world knows how these men gave the U.S. military a decisive edge in communications during the war in the Pacific theater and elsewhere. Their presence at Iwo Jima, at Guadalcanal, and throughout the Pacific provided U.S. military units with secure communications and the element of surprise that allowed U.S. forces to overwhelm dug-in Japanese units and win some of the bloodiest battles in World War II. The Navajo Code Talkers' unique contribution to the nation's security can be counted in those victories and in the number of servicemen who survived the war and returned home to their families.

The story behind the development of the Navajo Code Talkers is fascinating. Every American knows the history behind December 7, 1941, the ''day that will live in infamy,'' as Japanese forces launched a surprise attack on U.S. military bases in Pearl Harbor, Hawaii. Almost simultaneously, having assured themselves that the U.S. could not react militarily, the Japanese attacked and overwhelmed other islands throughout southeast Asia and the Pacific. U.S. losses were staggering, and reaction was immediate—the U.S. declared war against Japan and the other Axis powers within hours.

Declaring war and waging war, however, are two very different animals. The Pacific theater of war presented U.S. military forces with unique challenges. Distances were large, and the Japanese defenders were able to ''dig in,'' creating bastions from which small numbers of Japanese troops could hold off invading forces and inflict terrible losses upon the military men of the United States. Synchronizing air, land, and seaborne forces in coordinated attacks proved to be a major challenge. And the Japanese held an early intelligence advantage.

An elite group of English-speaking Japanese soldiers would intercept U.S. radio communications and then sabotage the message or issue false commands that led American forces into ambushes. The U.S. responded by creating ever more complex military codes, but his effort had its own problems. At Guadalcanal, military leaders faced a two-and-a-half hour delay in sending and decoding a single message. Something needed to be done.

That something was first suggested by Philip Johnston, a World War I veteran who was familiar with the use of Choctaw Indians as Code Talkers during that war. Johnston, the son of a missionary who was raised on a Navajo Indian reservation and who spoke Navajo fluently, believed that the Navajo language was the ideal candidate for service as a military code. Navajo is an unwritten language of great linguistic complexity. It would be doubtful indeed to suppose that the Japanese Army would possess any fluent Navajo speakers. Mr. Johnston contacted the U.S. Marine Corps with his proposal in early 1942, and after a demonstration of his concept, a group of twenty-nine Navajo speakers was recruited to become Marine Corps radio operators.

Those first twenty-nine men, and the others that followed them and who will be receiving a Congressional Silver Medal in a ceremony next month, developed a code so successful that it became one of the war's most closely held secrets. The first twenty-nine recruits developed the original code vocabulary of some 200 terms. Then, in a novel way of addressing other words outside that initial vocabulary, the group developed an ingenious method of spelling out any other word using any Navajo words that would, when translated into English, begin with the initial letter that was desired. Thus, if a Code Talker wanted to spell ''day,'' for instance, they could use the Navajo word for ''dog'' or ''dig'' or ''door'' followed by any Navajo words that translated to a word beginning with ''a'' and ''y.'' Thus any five radio operators could pick a different combination of Navajo words that would, when translated, spell ''day.'' ''Dog'' ''ant,'' and ''yellow'' or ''door,'' ''apple,'' ''yawn'' would both give you the initials ''d,'' ''a,'' and ''y'' in the correct order. Combined with the unique linguistic and tonal qualities of the Navajo language, such flexibility made the Navajo Code bewildering to the Japanese yet speedy and flexible to use.

Military commanders credited the Code Talkers with saving the lives of countless American soldiers and with providing a decisive edge in such battles as those that took place in Guadalcanal, Tarawa, Saipan, Iwo Jima, and Okinawa. Major Howard Connor, the 5th Marine Division signal officer at Iwo Jima, had six Navajo Code Talkers working nonstop during the first 48 hours of the battle for Iwo Jima. Those six men sent and received more than 800 error-free messages during that period. Major Connor stated that ''Were it not for the Navajos, the Marines would never have taken Iwo Jima.'' The raising of the American flag at Iwo Jima was captured on film—I can see it now—captured on film as one of the war's most compelling images, one that was translated into bronze at the Marine Corps memorial here in Washington, here in the city.

Today the Department of Defense has an Undersecretary of Defense for what is termed ''C4ISR'' which stands for Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance. Billions of dollars are spent in an effort to keep swift-moving combined military forces coordinated in an attack and aware of the dangers around them. In World War II, such things were more rudimentary. Communications were largely confined to open radio waves, making U.S. forces vulnerable to exactly the kind of intercept and sabotage practiced by Japanese forces. The Navajo Code Talkers, like World War I's Choctaw Code Talkers, represented an innovative and hugely successful answer to a problem that plagues military forces to this day. It is not surprising that the Department of Defense wanted to keep the Navajo Code Talkers a closely guarded military secret until 1968. What is laudable is that the Code Talkers kept their secret so well, despite every temptation to brag and every disappointment in having their priceless contribution remain hidden behind a Top Secret stamp.

In receiving the Congressional Gold Medal, the Navajo Code Talkers join a very short list of American heroes and luminaries that began with General George Washington on March 25, 1776. Their service merits this, the long-overdue thanks of a grateful nation and the award of the Congressional Gold Medal. To each Navajo Code Talkers, I offer the sincere thanks and deep appreciation of the United States Senate. My thanks also go to Senator Jeff BINGAMAN for sponsoring the legislation in the Senate authorizing the

award of the Congressional Gold Medal to this gathering of heroes, the Navajo Code Talkers. It should never be too late to recognize and reward the heroism of those who risk much to preserve the freedom and liberty that we all enjoy. It is all too common to heap the laurels on the general, admirals, and other leaders, and to overlook the invaluable contribution made by each soldier, sailor, airman, and, in this case, each radio operator who put just as much on the line as did those with more braid and brass on their collars. The Navajo Code Talkers were an essential element in each victory, as much as the man at the top who gave the command to attack.

I close on that thought with the words of John Jerome Rooney, who wrote the following lines in his poem, ''The Men Behind the Guns.'' I give you his first and last stanzas.

A cheer and salute for the Admiral, and here's to the Captain bold,
And never forget the Commodore's debt when the deeds of might are told!
They stand to the deck through the battle's wreck when the great shells roar and screech—
And never they fear when the foe is near to practice what they preach:
But off with your hat and three times three for Columbia's true-blue sons,
The men below who batter the foe—the men behind the guns!

Oh, well they know how the cyclones blow that they loose from their cloud of death,
And they know is heard the thunder-word their fierce ten-incher saith!
The steel decks rock with the lightning shock, and shake with the great recoil,
And the sea grows red with the blood of the dead and reaches for his spoil—
But not till the foe has gone below or turns his prow and runs,
Shall the voice of peace bring sweet release to the men behind the guns!

Today, Mr. President, I tip my hat and offer three times three to the Navajo Code Talkers.

Mr. CAMPBELL. Madam President earlier today I was honored to join President Bush, four of the five surviving Navajo Code Talkers, their families, and the families of all the Code Talkers in a ceremony in which the President awarded the Code Talkers the Congressional Gold Medal.

The ceremony also included other members of Congress, Indian tribal leaders, and dignitaries from around the Nation.

For far too many Americans, bred on cynicism and hopelessness, these men remind us what real American heroes are all about.

It is unfortunate that we could not have recognized these men and their contributions sooner than this.

Think of this—just 77 years before World War II, the grandfathers of these heroes were forced at gunpoint with 9,000 other Navajos from their homeland and marched 300 miles through the burning desert. For four long years the Navajo people were interned at the Bosque Redondo.

For these men and their comrades to rise above that injustice in American history and put their lives on the line speaks of their character and their patriotism.

Just as the Japanese were never able to break the Navajo Code, it is also a mystery why it took so long for our Nation to recognize the critical role the Code Talkers played in achieving victory in the Pacific.

The answer may lie in the secrecy of their mission.

The Navajo Code Talkers took part in every major assault the U.S. Marines conducted in the Pacific from 1942 to 1945. It was their duty to transmit messages in their native language, Diné Bizaad, a code the Japanese were never able to decipher.

Mr. Philip Johnston, the son of a missionary to the Navajos and one of the few non-Navajos who spoke the Navajo language fluently, was the individual responsible for recognizing the potential of the Navajo people and language and the contributions they could make to World War II.

A World War I veteran who knew the value of secure communications, Johnston was reared on the Navajo reservation, and recommended the Navajo language be used for this purpose.

The Navajo language is complex because it has no alphabet or symbols and fit the military's need for an ''undecipherable code''.

Johnston staged tests under simulated combat conditions with the commanding general of the Amphibious Corps, Pacific Fleet.

The tests demonstrated that Navajos could encode, transmit, and decode a three-line message in 20 seconds. After the simulation the Navajo were recommended to the Commandant of the Marine Corps to serve as Code Talkers. It was recommended that the Marines recruit 200 Navajos.

In May 1942, the first 29 of the 200 requested Navajo recruits attended boot camp. During this time they developed and memorized a dictionary and numerous words for military terms.

After the successful completion of boot camp, the Code Talkers were sent to a Marine unit deployed in the pacific theater. At this duty station it became the primary job of the Code Talkers to transmit information on tactics, troop movements, orders, and other vital battlefield communications over telephones and radios.

The Navajos were praised for their skill, speed, and accuracy in communications throughout the war.

At Iwo Jima, Major Howard Connor, 5th Marine Division Signal officer, declared, ''Were it not for the Navajos, the Marines would never have taken Iwo Jima.'' Connor had six Navajo Code Talkers who worked around the clock during the first two days of the battle sending and receiving over 800 messages—all without error.

The Japanese, who were skilled code breakers, were confused by the Navajo language. The Japanese chief of intelligence, Lieutenant General Seizo Arisue said that while they were at times able to decipher the codes used by the other armed forces, they never were able to crack the code used by the Marines and Navajos.

American Indians and their commitment to this Nation can be described in one quote from David E. Patterson, of the 4th Marine Division, ''When I was inducted into the service, one of the commitments I made was that I was willing to die for my country—the U.S., the Navajo Nation, and my family. My [native] language was my weapon.''

I would like to thank the Navajo Code Talkers who served in World War II for their dedication and bravery to our Nation.

They believed in what they fought for and were willing to sacrifice their lives to create a communication system that was unbreakable.

Without these brave men and their knowledge of their language, the success of our Nation's military efforts in the Pacific would not have been possible.

I urge all Americans to thank these brave men for their uncommon valor and dedication to a cause higher than themselves.

Mr. DOMENICI. Madam President, I rise to formally pay tribute to the Navajo Code Talkers, who today received the Congressional Gold Medal.

The award of the Congressional Gold Medal, one of our Nation's highest honors, is a fitting tribute to the Navajo Code Talkers for their relentless efforts, sacrifice and dedication during the decisive battles for the Pacific in World War II. I am proud and honored to witness our country's long overdue recognition of the Navajo Code Talkers' place in history.

I salute my friend, Senator BINGAMAN, for leading the effort to bring national attention to the crucial role the Navajo Code Talkers played in the history of our country, and indeed, the world.

The Navajo Code Talkers began as an idea by Phillip Johnston, a Marine Corps officer living in Los Angeles, CA, whose father was a Protestant missionary on the Navajo reservation. He was aware that the Marine Corps was deeply troubled over Japan's ability to break American codes.

In late April of 1942, two recruiting officers were sent to the Navajo reservation. In May, 29 Navajos were sworn in at Ft. Wingate, NM, and taken to Camp Elliott where they became the first all-Navajo platoon in Marine Corps history—Platoon 382.

This was not an easy recruitment. Many Navajos were willing to help, but not as many were literate in the English language. The Navajo recruits adjusted well to boot camp, considering few had ever been off the reservation before. Many had never met ''Anglos'' before.

They fought across an ocean they had never seen, against an enemy they had never met. To ensure their own land would not be in danger, they

joined in the effort with the United States.

The Navajo Code Talkers made a major contribution to WWII. They provided instantaneous technical, detailed communication. None of their codes were written; they were only memorized. The Navajo Code Talkers came to be known as extremely dependable. They were called upon for tasks other than just code talking; they also had duties as Marines.

The Navajo code was used almost exclusively during the battle of Iwo Jima. They were credited for sending and receiving over 800 messages with out an error.

''Were it not for the Navajos, the Marines would never have taken Iwo Jima,'' stated Major Howard M. Conner, signal officer for the Fifth Division.

Eventually there would be over 400 Marine Code Talkers who would play a vital part in the United States winning the war against Japan. In fact, the Navajo Code Talkers would participate in every assault the Marines took part in from late 1942 to 1945.

During the 3 years the Navajo Code Talkers participated in the war, Japanese Intelligence was able to break almost every U.S. Army and Army Air Corps code but not once were they able to break the Navajo code.

The Navajo Code Talkers are becoming more widely known by appearing in Veterans Day events, special honoring ceremonies, and there was even a Navajo G.I. Joe code talker toy developed. And now, a Hollywood film is being developed.

So I add my voice to the much-deserved recognition and appreciation going out today to the Navajo Code Talkers for their relentless efforts, sacrifice and dedication in the successful outcomes in the battle for the Pacific in World War II.

THE SPACEPORT EQUALITY ACT

Mr. REID. Madam President, I am pleased to join my distinguished colleague from Florida, Senator GRAHAM, as a sponsor of the Spaceport Equality Act.

Space commercialization holds great promise for the development of new drugs, ultrapure materials with incredible strength and flexibility, and even space tourism. To make space commercialization a reality, the US needs to support the growth of its domestic commercial space launch facilities or ''spaceports.'' It's a sad state of affairs, but U.S. satellite manufacturers are facing increasing pressure to use foreign launch services due to a lack of a sufficient domestic launch capability.

The purpose of the Spaceport Equality Act is to ensure a strong U.S. launch capability. This act will provide tax exempt status for spaceport facility bonds, just like we do for publicly-owned airports and seaports. The government will not be directly funding the commercial space transportation business, but creating the conditions necessary to stimulate private sector capital investment in these spaceports. Coupled with the development of ''reusable launch vehicles,'' these spaceports will be ''aero-space ports'' that will accommodate both air and space vehicles. Reusable launch vehicles are essential to reduce the cost of access to space by a factor of 10 to 100 from its present level of $2000/pound.

My home State of Nevada has an important role to play in space commercialization. As part of NASA's Space Launch Initiative, a public-private team will use the Nevada Test Site for orbital flights. This sets the stage for commercial space operations in Nevada as early as 2003–4.

The Spaceport Equality Act simply puts spaceports on equal footing with airports by treating them the same for purposes of exempt facility bond rules. I urge my colleagues to support this legislation which is essential to opening the space frontier for continued civil exploration and commercial development.

Mr. LUGAR. Madam President, earlier this month, the United States and the country of Kazakhstan successfully completed one of the most ambitious nonproliferation projects undertaken in history—the securing of one of the world's largest stockpiles of weapons-grade plutonium under the auspices of the Nunn-Lugar Cooperative Threat Reduction program. The security surrounding some three tons of plutonium—sufficient to make some 400 bombs—was enhanced and, commencing in 1998, the fuel assemblies containing spent nuclear fuel were packaged to prevent theft.

In August of 1998, I visited a torpedo factory in Almaty, then the capital of Kazakhstan, that had been converted to manufacture the big steel cannisters in which the plutonium-rich assemblies were packaged and sealed. The last cannister was sealed and lowered into a cooling pond in early July of this year.

Last week, the Washington Times carried a special report by Christopher Pala on this program under the title of ''Kazakh Plutonium Stores Made Safe.'' I ask unanimous consent that this article be printed in the RECORD and urge all of my colleagues to inform themselves about a real success story in U.S.-Kazakhstan relations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, July 21, 2001]

KAZAKH PLUTONIUM STORES MADE SAFE

(By Christopher Pala)

ALMATY, KAZAKHSTAN.—U.S. officials last week voiced quiet satisfaction after one of the world's largest stockpiles of weapons-grade plutonium, located in a sensitive zone, was successfully made theft-proof in what the Energy Department called ''one of the world's largest and most successful nonproliferation projects.''

More than three tons of plutonium, enough to make about 400 bombs, had been stored in a fast-breeder reactor on the Caspian Sea shore in security conditions one early visitor described as similar to those of an office building.

Today, the plutonium has been fully secured, said Trisha Dedik, director of the U.S. Department of Energy's Office of Nonproliferation Policy, in an interview July 13 in Almaty, Kazakhstan's economic capital. ''It's been a great success.''

A day earlier, Miss Dedik and others took part in a ceremony at Aktau with Kazakh officials celebrating completion of the project.

The plutonium was produced by a BN–350 fast-breeder nuclear reactor on the arid northwestern shore of the Caspian, a few miles from the city of Aktau. Both the city and 350-megawatt power plant on the Mangyshlak Peninsula, the first-ever commercial breeder reactor, owed their location to considerable uranium deposits that were mined nearby.

The plutonium had been intended to be shipped to other parts of the Soviet Union for use as fuel in other reactors like it, but only one, the BN–600, was ever built. Located near Yekaterinburg on the eastern slope of the Urals nearly 900 miles north-northeast of Aktau, it ultimately took little or no plutonium from the BN–350, so the material just piled up.

The plant closed in 1999, at the end of its useful life.

After 26 years of providing electricity and water (by powering a desalination plant) to the Aktau region, the plant had an accumulation of 3,000 15-foot cylinders, called fuel assemblies, containing spent nuclear fuel.

About 7,250 pounds of weapons-grade plutonium could be extracted from the assemblies with relative ease, according to the Energy Department.

Nearly half the assemblies emitted little radiation and could be safely handled by workers wearing light protection. The other half were too ''hot'' to be handled by anything but robots. All spent years in a cooling pond the size of a football field at the plant.

''When I walked in there the first time back in 1995, it had all the security of a modern office building,'' said Fredrick Crane, an American physicist familiar with the plant.

''It was a clean and well-run reactor,'' said Mr. Crane. There were some guards, but otherwise all you needed was one code, like in an airport terminal, and you were in.''

With each fuel assembly weighing 300 pounds, a couple of strong men with accomplices inside could spirit out the half-dozen cylinders it would take to make a nuclear bomb.

''It was attractive material, and it was accessible,'' said Miss Dedik of the Energy Department.

Just 500 miles to the south along the Caspian coastline lies Iran and what U.S. officials say is a covert nuclear-weapons program. Eight hundred miles to the southeast is Afghanistan, base and refuge of accused terrorist mastermind Osama Bin Laden, and due west, straight across the Caspian, Chechnya smolders.

''There are fast-breeder reactors in Western Europe and Japan, but the plutonium produced there doesn't accumulate like it did in Aktau. It's reprocessed pretty quickly,'' Miss Dedik said.

''There just aren't any big stockpiles. Remember, most weapons-grade plutonium is produced by dedicated reactors, controlled by the military, and they're usually much better guarded than this one was.''

So in 1996, the government of President Nursultan Nazarbayev, the International Atomic Energy Agency and the United States quietly set up a program to immediately enhance security and, starting in 1998, to package the fuel assemblies to prevent theft.

Miss Dedik and Mr. Crane were among several dozen Americans who worked on the

project, which was funded by the U.S. Cooperative Threat Reduction Program under the Nunn-Lugar Act. The law was named for its sponsors, Sen. Richard G. Lugar, Indiana Republican, and then-Sen. Sam Nunn, Georgia Democrat.

A torpedo factory in Almaty that had been converted to civilian work was assigned to manufacture big steel canisters in which four or six of the plutonium-rich assemblies—some ''hot,'' some ''cooled''—were packed together and sealed before being returned to the cooling pond.

Weighing more than a ton, the filled canisters are far too heavy to be handled by anything but a large robot, and all of them now emit lethal doses of radiation.

Last month, after nearly three years and $43 million in U.S. support, the 478th and last canister was welded shut and lowered into the pond.

At the plant, Mr. Crane said, there are now manned gates, closed-circuit TV cameras, X-ray machines and turnstiles with magnetic cards, along with sensors that monitor the nuclear materials around the clock.

The packing is designed to last 50 years, but the plutonium isn't destined to stay at the closed Aktau plant that long.

Eventually, under a decree signed six months ago by Mr. Nazarbayev, the canisters will be taken 2,750 miles by train to the former nuclear-testing grounds at Semipalatinsk, on the other side of this country four times the size of Texas.

There, silos will be dug into the steppe and the fat cylinders will be buried, using a technique perfected in the United States.

''It will be the longest rail shipment of plutonium ever attempted,'' said Miss Dedik. ''They will have to design special transportation casks.''

And since the rail line wanders through what is now Russia and Kyrgyzstan, special loops will have to be built so that the plutonium stays in Kazakhstan during its whole voyage.

CONTROLLING THE PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS

Mrs. FEINSTEIN. Madam President, last week I came to the floor to express my concern about U.S. policy at the U.N. Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

This was the first effort by the international community to address the issue of the illicit proliferation of small arms and light weapons at the United Nations. I believed it was imperative that the United States take a leadership role in the conference rather than being an impediment to progress.

It seemed to me, that the position staked out by Undersecretary Bolton in his opening statement at the conference—a position which I found to be unwarranted and unwise—had created the very real possibility the conference, because of the U.S. position, would be doomed to failure.

The conference did not fail—a consensus on a program of action was achieved. But the conference was far from a total success.

The conference had presented the international community with an unparalleled opportunity to take meaningful and concrete steps to develop and implement a clear international plan of action.

Instead the program of action, approved by the conference, is all too often silent on important issues, and all too often weak and equivocal in places where a course of action is needed.

The program of action does contain provisions addressing such critical issues as: establishing national regulations on arms brokers; the need for greater security of weapons stockpiles held by states; a commitment to carry out more effective post-conflict disarmament and demobilization programs, including the destruction of surplus stocks; and, criminalizing the illegal production, possession, stockpiling, and trade of small arms and light weapons.

If individual nations and the international community are able to effectively follow through in these areas it will mark a significant step forward on this issue.

And, just as importantly, the program of action calls for a follow-up conference, no later than 2006, the time and place to be determined by the 58th United Nations General Assembly.

Unfortunately, consensus on the program of action was only achieved after lengthy and sometimes acrimonious negotiations.

Many of the participants—especially those from sub-Saharan Africa, which has been hit so hard by the scourge of small arms and light weapons—have come away with a deep sense of disappointment that more was not accomplished.

And they are laying the blame for much of the conference's shortcomings squarely at the feet of the United States.

A number of critical issues were left out of the final program of action, including: failure to reach a commitment to negotiate international treaties on arms brokering or the marking and tracing of weapons; absence of any reference to regulate civilian ownership of weapons; no reference to protecting human rights; and, a lack of commitment to greater transparency on the trade in small arms and light weapons.

In addition, in all too many cases the forward looking action that was agreed on is to take place ''within existing resources'' rather than with the additional resources that are required to address this issue—or to only be carried out ''as appropriate'' allowing wide latitude for interpretation.

Considering the strong commitments for such issues as international agreements on brokering and the marking and tracing of weapons in the earlier drafts of the Program of action, it is very disappointing that these items were blocked from inclusion in the final document.

While some of the blame must also be allotted to others, the United States must face up to the role it played in impeding action on some of these issues—including in areas where the United States itself already has strong laws on the books.

For example, there were legitimate questions about what the appropriate language for the program of action should have been regarding private ownership of small arms and light weapons. But it is important to recognize that U.S. law and numerous Supreme Court rulings recognize that government regulations on private ownership of weapons is legitimate, notwithstanding somewhat spurious arguments about the nature of the Second Amendment raised by some who influenced the U.S. position at the conference.

The National Firearms Act and the assault weapons ban are just two of the laws that the United States has on the books which control private ownership of small arms and light weapons and pass constitutional muster.

For the United States to stand in the way of a non-binding document suggesting international efforts to seek ways, consistent with individual national constitutional and political structures, to control private ownership of small arms and light weapons is, to me at least, mind boggling.

This is especially important given the clear nexus between legal trade and private ownership and the growth of the international black market in small arms and light weapons.

According to the independent Small Arms Survey 2001 by the Graduate Institute of International Studies in Geneva, Switzerland, the black market often operates on a individual basis, where a small numbers of legally purchased guns are sold to illegal buyers across international borders.

Such individual black market transfers have a dramatic cumulative effect. The United States, with its huge stores of privately-held firearms, is both a source, a supplier, and a recipient of these transfers.

Although it is very difficult to quantify illicit arms trafficking in the United States, there are clear indicators that a number of criminal gangs operating on U.S. territory are active in the trafficking of small arms and light weapons into Canada and Mexico.

The United States is the largest source of illegal weapons for Mexico, for example, with this arms trade directly linked to the drug trade.

I believe that Ambassador McConnell and Assistant Secretary Bloomfield and others on the U.S. delegation acted to the best of their abilities to represent the United States. But I am also concerned that the unrelenting unilateralist position taken by the United States has served to undermine and damage our reputation as a leader in the international community.

The majority of delegations at the conference expressed displeasure with the U.S. attitude and approach to the meetings, sometimes in terms that verged on the undiplomatic.

For example, Camilio Reyes of Colombia, the president of the conference—who deserves recognition for

his hard work on this issue—said at the conference's close that: ''I must express my disappointment over the conference's inability to agree due to the concerns of one State on language recognizing the needs to establish and maintain controls over private ownership of these deadly weapons and the need for preventing sales of such arms to nonstate groups.'' Both of these issues were blocked by the United States.

As I stated on the floor last week, I believe that the global flood of small arms is a real and pressing threat to peace, development, democracy, human rights, and U.S. national security interests around the world.

These weapons are cheap: An AK–47 can be bought for as little as $15 in sub-Saharan Africa.

They are durable and easy to transport and to smuggle across international boundaries.

And, with little or no training, anyone—including children—can use these weapons to deadly effect.

According to the independent Small Arms Survey 2001, small arms are implicated in well over 1,000 deaths around the world every single day.

The goals of the United Nations conference was not to infringe on national sovereignty or to take guns away from their legal owners. And it would not have, in my opinion, even with the inclusion of some of the language to which the United States objected.

The freedoms and rights of American citizens would not have been diminished by a stronger, more forward looking program of action.

As Secretary General Annan stated, the goals of the conference were to address the problems created by ''unscrupulous arms dealers, corrupt officials, drug trafficking syndicates, terrorists and others who bring death and mayhem into streets, schools and towns throughout the world.''

The conference's program of action represents an important first step by the international community toward developing an international framework for cooperation and collaboration to promote better national and international laws and more effective regulations to eliminate the illicit trade in small arms and light weapons.

In fact, the United States has not formally consented to the program for action, so this is a step I urge the Administration to take as soon as possible.

And much more will be needed in the future. Many important issues that should have been addressed by the conference were not and other issues that were did not receive sufficient emphasis.

I am hopeful that, looking ahead, the United States will be able to play a more constructive leadership role as we work towards developing real and binding international norms and agreements on these issues.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred August 28, 1993 in New York City. Two gay men were beaten with a golf club by three men outside a Greenwich Village gay bar. Noel Torres, Joseph Vasquez, and David Santiago were charged in connection with the assault.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

HONORING THE HISTORY OF THE U.S.S. CASSIN YOUNG, DD–793

Mr. DURBIN. Madam President, I rise today to call attention to an important date in the history of a valiant ship, the U.S. Navy Destroyer U.S.S. *Cassin Young*, DD–793.

The ship today is moored with the U.S.S. *Constitution* in Charlestown, MA, and has been open to the public under the custody of the National Park Service since 1981.

The *Cassin Young* was constructed at the Bethlehem Steel Shipyards in San Pedro, CA, and commissioned on December 31, 1943. She was named for Captain Cassin Young, a true naval hero who received the Medal of Honor for valor during the attack on Pearl Harbor and who later lost his life during the great naval battle off Guadalcanal on Friday, November 13, 1942.

From early 1944 until the end of World War II in 1946, the U.S.S. *Cassin Young* was involved in active combat operations. She suffered strafing off the island of Formosa in 1944 and withstood two Japanese kamikaze attacks, one of them causing heavy damage. Despite this damage, the U.S.S. *Cassin Young* was repaired locally and returned to the battle line. The ship was the last destroyer to be struck by a kamikaze during the fight for Okinawa, a battle that was so destructive to the U.S. destroyer fleet. The U.S.S. *Cassin Young* lost 21 crew members and saw approximately 100 others injured in combat.

At war's end, the U.S.S. *Cassin Young* rested in mothballs until the Korean War brought expansion of the U.S. fleet and she was recommissioned on September 7, 1951, in Long Beach, CA. During her second tour of active duty, the U.S.S. *Cassin Young* operated with both the Atlantic and the Mediterranean Fleets and completed a voyage around the world to the Philippines and Korea. She returned to the western hemisphere via the Panama Canal and joined the Atlantic Reserve Fleet in April 1960.

In addition to her many Service Ribbons and Battle Stars, the U.S.S. *Cassin Young* received the Navy Unit Citation and the Philippine Presidential Unit Citation for her actions during World War II and also was given the Korean Presidential Unit Citation during the Korean War.

In 1978, the National Park Service acquired the U.S.S. *Cassin Young* and painstakingly restored her to the configuration under which she sailed in the 1950s. Ceremonies commemorating the second commissioning of the U.S.S. *Cassin Young* are scheduled to take place on August 18, 2001, when the ship will undertake a towed sea trial of Boston Harbor. Some 500 individuals, including many of the original crew members from both of her tours of duty, will be on board the ship as it tours the waters off Massachusetts' capital city. Former crew members and friends of the ship have created the U.S.S. *Cassin Young* Association, which counts more than 400 men and women among its members.

Through the U.S.S. *Cassin Young*, the citizens of this country and visitors from abroad have the opportunity to experience firsthand an heroic vessel that represents the sacrifices of our Naval personnel during not one, but two, wars.

It is my sincere desire that the U.S.S. *Cassin Young* remain available to the people of this country far into the future so that she and those who served aboard her may continue to receive the honor they so deserve.

PRAISE ON THE 11TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. JOHNSON. Madam President, I rise today in praise of the Americans with Disabilities Act on the occasion of its 11th anniversary. The advances in law, health care, education and technology promoted in this historic legislation over the past 11 years have given Americans with disabilities a new lease on life.

Today, 53 million Americans live with a disability, and 1 in 8 of them is severely disabled. According to the most recent data available, there are approximately 117,701 individuals sixteen years or older living with a disability in South Dakota and 57,233 who have a severe disability. Yet due to the landmark Americans with disabilities Act, the stereotypes against these persons are crumbling and they are able to lead increasingly integrated and fulfilled lives. The Act has guaranteed that people with disabilities be able to live in the most integrated settings possible in their communities. The Americans with Disabilities Act has also spurred research and improved care for seniors, children and mentally

disabled persons. In doing so, the Act has ensured improved quality of life for people living with disabilities and has promised disabled children hope for a successful future. The contributions of the Americans with Disabilities Act over the past 11 years are an inspiration for what can be done to improve the lives of Americans living with disabilities, and a proponent of more progress in the future.

Once again, it gives me great pleasure to recognize and honor today's celebration on behalf of the millions of disabled Americans throughout this country.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Madam President, at the close of business yesterday, Wednesday, July 25, 2001, the Federal debt stood at $5,725,120,881,956.31, five trillion, seven hundred twenty-five billion, one hundred twenty million, eight hundred eighty-one thousand, nine hundred fifty-six dollars and thirty-one cents.

One year ago, July 25, 2000, the Federal debt stood at $5,670,718,000,000, five trillion, six hundred seventy billion, seven hundred eighteen million.

Five years ago, July 25, 1996, the Federal debt stood at $5,181,309,000,000, five trillion, one hundred eighty-one billion, three hundred nine million.

Ten years ago, July 25, 1991, the Federal debt stood at $3,557,315,000,000, three trillion, five hundred fifty-seven billion, three hundred fifteen million.

Fifteen years ago, July 25, 1986, the Federal debt stood at $2,072,020,000,000, two trillion, seventy-two billion, twenty million, which reflects a debt increase of more than $3.5 trillion, $3,653,100,881,956.31, three trillion, six hundred fifty-three billion, one hundred million, eight hundred eighty-one thousand, nine hundred fifty-six dollars and thirty-one cents during the past 15 years.

ADDITIONAL STATEMENTS

TRIBUTE TO THE 100TH ANNIVERSARY OF THE KUHLMAN CORPORATION

• Mr. DEWINE. Mr. President, I rise today to recognize an outstanding achievement resulting from a century of hard work and perseverance. This spring, the Kuhlman Corporation, a family-owned, Toledo-based company that provides Northwest Ohio and Southeast Michigan with quality concrete and building supplies, celebrated its 100th anniversary. This is quite a milestone—a testament to the Kuhlman Corporation's commitment to its customers.

In 1901, German immigrant and bricklayer, Adam Kuhlman, helped establish the Toledo Builders Supply Company. Mr. Kuhlman put up much of his own money to provide the Toledo Builders Supply Company with new brick oven equipment. The purchase of this equipment was a risky investment, but Mr. Kuhlman had the foresight to sacrifice his own money for the good of the company. The investment proved to be a good one, and, with his strong work ethic and solid business sense, Mr. Kuhlman turned Toledo Builders Supply into a very successful brick business.

In the mid-1920's, he became the majority stockholder and founded a new company, called Kuhlman Corporation—a fitting tribute to the man who shaped the early success of the company. Since then, the Kuhlman Corporation has remained a family-owned and operated business and maintains the values that made it so successful—hard work and innovation.

In 1928, the Kuhlman Corporation set the precedent for Northwest Ohio building suppliers by becoming the first company in the region to enter the ready-mixed concrete business. With a fleet of advanced mixing trucks, the Kuhlman Corporation traveled all over Northwest Ohio and Southeast Michigan, helping build structures, like Scott and Waite High Schools in Toledo, Anthony Wayne Bridge in Toledo, the Toledo Zoo, and the Medical College of Ohio.

The Kuhlman Corporation has survived two World Wars, a depression, severe inflation, and the constant fluctuation of the construction market to remain a leader in concrete and building supplies, now accumulating annual revenue of $36 million. The company has helped the people of Ohio and Michigan to build their dreams. At the same time, the Kuhlman Corporation has achieved the American dream.

So today, I salute the Kuhlman Corporation for a century of demanding work, inspiration, and commitment to the Toledo community. I wish them all the best for the next 100 years.•

REPORT ON THE PROGRESS OF SPENDING BY THE EXECUTIVE BRANCH DURING THE FIRST TWO QUARTERS OF FISCAL YEAR 2001 IN SUPPORT OF PLAN COLOMBIA—MESSAGE FROM THE PRESIDENT—PM 37

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

Pursuant to section 3204(e) of Public Law 106–246, I hereby transmit a report detailing the progress of spending by the executive branch during the first two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 26, 2001*.

MESSAGES FROM THE HOUSE

At 12:38 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate.

H.R. 1954. An act to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, and for other purposes.

At 1:09 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2590. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2590. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes; to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 625. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 778. A bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 1099. A bill to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

Mr. LEVIN, Committee on the Judiciary:

James W. Ziglar, of Mississippi, to be Commissioner of Immigration and Naturalization.

Asa Hutchinson, of Arkansas, to be Administrator of Drug Enforcement.

Mr. LEVIN, Committee on Armed Services:

Air Force nominations beginning with Col. Charles C. Baldwin, and ending Col. Thomas J. Loftus. (See Executive Journal proceedings of March 22, 2001, for complete list.)

Air Force nomination of Maj. Gen. Lance L. Smith.

Air Force nomination of Maj. Gen. Thomas C. Waskow.

Air Force nomination of Maj. Gen. Richard E. Brown III.

Army nominations beginning with Col. Scott C. Black, and ending Col. Daniel V.

Wright. (See Executive Journal proceedings of April 30, 2001, for complete list.)

Army nomination of Maj. Gen. Burwell B. Bell III.

Army nomination of Maj. Gen. John S. Caldwell, Jr.

Army nomination of Maj. Gen. James L. Campbell.

Army nomination of Lt. Gen. Michael L. Dodson.

Army nomination of Maj. Gen. David D. McKiernan.

Army nomination of Col. Marylin J. Muzny.

Army nomination of Brig. Gen. Thomas W. Eres.

Army nomination of Maj. Gen. John B. Sylvester.

Marine Corps nomination of Col. Kevin M. Sandkuhler.

Navy nominations beginning with Capt. Michael S. Baker, and ending Capt. Charles A. Williams. (See Executive Journal proceedings of February 27, 2001, for complete list.)

Navy nominations beginning with Capt. Robert E. Cowley III, and ending Capt. Alan S. Thompson. (See Executive Journal proceedings of February 27, 2001, for complete list.)

Navy nominations beginning with Capt. James E. Beebe, and ending Capt. John M. Stewart, Jr. (See Executive Journal proceedings of February 27, 2001, for complete list.)

Navy nominations beginning with Rear Adm. (lh) Kathleen L. Martin, and ending Rear Adm. (lh) James A. Johnson. (See Executive Journal proceedings of April 23, 2001, for complete list.)

Navy nomination of Rear Adm. (lh) Michael E. Finley.

Navy nomination of Vice Adm. Gordon S. Holder.

Navy nomination of Rear Adm. James C. Dawson, Jr.

Navy nomination of Vice Adm. Walter F. Doran.

Navy nomination of Vice Adm. Timothy J. Keating.

Navy nomination of Vice Adm. Michael G. Mullen.

(Nominations were reported with the recommendation that they be confirmed.)

Mr. LEVIN, Committee on Armed Services, reported favorably sundry nominations in the Army, Marine Corps and Navy which had previously appeared in the Congressional Record and, at the Senator's request and by unanimous consent, it was ordered that they lie at the Secretary's desk for the information of Senators:

Army nominations beginning with HADASSAH E AARONSON, and ending SANG W YUM. (See Executive Journal proceedings of June 21, 2001, for complete list.)

Army nominations beginning with DAVID L ABBOTT, and ending X8012. (See Executive Journal proceedings of June 22, 2001, for complete list.)

Army nominations beginning with CARL R. BAGWELL, and ending ALLEN M. HARRELL. (See Executive Journal proceedings of June 29, 2001, for complete list.)

Army nominations beginning with DENNIS E. PLATT, and ending LAWRENCE C. SELLIN. (See Executive Journal proceedings of July 12, 2001, for complete list.)

Army nominations beginning with GEORGE J. CARLUCCI, and ending CHARLES P. SHEEHAN. (See Executive Journal proceedings of July 12, 2001, for complete list.)

Army nominations beginning with JOSE R. ARROYONIEVES, and ending * BRIAN T. MYERS. (See Executive Journal proceedings of July 18, 2001, for complete list.)

Army nominations beginning with MARIA L. BRITT, and ending JOHN W. WILKINS II. (See Executive Journal proceedings of July 18, 2001, for complete list.)

Marine Corps nominations beginning with DONALD L. ALBERT, and ending TIMOTHY W. WALDRON. (See Executive Journal proceedings of July 12, 2001, for complete list.)

Navy nominations beginning with MICHAEL G. AHERN, and ending RICHARD D. ZEIGLER. (See Executive Journal proceedings of April 23, 2001, for complete list.)

Navy nominations beginning with MILTON D. ABNER, and ending MICHAEL A. ZIESER. (See Executive Journal proceedings of April 23, 2001, for complete list.)

Navy nominations beginning with EDWARD P. ABBOTT, and ending ROBERT ZAUPER. (See Executive Journal proceedings of April 26, 2001, for complete list.)

Navy nominations beginning with SCOT K. ABEL, and ending WILLIAM A. ZIRZOW IV. (See Executive Journal proceedings of May 21, 2001, for complete list.)

Navy nominations beginning with CHRISTOPHER E. CONKLE, and ending PHILIP D. ZARUM. (See Executive Journal proceedings of May 21, 2001, for complete list.)

Navy nominations beginning with MARK M. ABRAMS, and ending DAVID P. YOUNG. (See Executive Journal proceedings of June 29, 2001, for complete list.)

Navy nominations beginning with MICHAEL J. NYILIS, and ending RYAN S. YUSKO. (See Executive Journal proceedings of June 29, 2001, for complete list.)

Navy nominations beginning with LEIGH P. ACKART, and ending HUMBERTO ZUNIGA, JR. (See Executive Journal proceedings of July 12, 2001, for complete list.)

Navy nominations beginning with DAVID M. BURCH, and ending MIL A. YI. (See Executive Journal proceedings of July 18, 2001, for complete list.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. CARNAHAN (for herself, Mr. DEWINE, Mr. LEAHY, Mr. DASCHLE, Mr. JOHNSON, Ms. LANDRIEU, and Ms. SNOWE):

S. 1250. A bill to amend title 10, United States Code, to improve transitional medical and dental care for members of the Armed Forces released from active duty to which called or ordered, or for which retained, in support of a contingency operation; to the Committee on Armed Services.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1251. A bill for the relief of Nancy B. Wilson; to the Committee on Finance.

By Mr. TORRICELLI:

S. 1252. A bill to amend title 18, United States Code, to make unlawful the tampering with computers of schools and institutions of higher education, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. KENNEDY, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. TORRICELLI, Mr. CORZINE, Mrs. BOXER, and Mr. REED):

S. 1253. A bill to protect ability of law enforcement to effectively investigate and prosecute illegal gun sales and protect the privacy of the American people; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Mr. REED, and Mr. ALLARD):

S. 1254. A bill to reauthorize the Multifamily Assisted Housing Reform and Affordability Act of 1997, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Mr. BROWNBACK):

S. 1255. A bill to encourage the use of carbon storage sequestration practices in the United States; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mrs. CARNAHAN, Mr. CHAFEE, Mr. CLELAND, Mrs. CLINTON, Ms. COLLINS , Mr. CRAIG, Mr. DASCHLE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mr. GRASSLEY, Mr. GREGG, Mr. HARKIN, Mr. HATCH , Mr. HELMS, Mr. HUTCHINSON, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. ROBERTS, Mr. REID, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Mr. NELSON of Nebraska, and Mr. CARPER):

S. 1256. A bill to provide for the reauthorization of the breast cancer research special postage stamp, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN (for himself and Mr. GRASSLEY):

S. Res. 139. A resolution designating September 24, 2001, as ''Family Day—A Day to Eat Dinner with Your Children''; to the Committee on the Judiciary.

By Mr. DASCHLE (for himself and Mr. LOTT):

S. Con. Res. 61. A concurrent resolution to waive the provisions of the Legislative Reorganization Act of 1970 which require the adjournment of the House and Senate by July 31st; considered and agreed to.

ADDITIONAL COSPONSORS

S. 205

At the request of Mrs. HUTCHISON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes.

S. 252

At the request of Mr. VOINOVICH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 252, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water

pollution control revolving funds, and for other purposes.

S. 270

At the request of Mr. BINGAMAN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 270, a bill to amend title XVIII of the Social Security Act to provide a transitional adjustment for certain sole community hospitals in order to limit any decline in payment under the prospective payment system for hospital outpatient department services.

S. 281

At the request of Mr. HAGEL, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 326

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 326, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services and to permanently increase payments for such services that are furnished in rural areas.

S. 392

At the request of Mr. SARBANES, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 392, a bill to grant a Federal Charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 530

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 530, a bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind.

S. 535

At the request of Mr. BINGAMAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 535, a bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

S. 543

At the request of Mr. WELLSTONE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 627

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 686

At the request of Mrs. LINCOLN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 686, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances.

S. 744

At the request of Mrs. HUTCHISON, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 744, a bill to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law.

S. 756

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 756, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for electricity produced from biomass, and for other purposes.

S. 776

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 776, a bill to amend title XIX of the Social Security Act to increase the floor for treatment as an extremely low DSH State to 3 percent in fiscal year 2002.

S. 808

At the request of Mr. BAUCUS, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 808, a bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer.

S. 830

At the request of Mr. CHAFEE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 830, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 912

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 912, a bill to amend title 38, United States Code, to increase burial benefits for veterans.

S. 913

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 960

At the request of Mr. BINGAMAN, the names of the Senator from South Carolina (Mr. THURMOND), the Senator from Hawaii (Mr. INOUYE), and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. 960, a bill to amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the medicare program for beneficiaries with cardiovascular diseases.

S. 980

At the request of Mr. FITZGERALD, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 980, a bill to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

S. 986

At the request of Mr. DEWINE, his name was added as a cosponsor of S. 986, a bill to allow media coverage of court proceedings.

S. 995

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 995, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in non-disclosure policies, forms, and agreements that such policies, forms and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1008

At the request of Mr. BYRD, the names of the Senator from Nevada (Mr. REID), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1008, a bill to amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic

and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

S. 1075

At the request of Mr. BIDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1075, a bill to extend and modify the Drug-Free Communities Support Program, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

S. 1119

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1119, a bill to require the Secretary of Defense to carry out a study of the extent to the coverage of members of the Selected Reserve of the Ready Reserve of the Armed Forces under health benefits plans and to submit a report on the study of Congress, and for other purposes.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1140, 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. 1144

At the request of Mr. LIEBERMAN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1144, a bill to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes.

S. 1186

At the request of Mr. DOMENICI, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1186, a bill to provide a budgetary mechanism to ensure that funds will be available to satisfy the Federal Government's responsibilities with respect to negotiated settlements of disputes related to Indian water rights claims and Indian land claims.

S. 1200

At the request of Mr. CLELAND, the names of the Senator from New York (Mrs. CLINTON), the Senator from Minnesota (Mr. DAYTON), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1200, a bill to direct the Secretaries of the military departments to conduct a review of military service records to determine whether certain Jewish American war veterans, including those previously awarded the Distinguished Service Cross, Navy Cross, or Air Force Cross, should be awarded the Medal of Honor.

S. 1204

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1204, a bill to amend title XVIII of the Social Security Act to provide adequate coverage for immunosuppressive drugs furnished to beneficiaries under the medicare program that have received an organ transplant.

S. 1226

At the request of Mr. CAMPBELL, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 1226, a bill to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

AMENDMENT NO. 1157

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 1157 intended to be proposed to H.R. 2500, a bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CARNAHAN (for herself, Mr. DEWINE, Mr. LEAHY, Mr. DASCHLE, Mr. JOHNSON, Ms. LANDRIEU, and Ms. SNOWE):

S. 1250. A bill to amend title 10, United States Code, to improve transitional medical and dental care for members of the Armed Forces released from active duty to which called or ordered, or for which retained, in support of a contingency operation; to the Committee on Armed Services.

Mrs. CARNAHAN. Mr. President, our Nation's Reserve components are assuming increasingly greater roles in the U.S. military. Today we have more commitments around the world but fewer Active Forces. For these reasons, we have increasingly come to depend on our Reserve components.

Since the gulf war, our Army and Marine Corps have increased their operations abroad by 300 percent. Air Force deployments have quadrupled since 1986. And our Navy now deploys 52 percent of its forces on any given day.

These deployments would be impossible without guardsmen and reservists. Last year's Reserve components served a total of 12.3 million duty days, compared to 5.2 million duty days in 1992.

It is time to recognize the contribution of our reservists and given them the benefits they deserve. We must find a way to provide immediate short-term relief to reservists who stand in need of our support, those who have just returned home from deployments abroad.

Last month, Senator LEAHY and six other colleagues set a goal to provide health care for all National Guard members and reservists. Senator LEAHY's legislation recognizes the role that Reserve components now play in our national security. This bill authorizes a Defense Department study to develop the most feasible plan to provide health care for all Reserve components.

Providing coverage to all reservists is a monumental task. It will require intense analysis in developing a cost-effective approach. But it is a worthy goal, one that will prove important to sustaining our force strength and our military morale.

Today I am introducing legislation that will take the first step towards Senator LEAHY's goal for covering reservists. The bill will significantly improve the quality of life for our men and women in the National Guard and Reserves. Reservists like SSG Jonathan Reagan, this young Army reservist just returned home from an 8-month peacekeeping mission in Kosovo. He served in the 313th hospital surgical unit providing care to military personnel and needy Kosovars. Yet when he returned home to Missouri, he found himself without health care coverage of his own.

Sergeant Reagan had just finished graduate school and was looking for a job as a physical therapist. Currently the law allows military personnel to extend their military health coverage for 30 days after they return home. Well, that was not enough for Sergeant Reagan. He was uninsured and was forced to purchase his insurance out of his own pocket.

Sergeant Reagan is not alone. Sergeant Jason Dunson served on that same deployment. He did not have health care coverage when he returned home to Springfield, MO, either. Luckily before he deployed, he transferred his 3-year-old daughter's health care coverage to his wife's plan. Unfortunately, his employer will not be able to cover him for a number of months.

But the case of CPT Terri McGranahan is the most troubling. She volunteered to be a part of our peacekeeping mission in Kosovo. During her service, she worked at a health clinic that had been newly painted with a toxic sealant.

When she returned home, her private health insurance company refused to retain her. Working in this clinic had made her very ill. Her condition resulted in pneumonia and eventually a spot on her lung.

She did not detect the condition right away. When she finally sought medical treatment, the 30 days of TRICARE coverage had already expired.

She asked the Army for help but was turned down. Moreover, her private insurer refused to cover her for a condition acquired during military service.

Eventually, she would be able to obtain reimbursements from the Department of Defense, once it was fully clarified that her illness was service related. But how long will she have to

wait before she receives this relief? And why should she and her family be forced to undergo such stress as she endures a serious ailment, contracted while in the military service?

Senators DEWINE, LEAHY, DASCHLE, JOHNSON, LANDRIEU, SNOWE, and I have joined together to propose a short-term solution. Our legislation will allow Reserve and National Guard personnel to extend their TRICARE coverage for up to 1 year after their deployment.

Already, the Carnahan-DeWine bill has been endorsed by organizations across the country, including the National Guard and Reserve Committee of the Military Coalition, the Reserve Officers Association, National Guard Association, Enlisted Association of the National Guard, and several other organizations promoting quality of life to serve men and women.

The Joint Chiefs of Staff have indicated that this legislation would have a positive impact on military quality of life and retention rates. They further believe that such extension of benefits would assist members who, following activation and deactivation, decide to leave their civilian employment.

We are not asking for an overly extensive benefit for Reserve components. Some may think this proposal is far too modest. I understand that in the other body there is a proposal to provide an even more comprehensive approach. But I believe that before we attempt to establish a full health care program for these service men and women, it is essential that we authorize the Pentagon to explore the most feasible option. The bill and the legislation authored by Senator LEAHY will work to achieve this goal.

In the meantime, I am proud to be pursuing this initiative in the name of our Missouri National Guard and Reservists, as well as our country's other citizen soldiers. As the Kansas City Star stated in a recent editorial:

> The United States has come to rely more and more heavily on the military reserves and the National Guard.
>
> The men and women who make so many sacrifices to serve in those forces should not have to worry about inadequate health insurance coverage as soon as they return to civilian life.

Mr. President, let's do the right thing for our Nation's citizen soldiers.

Mr. LEAHY. Mr. President, I rise today to congratulate Senator CARNAHAN on the introduction of S. 1250. I am an original co-sponsor of her legislation that deals with health care shortfalls among members of the National Guard and Reserve. This bill will enable citizen-soldiers to receive health insurance coverage for up to one year following an extended deployment. It is an important part of a larger effort to ensure that all members of the National Guard and Reserve have adequate health insurance.

This bill arises out of the changing role of the National Guard and Reserve in defending our Nation. During the Cold War, the military reserves served as an ace-in-the-hole, ready to fight but held back as a force of last resort. As our military posture has shifted, reservists have started supplementing active forces and taken up a greater share of the burden of projecting our national military presence abroad.

In many cases, these proud men and women are serving side-by-side with their active duty counterparts in deployments that can last upward of six months. I will not repeat many of the facts and figures that Senator CARNAHAN so adeptly underscored in her statement, but, suffice to say here, our citizen-soldiers are experiencing all of the same hardships, challenges, dangers that full-time servicemembers go through every time they leave their barracks or launch into the skies.

This courage and sacrifice deserves our support, both in symbolic and concrete terms. Unfortunately, many are experiencing difficulties as they transition back-and-forth between their usual, employer-provided health coverage and the military TRICARE Prime coverage they receive when they deploy longer than 60 days. More disturbing are the cases where a reservist might be between jobs in their professions, go on an extended deployment, and return to that unemployed status with no health insurance coverage at all. There are innumerable variations on each one of these stories, but each points towards a larger problem.

Cases like those add up, inevitably impacting military readiness and raising troubling moral questions. Military readiness diminishes when soldiers, sailors, Marines, and airmen arrive for deployment less healthy than possible. Basic questions of fairness come into play when two people can do exactly the same job, but receive different levels of respect and gratitude from the country. Congress has the responsibility to deal with these inequities and tailor a solution to address the problem.

Recently, Senators CARNAHAN, DEWINE, DASCHLE, COCHRAN, JOHNSON, and SNOWE joined me to introducing S. 1119, the Selected Reserve Health Care Act. This bill commissions an independent, detailed study of the health insurance needs of our citizen-soldiers, but, more importantly, expresses the sense of Congress that every reservist should have full health care coverage. This is a long-term goal that may take some time to achieve. In the meantime, though, we should take steps to move us in the right direction.

Senator CARNAHAN's legislation will ensure a smooth transition back to civilian employment after an extended deployment. It increases the time that a member of the reserve can remain on TRICARE following deployment from one month to a year. Though it merely extends an existing benefit, it will provide a much-needed stopgap for those who are unemployed or facing difficulties with their civilian insurance providers. This legislation is sensible and affordable, finding a balance between our responsibilities to our servicemembers and our responsibilities as caretakers of the national treasury.

Senator CARNAHAN has shown tremendous leadership on this issue, not only co-sponsoring a companion legislation that I introduced almost a month ago, but, more importantly, by coming up with a realistic, concrete step to start addressing this complex problem today. I am happy to be an original co-sponsor of this legislation, and I look forward to working with her to enact both of these bills.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1251. A bill for the relief of Nancy B. Wilson; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today along with my colleague from Maine to introduce legislation for the relief of Nancy Wilson of Bremen, ME, who has been denied widow's benefits from Social Security despite the very extenuating circumstances of her case.

Nancy Wilson was denied Social Security widow's benefits because she had not been married to the late Alphonse Wilson for the required nine-month period prior to his death even though they had lived together as a couple for 19 years. Alphonse had been unable to marry Nancy earlier because Massachusetts law forbade him from divorcing his first wife, Edna, due to her being institutionalized with a mental illness. Upon Edna's death on April 12, 1969, Alphonse and Nancy were married just 20 days later, with Alphonse dying on December 5, 1969.

While the nine-month requirement for receiving widow's benefits was understandably created to prevent marriages in anticipation of death, the reason for Nancy Wilson's delayed nuptials were clearly unique. Given the extenuating circumstances, I urge my colleagues to support this private relief bill for Nancy Wilson.

Ms. COLLINS. Mr. President, I am pleased to join Senator SNOWE in introducing legislation for the private relief of Nancy B. Wilson. Nancy's compelling case merits such action.

In 1945, Al Wilson was married with two children when tragedy struck the family. His wife Edna was institutionalized following a severe mental breakdown, and Al was left with no one to care for his children. Five years later, he met Nancy Butler, who took up residence with Al and began caring for his two children, as well as her own son. The eldest child has written that Nancy ''is the person who brought me up in place of my biological mother, who was institutionalized. I think of Nancy as my real mother.''

Though Al and Nancy wished to get married, Al was prohibited from divorcing his first wife under a Massachusetts law barring divorce for reasons of insanity or institutionalization for insanity. Time passed, and although not legally married, Al and Nancy raised their family together.

Edna Wilson died on April 12, 1969, and Al and Nancy were married twenty days later. Tragically, just seven months after their wedding, Al died of cancer. Though only married for those seven months, Al and Nancy had lived together for 19 years.

When Nancy turned 64 she applied to the Social Security Administration for survivor's insurance benefits. She was told that a couple must be married for 9 months for the spouse to be eligible to collect survivor benefits, and that her legal marriage failed to meet that threshold. Nancy has since exhausted the administrative appeals process to no avail.

The private relief bill we are introducing will simply allow Nancy to receive widow's benefits from her husband's earnings. Though Al and Nancy were legally prevented from being married for all but seven months of their years together, they were, for all practical purposes, married for 19 years. She raised his children, allowing him to work and accumulate a Social Security benefit.

These unique circumstances illustrate why Congress must enact private relief legislation from time to time. Certainly, Nancy's unique situation fulfills the intent of the Social Security Act, and it is a situation that will not be repeated due to a change in Massachusetts law repealing the legal hurdle that prevented Al and Nancy from being married in the first place. Mrs. Wilson's case is truly compelling, and merits this corrective action by Congress. I urge my colleagues to support this measure.

By Mr. SARBANES (for himself, Mr. REED, and Mr. ALLARD):

S. 1254. A bill to reauthorize the Multifamily Assisted Housing Reform and Affordability Act of 1997, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SARBANES. Mr. President, today I am introducing the Mark-to-Market Extension Act of 2001 with my colleagues Senator REED and Senator ALLARD, the chair and ranking member of the Housing and Transportation Subcommittee of the Banking, Housing, and Urban Affairs Committee. This legislation will extend the Multifamily Assisted Housing Restructuring and Affordability Act of 1997, MAHRAA, for an additional five years.

The legislation will ensure that HUD continues to have the authority to restructure the rents and the mortgages of its FHA-insured section 8 project-based portfolio. These properties have been operating for the past 20 years on long term rental subsidy contracts, many of which are currently paying above-market rents. The program we seek to reauthorize provides HUD with the tools to reduce those rents to market levels and restructure the underlying mortgages so that the new, lower rents will be sufficient to cover the debt. At the same time, the program provides for the rehabilitation of these projects, and requires another long term commitment to keep the properties affordable.

This program expires in September. Both HUD and the General Accounting Office believe the program should be reauthorized in order to continue the progress in getting these projects restructured, rehabilitated, and on a sound footing for the taxpayer, for the owner, and for the resident.

In a hearing on this program held on June 19, we heard from all the stakeholders, HUD, and the GAO. We have adopted many of the recommendations heard at that hearing in this legislation. Some of the changes we have included should further reduce the costs of the program to the federal government, while simultaneously allowing for more extensive rehabilitation and more economic certainty for property owners. The bill also extends the authorization for funding for tenants, non-profits, and public agencies that participate in the restructuring process.

I ask unanimous consent that a section by section analysis be printed in the RECORD.

There being no objection, the materials was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION OF THE MARK-TO-MARKET EXTENSION ACT OF 2001

This legislation reauthorizes the ''Multifamily Assisted Housing Reform and Affordability Act of 1997'' (MAHRAA) with some amendments.

Section 1—Short Title.

Section 2—Purposes.

Section 3—Definitions.

Section 4—Provides for reauthorization of grants for tenant services, non-profits, and public entities engaged in the restructuring process; readjustment of calculation of properties eligible for exception rents; use of enhanced vouchers; notice regarding rejection of restructuring plan; voluntary participation of Preservation projects in mortgage restructuring upon sale or transfer of property; discretion for the Secretary in requiring owner contributions for new features in addition to basic rehabilitation; establish consistent rent standard; provide for GAO reports on physical and financial condition of the property and HUD's oversight; and, allow for resizing of second mortgages.

Section 5—Provides for consistent rent standard for projects undergoing restructuring, and for tenant-based vouchers.

Section 6—Provides for HUD-held mortgages to go through FHA's streamlined refinance process established by section 237(a)(7) of the National Housing Act; provides for the term of such loans to be up to 30 years.

Section 7—Technical correction to renumber a section of the law.

Section 8—Eliminate the requirement that the Director of the Office of Multifamily Housing Assistance Restructuring, OMHAR, be confirmed by the Senate; make the Director report to the FHA Commissioner; extend the program and Office for 5 years; and make the limitation on subsequent employment 1 year, consistent with Congressional rules.

By Mr. WYDEN (for himself and Mr. BROWNBACK):

S. 1255. A bill to encourage the use of carbon storage sequestration practices in the United States; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. WYDEN. Mr. President, today Senator BROWNBACK and I are introducing legislation that uses a simple, scientifically sound and entirely voluntary approach to combat global warming. It's not regulatory, and it's not revolutionary, except for the fact that this approach could account for and solve up to 50 percent of the United States' atmospheric carbon problem. The Carbon Sequestration and Reporting Act will expand the Nation's forested lands, protect watersheds, conserve agricultural lands and put forests and farms on the frontlines in the battle against global warming. The legislation is entirely voluntary and incentive-based. It makes new resources available to private landowners through State-operated revolving loan programs and USDA conservation programs to provide assistance for tree planting, other forest management actions, and soil conservation for the purposes of carbon sequestration. Both of these programs will lead to better water quality, less runoff pollution, better wildlife habitat and an additional revenue source for farmers and forest land owners.

Thirty-eight industrialized countries account for one-half of the carbon released into the atmosphere. The U.S., all alone, accounts for one-quarter of the total carbon released into the atmosphere. This country cannot afford to be a bystander on the climate change issue, and yet two days ago the headlines read: ''Climate Agreement Leaves U.S. Out in the Cold;'' ''Isolated on Global Warming;'' ''178 Nations Reach Climate Accord; U.S. Only Looks On.'' I am convinced that it is possible to put together a bipartisan alternative to inaction. I started that process with the Forest Resources for the Environment and Economy Act. Today, I continue that process with Senator BROWNBACK as we introduce The Carbon Sequestration and Reporting Act.

We cannot afford to sit out this debate as it goes on around us. It costs between $2 and $20 per ton to store carbon in trees and soil but alternative strategies such as emissions reductions can cost up to $100 per ton. Sequestering carbon in forests and soil is a scientifically sound and cost-effective strategy that can reduce carbon dioxide levels by up to 50 percent. My approach has been to use trees for carbon sequestration; Senator BROWNBACK's approach has been to sequester carbon in agricultural soil. Our legislation joins the best of both these approaches.

I am not saying that carbon sequestration should be the only tool in our toolbox. We need all the tools available to address the enormous issue of global climate change. But we believe this approach, this bill, will provide a jump start to a stalled political process. Carbon sequestration is a technology that can begin working right now, today, to reduce the negative effects of climate change.

Investing in healthy forests today is an investment in the well-being of our

planet for decades to come. In the Pacific Northwest, forests are more than critical environmental resources, they are also a cornerstone of our economy. The same is true for agriculture. Last year, in Oregon alone, agriculture accounted for over $3 billion in trade and business revenues. Investing in improved land management and conservation to offset greenhouse gases is a win for the environment, a win for agriculture and a win for local economies.

According to the Pacific Forest Trust, our forest lands in the United States are only storing one-quarter of the carbon they can ultimately store. Just tapping a portion of this potential by expanding and increasing the productivity of the Nation's 737 million acres of forests is an important part of a win-win strategy to slow global warming. The forestry component of this bill works through a revolving loan fund for private, non-industrial landowners to be used to plant trees for carbon sequestration and conservation purposes. The forestry loans are not limited by time, but can be forgiven if the landowner decides to institute a permanent easement on his or her land for the purposes of conservation and carbon sequestration. This bill also takes an important first step toward sequestering greenhouse gases on Federal lands: it directs the Forest Service to report to Congress on options to increase carbon storage in our national forests.

The agriculture portion of the bill will encourage landowners to offer the best plans detailing practices they would be willing to undertake to store additional carbon in the soil. The program is limited to 5 million acres, and is not a set aside. Rather, this bill encourages conservation practices like no-till, buffer strips and biomass production, to name a few, which are known to enhance soils' ability to store carbon. Using funding similar to current CRP payments, the agricultural contracts under this bill would be for a minimum of 10 years and USDA would be required—in conjunction with other agencies—to finalize criteria for measuring the carbon-storing ability of various conservation practices.

We know these types of approaches work because of the leadership of our home states in carbon sequestration practice and research: Oregon for forestry and agriculture and Kansas for agriculture. The objectives of this bill will be greatly aided by institutions like Oregon State University and Kansas State University, who are already conducting significant research on various carbon-storing practices.

This bill also makes important changes to the Energy Policy Act of 1992: it would strengthen the voluntary accounting and verification of greenhouse gas reductions from forestry and agricultural activities. The bill directs the Secretary of Energy to develop new guidelines on accurate and cost-effective methods to account for and report real and credible greenhouse gas reductions. These guidelines are absolutely necessary because without them we could be doing all the environmental good in the world, but we have no record of it and, therefore, no concept of the progress we would have made. The guidelines will be developed with the input of a new Advisory Council representing agriculture, industry, foresters, States, and environmental groups.

As in the last Congress, the forestry portion of the bill will pay for itself by using money that polluters pay when they are caught violating the Clean Air Act and Clean Water Act as there are currently no guarantees that these penalties, which revert to the General Fund, are used to improve our environment, but our bill would put the penalties toward this goal. We would use these fines to expand our forests, protect streams and rivers and help remove greenhouse gases from the air. The agricultural portion of this bill will be paid for by conservation appropriations to the USDA.

This bill is about taking advantage of a clear win-win opportunity. It's a win for the global environment. It's a win for sustainable forestry. It's a win for local water protection. And it's a win for rural communities. For these reasons, the forestry portion of this bill has already received positive reactions from timber companies and environmental organizations alike, including the National Association of State Foresters and the Society of American Foresters, American Forest and Paper Association, American Forests, Environmental Defense, Governor John A. Kitzhaber of Oregon, PacifiCorp, The Nature Conservancy, and The Pacific Forest Trust. The agricultural portion of this bill has received positive reactions from many of these same groups.

I look forward to pursuing this common-sense step toward protecting the environment and supporting our forest workers and agricultural interests.

I ask unanimous consent that the text of the bill and a summary of the Carbon Sequestration and Reporting Act be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1255

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Carbon Sequestration and Reporting Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CARBON ADVISORY COUNCIL

Sec. 101. Carbon advisory council.
Sec. 102. National inventory and voluntary reporting of greenhouse gases.

TITLE II—FOREST CARBON MANAGEMENT

Sec. 201. Forest carbon storage and sequestration.

TITLE III—CARBON SEQUESTRATION PROGRAM

Sec. 301. Establishment.
Sec. 302. Funding.
Sec. 303. Regulations.
Sec. 304. Effective dates.

TITLE IV—REPORTS

Sec. 401. Initial report.
Sec. 402. Annual report.
Sec. 403. State report.

TITLE I—CARBON ADVISORY COUNCIL

SEC. 101. CARBON ADVISORY COUNCIL.

The Energy Policy Act of 1992 is amended by inserting after section 1609 (42 U.S.C. 13388) the following:

''SEC. 1610. CARBON ADVISORY COUNCIL.

''(a) DEFINITIONS.—In this section:

''(1) CARBON ADVISORY COUNCIL.—The term 'Carbon Advisory Council' means the Carbon Advisory Council established under subsection (b).

''(2) CARBON SEQUESTRATION.—The term 'carbon sequestration' means the action of vegetable matter in—

''(A) extracting carbon dioxide from the atmosphere through photosynthesis;

''(B) converting the carbon dioxide to carbon; and

''(C) storing the carbon in the form of roots, stems, soil, or foliage.

''(3) CARBON STORAGE.—The term 'carbon storage' means the quantity of carbon sequestered from the atmosphere and stored in forest carbon reservoirs.

''(4) FOREST CARBON PROGRAM.—The term 'forest carbon program' means the program established under section 2404(b) of the Global Climate Change Prevention Act of 1990 to provide financial assistance for forest carbon activities through—

''(A) cooperative agreements; and

''(B) State revolving loan funds.

''(5) FOREST MANAGEMENT ACTION.—

''(A) IN GENERAL.—The term 'forest management action' means an action that—

''(i) applies forestry principles to the regeneration, management, utilization, and conservation of forests to meet specific goals and objectives; and

''(ii) maintains the productivity of the forests.

''(B) INCLUSIONS.—The term 'forest management action' includes management of forests for the benefit of—

''(i) aesthetics;

''(ii) fish;

''(iii) recreation;

''(iv) urban values;

''(v) water;

''(vi) wilderness;

''(vii) wildlife;

''(viii) wood products; and

''(ix) other forest values.

''(6) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term by section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

''(7) REFORESTATION.—

''(A) IN GENERAL.—The term 'reforestation' means the reestablishment of forest cover naturally or artificially.

''(B) INCLUSIONS.—The term 'reforestation' includes—

''(i) planned replanting;

''(ii) reseeding; and

''(iii) natural regeneration.

''(b) ESTABLISHMENT.—The Secretary shall establish an advisory council, to be known as the 'Carbon Advisory Council', to—

''(1) advise the Secretary on the development and updating of guidelines for accurate reporting of greenhouse gas sequestration from soil carbon and forest management actions;

''(2) evaluate the potential effectiveness of the guidelines in verifying carbon inputs and outputs from various soil carbon and forest management strategies;

''(3) estimate the effect of implementing the guidelines on carbon sequestration and storage; and

''(4) assist the Secretary in preparing the annual report required by section 402(a) of the Carbon Storage and Sequestration Act (including the assessment of the vulnerability of forests and agricultural land to the adverse effects of climate change).

''(c) MEMBERSHIP.—The Carbon Advisory Council shall be composed of 21 members as follows:

''(1) The Secretary of Agriculture (or a designee).

''(2) The Secretary of Energy (or a designee).

''(3) The Secretary of the Interior (or a designee).

''(4) The Secretary of State (or a designee).

''(5) The Administrator of the Environmental Protection Agency (or a designee).

''(6) The Chief of the Forest Service (or a designee)

''(7) 15 members appointed jointly by the Secretary of Agriculture and the Secretary of Energy as follows:

''(A) 1 member representing professional forestry organizations.

''(B) 2 members representing environmental or conservation organizations.

''(C) 1 member representing nonindustrial private landowners.

''(D) 1 member representing the forest industry.

''(E) 1 member representing Indian tribes.

''(F) 1 member representing forest workers.

''(G) 3 members representing the academic scientific community.

''(H) 2 members representing State forestry organizations.

''(I) 2 members representing nongovernmental organizations who have an expertise and experience in soil carbon sequestration practices.

''(J) 1 member representing commercial agricultural producers.

''(d) TERM.—

''(1) IN GENERAL.—Except as provided in paragraph (3), a member of the Carbon Advisory Council appointed under subsection (c)(7) shall be appointed for a term of 3 years.

''(2) CONSECUTIVE TERMS.—No individual appointed under subsection (c)(7) may serve on the Carbon Advisory Council for more than 2 consecutive terms.

''(3) INITIAL TERMS.—Of the members first appointed to the Carbon Advisory Council under subsection (c)(7)—

''(A) 5 of the members shall be appointed for a term of 1 year;

''(B) 5 of the members shall be appointed for a term of 2 years; and

''(C) 5 of the members shall be appointed for a term of 3 years.

''(e) VACANCY.—

''(1) IN GENERAL.—A vacancy on the Carbon Advisory Council shall be filled in the same manner as the original appointment was made.

''(2) FILLING OF UNEXPIRED TERM.—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

''(f) COMPENSATION.—

''(1) NON-FEDERAL EMPLOYEES.—A member of the Carbon Advisory Council who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Carbon Advisory Council.

''(2) FEDERAL EMPLOYEES.—A member of the Carbon Advisory Council who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

''(3) TRAVEL EXPENSES.—A member of the Carbon Advisory Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Carbon Advisory Council.

''(4) SUPPORT.—The Secretary shall provide financial and administrative support to the Carbon Advisory Council.

''(g) USE OF EXISTING COUNCIL.—The Secretary may designate a council in existence as of the date of enactment of this section to perform the tasks of the Carbon Advisory Council if (as determined by the Secretary)—

''(1) the responsibilities of the Carbon Advisory Council, as described in subsection (b), are a high priority for the existing council; and

''(2) the representation, membership terms, background, and responsibilities of the existing council correspond to the requirements for the Carbon Advisory Council established under subsections (c) and (d).

''(h) DUTIES.—

''(1) REVIEW OF GUIDELINES.—Not later than 18 months after the date of enactment of this section, the Carbon Advisory Council shall—

''(A) review the guidelines established under section 1605(b)(1) that address procedures for the accurate voluntary reporting of greenhouse gas sequestration from tree planting, forest management actions, and agricultural land;

''(B) make recommendations to the Secretary to amend the guidelines; and

''(C) before submitting the guidelines to the Secretary, provide an opportunity for public comment on the guidelines.

''(2) ESTABLISHMENT OF GUIDELINES.—

''(A) REPORTING GUIDELINES.—The recommendations under paragraph (1)(B) shall include recommendations for reporting guidelines that—

''(i) are based on—

''(I) measuring increases in carbon storage in excess of the carbon storage that would have occurred but for reforestation, forest management, forest protection, or other soil carbon and forest management actions; and

''(II) comprehensive carbon accounting that reflects net increases in the carbon reservoir and takes into account any carbon emissions resulting from the disturbance of carbon reservoirs existing at the beginning of a soil carbon or forest management action; and

''(ii) include options for—

''(I) estimating the indirect effects of soil carbon and forest management actions on carbon storage, including the potential displacement of carbon emissions;

''(II) quantifying the expected carbon storage over various time periods, as determined by the Secretary, taking into account the duration of carbon stored in the carbon reservoir; and

''(III) considering the economic and social effects of soil carbon and forest management alternatives.

''(B) ACCURATE MONITORING, MEASUREMENT, AND VERIFICATION GUIDELINES.—

''(i) IN GENERAL.—The recommendations under paragraph (1)(B) shall include recommended practices for monitoring, measurement, and verification of carbon storage from soil carbon and forest management actions.

''(ii) REQUIREMENTS.—The recommended practices shall, to the maximum extent practicable—

''(I) be based on statistically sound sampling strategies that build on knowledge of the carbon dynamics of forests and agricultural land;

''(II) compute carbon stocks and changes in carbon stocks, by taking field condition measurements and modeling;

''(III) include guidelines on how to sample and calculate carbon sequestration across multiple participating ownerships; and

''(IV) encourage the use of more precise measurements at the option of a reporting entity.

''(C) STATE GUIDELINES.—The recommendations under paragraph (1)(B) shall include State guidelines for reporting, monitoring, and verifying carbon storage under the forest carbon program.

''(D) BIOMASS ENERGY PROJECTS.—The recommendations under paragraph (1)(B) shall include guidelines for calculating net greenhouse gas reductions from biomass energy projects, including—

''(i) net changes in carbon storage resulting from changes in land use; and

''(ii) the effect of using biomass to generate electricity (including co-firing of biomass with fossil fuels) on the displacement of greenhouse gas emissions from fossil fuels.

''(3) REVIEW OF GUIDELINES.—At least once every 24 months, the Carbon Advisory Council shall meet to—

''(A) evaluate the latest scientific and observational information on reporting, monitoring, and verification of carbon storage from forest soil carbon and forest management actions; and

''(B) recommend to the Secretary, revised guidelines for reporting, monitoring, and verification of carbon storage from soil carbon and forest management actions to reflect the evaluation.

''(4) COMPLIANCE WITH OTHER LAWS.—The Advisory Committee shall meet, as necessary, to ensure that the guidelines for reporting, monitoring, and verification of carbon storage from forest management actions are revised to be consistent with any Federal or State laws enacted after the date of enactment of this section.''.

SEC. 102. NATIONAL INVENTORY AND VOLUNTARY REPORTING OF GREENHOUSE GASES.

Section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)) is amended by adding at the end the following:

''(5) AMENDMENT OF GUIDELINES.—Not later than 180 days after receiving the recommendations of the Carbon Advisory Council under subsection 1610(h)(1)(B), the Secretary (acting through the Administrator of the Energy Information Administration) shall, as appropriate, revise the guidelines established under paragraph (1) to reflect the recommendations of the Carbon Advisory Council.''.

TITLE II—FOREST CARBON MANAGEMENT

SEC. 201. FOREST CARBON STORAGE AND SEQUESTRATION.

The Global Climate Change Prevention Act of 1990 is amended by inserting after section 2403 (7 U.S.C. 6702) the following:

''SEC. 2404. FOREST CARBON MANAGEMENT.

''(a) DEFINITIONS.—In this section:

''(1) CARBON ADVISORY COUNCIL.—The term 'Carbon Advisory Council' means the Carbon Advisory Council established by section 1610(b) of the Energy Policy Act of 1992.

''(2) CARBON STORAGE.—The term 'carbon storage' means the quantity of carbon sequestered from the atmosphere and stored in forest carbon reservoirs.

''(3) FOREST CARBON PROGRAM.—The term 'forest carbon program' means the program established under subsection (b) to provide financial assistance for forest carbon activities through—

''(A) cooperative agreements; and

''(B) State revolving loan funds.

''(4) FOREST CARBON RESERVOIR.—The term 'forest carbon reservoir' means—

''(A) trees, roots, soils, or other biomass associated with forest ecosystems; and

''(B) products from the biomass that store carbon.

''(5) FOREST LAND—

''(A) IN GENERAL.—The term 'forest land' means land that is, or has been, at least 10 percent stocked by forest trees of any size.

''(B) INCLUSIONS.—The term 'forest land' includes—

''(i) land on which forest cover may be naturally or artificially regenerated; and

''(ii) a transition zone between a forested area and nonforested area that is capable of sustaining forest cover.

''(6) FOREST MANAGEMENT ACTION.—

''(A) IN GENERAL.—The term 'forest management action' means an action that—

''(i) applies forestry principles to the regeneration, management, use, and conservation of forests to meet specific goals and objectives; and

''(ii) maintains the productivity of the forests.

''(B) INCLUSIONS.—The term 'forest management action' includes management of forests for the benefit of—

''(i) aesthetics;

''(ii) fish;

''(iii) recreation;

''(iv) urban values;

''(v) water;

''(vi) wilderness;

''(vii) wildlife;

''(viii) wood products; and

''(ix) other forest values.

''(7) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

''(8) INVASIVE SPECIES.—The term 'invasive species' means a species that is not native to an ecosystem, the introduction of which may cause harm to the economy, the environment, or human health.

''(9) NONINDUSTRIAL PRIVATE FOREST.—The term 'nonindustrial private forest' means forest land that is privately owned by a person that—

''(A) does not control a forest products manufacturing facility; and

''(B) manages the land solely for the purposes of timber production.

''(10) REFORESTATION.—

''(A) IN GENERAL.—The term 'reforestation' means the reestablishment of forest cover naturally or artificially.

''(B) INCLUSIONS.—The term 'reforestation' includes—

''(i) planned replanting;

''(ii) reseeding; and

''(iii) natural regeneration.

''(11) REVOLVING LOAN PROGRAM.—The term 'revolving loan program' means a State revolving loan program established under subsection (b)(2)(A).

''(12) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

''(b) FOREST CARBON PROGRAM.—

''(1) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with willing landowners who are State or local governments, Indian tribes, private, nonprofit entities, [and other persons] to carry out forest carbon activities on private land, State land, Indian tribe land, [or private land.]

''(2) REVOLVING LOAN PROGRAM.—

''(A) IN GENERAL.—In collaboration with State Foresters and representatives of nongovernmental organizations, the Secretary shall provide assistance to States to establish a revolving loan program to carry out forest carbon activities on nonindustrial private forest land.

''(B) ELIGIBILITY.—An owner of nonindustrial private forest land shall be eligible for assistance from a revolving loan fund for forest carbon activities on not more than a total of 5,000 acres of nonindustrial private forest land of the owner.

''(C) LOAN TERMS.—

''(i) IN GENERAL.—To be eligible for a loan under this section, an owner of nonindustrial private forest land shall enter into a loan agreement with the State.

''(ii) INTEREST RATE.—The loan agreement shall have loan interest rates that are established by the State—

''(I) to encourages participation of nonindustrial private forest landowners in the revolving loan program;

''(II) to provide a net rate of return of not more than 3 percent; and

''(III) to further the objectives of this section.

''(iii) REPAYMENT.—The loan agreement shall require that loan obligations be repaid to the State—

''(I)(aa) at the time of harvest of land covered by the revolving loan program; or

''(bb) in accordance with a repayment schedule determined by the State; and

''(II) at a rate proportional to the percentage decrease of carbon stock.

''(iv) INSURANCE.—The loan agreement shall include provisions that provide for private insurance, or that release the owner from the financial obligation for any portion of the timber, forest products, or other biomass that—

''(I) is lost to insects, disease, fire, storm, flood, or other circumstance beyond the control of the owner; or

''(II) cannot be harvested because of restrictions on tree harvesting imposed by the applicable Federal, State, or local government after the date of the loan agreement.

''(v) LIEN.—The loan agreement shall—

''(I) impose a lien on all timber, forest products, and biomass produced on land covered by the loan agreement; and

''(II) provide an assurance that the terms of the lien shall transfer with the land on sale, lease, or transfer of the land.

''(vi) BUYOUT OPTION.—The loan agreement shall include a buyout option that specifies the financial terms under which the owner may terminate the agreement—

''(I) before harvesting timber from the stand established with loan funds; and

''(II) by repaying the loan with interest.

''(vii) ATTRIBUTION.—The loan agreement shall provide that, until the loan is paid in full by the participating owner or otherwise terminated in accordance with this section, all reductions in atmospheric greenhouse gases achieved as the result of the loan shall be attributed to any non-Federal entities that provide funding for the loan (including the State or any other person or nongovernmental organization that provides funding to the State for the issuance of the loan).

''(viii) MONITORING AND VERIFICATION.—The loan agreement shall include provisions for the monitoring and verification of carbon storage.

''(D) PERMANENT CONSERVATION EASEMENT.—

''(i) IN GENERAL.—A borrower may donate to the State or to another appropriate entity a permanent conservation easement that—

''(I) furthers the objectives of this section, including managing the land in a manner that maximizes the forest carbon reservoir of the land; and

''(II) permanently protects the covered private forest land and resources at a level above that required under applicable Federal, State, and local law.

''(ii) TERMS.—A permanent conservation easement under clause (i) may permit the continuation of forest management actions that—

''(I) increase carbon storage on the land and forest; or

''(II) furthers the objectives of this section.

''(iii) EFFECT ON LOAN AGREEMENT.—

''(I) REQUIRED CANCELLATION.—If the borrower donates to the State a permanent conservation easement under clause (i), the State shall cancel—

''(aa) the loan agreement under subparagraph (C); and

''(bb) any liens on the timber, forest products, and biomass under subparagraph (C)(v).

''(II) PERMISSIBLE CANCELLATION.—If the borrower donates to another appropriate entity a permanent conservation easement under clause (i), the State may cancel—

''(aa) the loan agreement under subparagraph (C); and

''(bb) any liens on the timber, forest products, and biomass under subparagraph (C)(v).

''(E) REINVESTMENT OF FUNDS.—Any funds collected under a loan issued under this section (including loan repayments, loan buyouts, and any interest payments) shall be—

''(i) reinvested by the State in the revolving loan program; and

''(ii) used by the State to make additional loans under the revolving loan program.

''(F) RECORDS.—The State Forester of a State shall—

''(i) maintain all records related to any loan agreement funded by a revolving loan fund of the State; and

''(ii) make the records available to the public.

''(G) MATCHING FUNDS.—

''(i) IN GENERAL.—Beginning the second year in which a State participates in the revolving loan program, and each year thereafter, to be eligible to receive Federal funds under this subsection a State shall provide matching non-Federal funds equal to at least 25 percent of the Federal funds made available to the State for the revolving loan program.

''(ii) ADMINISTRATION.—The State shall—

''(I) provide matching funds in the form of cash, in-kind administrative services, or technical assistance; and

''(II) establish procedures to ensure accountability for the use of Federal funds.

''(H) LOAN FUNDING DISTRIBUTION.—

''(i) FORMULA.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with State Foresters, shall—

''(I) establish a formula under which Federal funds shall be distributed under this section among eligible States; and

''(II) submit to Congress a report on the formula (including the methodology used to establish the formula).

''(ii) BASIS.—The formula shall—

''(I) be based on maximizing the potential for meeting the objectives of this section;

''(II) consider—

''(aa) the acreage of un-stocked or underproducing private forest land in each State;

''(bb) the potential productivity of the land;

''(cc) the potential long-term carbon storage of the land;

''(dd) the potential to achieve other environmental benefits;

''(ee) the number of owners eligible for loans under this section in each State; and

''(ff) the need for reforestation, timber stand improvement, or other forestry investments consistent with the objectives of this section; and

''(III) provide a priority to States that have experienced or are expected to experience significant declines in employment levels in the forestry industry because of declining timber harvests on Federal land.

''(I) PRIVATE FUNDING.—A revolving loan fund may accept and distribute as loans any funds provided by nongovernmental organizations or persons to carry out this section.

''(J) BONNEVILLE POWER ADMINISTRATION.—

''(i) IN GENERAL.—The States of Washington, Oregon, Idaho, and Montana may apply for funding from the Bonneville Power Administration for purposes of funding loans that meet—

''(I) the objectives of this section; and

''(II) the fish and wildlife objectives of the Bonneville Power Administration under the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.).

''(ii) APPLICATION OF REQUIREMENTS UNDER OTHER LAW.—An application under clause (i) shall be subject to all rules and procedures established by the—

''(I) Pacific Northwest Electric Power and Conservation Planning Council; and

''(II) the Bonneville Power Administration under the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.).

''(3) ELIGIBLE FORESTRY CARBON ACTIVITIES.—

''(A) IN GENERAL.—An owner may use a loan or other funds provided under this section to carry out eligible forestry carbon activities (as determined by the Secretary) that—

''(i)(I) help restore under-producing or understocked forest land;

''(II) provide for protection of forests from nonforest use; or

''(III) allow a variety of sustainable management alternatives; and

''(ii) have no net negative impact on watersheds and fish and wildlife habitats.

''(B) ASSISTANCE.—The Secretary, in collaboration with State Foresters, shall provide guidance on eligible forestry carbon activities under this subsection.

''(C) APPLICATION OF OTHER LAWS.—Funding shall not be provided under this section for activities required under other applicable Federal, State, or local laws.

''(D) PRE-AGREEMENT ACTIVITIES.—Funding shall not be provided for costs incurred before entering into a cooperative agreement or loan agreement under this section.

''(E) LIMITATION ON LAND CONSIDERED FOR FUNDING.—No owner shall enter into a loan agreement under this section to fund reforestation of land harvested after the date of enactment of this section if the owner received revenues from the harvest that are sufficient to reforest the land.

''(F) ELIGIBLE TREE SPECIES.—

''(i) INVASIVE SPECIES.—Selection of tree species for loan projects under this paragraph shall be consistent with Executive Order No. 13112 (42 U.S.C. 4321 note).

''(ii) PROGRAM FUNDING.—Funding for reforestation activities under this section may be provided for—

''(I) tree species native to a region;

''(II) tree species that formerly occupied the site; or

''(III) nonnative tree species or hybrids that are noninvasive.

''(G) FOREST-MANAGEMENT PLAN.—Priority shall be provided under this section to projects on land under a forestry management plan or forest stewardship plan that is consistent with the objectives of the carbon storage program.

''(H) USE OF FUNDS.—

''(i) PERMITTED USES.—Funds under this section may be used to—

''(I) pay the cost of purchasing and planting tree seedlings; and

''(II) pay other costs associated with the planted trees, including the cost of—

''(aa) planning;

''(bb) site preparation;

''(cc) forest management;

''(dd) monitoring;

''(ee) measurement and verification; and

''(ff) consultant and contractor fees.

''(ii) PROHIBITED USES.—Funds under this section shall not be used to—

''(I) pay for the labor of the owner; or

''(II) purchase capital items or expendable items, such as vehicles, tools, and other equipment.

''(I) AMOUNT OF FINANCIAL ASSISTANCE.—The amount of financial assistance provided to an owner under this section shall not exceed—

''(i) 100 percent of total project costs of the owner, including funds received from any other source; or

''(ii) $100,000 during any 2-year period.

''(J) FEDERAL FUNDING.—During fiscal years 2001 through 2010, civil penalties collected under section 113 of the Clean Air Act (42 U.S.C. 7413) and under section 309(d) of the Federal Water Pollution Control Act (33 U.S.C. 1319(d)) shall be available, without further act of appropriation, to fund cooperative agreements and revolving loan funds authorized under this section.

''(4) ALLOCATION OF FUNDS.—The Secretary shall allocate—

''(A) not less than 15 percent of available funds for cooperative agreements described in paragraph (1); and

''(B) after determining that States have implemented a system to administer loans made under paragraph (2) in accordance with this section, 85 percent of available funds for State revolving loan programs.

TITLE III—CARBON SEQUESTRATION PROGRAM

SEC. 301. ESTABLISHMENT.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by inserting after chapter 1 the following:

''CHAPTER 2—CARBON SEQUESTRATION PROGRAM

''SEC. 1238. CARBON SEQUESTRATION PROGRAM.

''(a) IN GENERAL.—Effective beginning with the 2002 calendar year, the Secretary, acting through the Chief of the Natural Resources Conservation Service, shall establish a carbon sequestration program to permit owners and operators of land located in the United States to enroll the land in the program to increase the sequestration of carbon.

''(b) ELIGIBLE LAND.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may include in the program established under this chapter any land, as determined by the Secretary.

''(2) CONSERVATION RESERVE LAND AND WETLANDS RESERVE LAND.—The Secretary may include in the carbon sequestration program land that is enrolled in the conservation reserve program or the wetlands reserve program established under subchapters B and C, respectively, of chapter 1, if the owner or operator of the land has not received any payments under the program for the implementation of carbon sequestration measures on the land.

''(c) MAXIMUM ENROLLMENT.—The Secretary may maintain up to 20,000,000 acres of land in the United States in the carbon sequestration program at any 1 time during a calendar year.

''(d) DURATION OF CONTRACT.—

''(1) IN GENERAL.—For the purpose of carrying out this chapter, the Secretary shall enter into contracts of not less than 10 years.

''(2) CERTAIN LAND.—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors under a contract entered into under this chapter, the owner or operator of the land may, within the limitations prescribed under this section, specify the duration of the contract.

''SEC. 1238A. CARBON SEQUESTRATION PRACTICES.

''(a) CRITERIA FOR EVALUATING CARBON SEQUESTRATION PRACTICES.—

''(1) IN GENERAL.—The Carbon Advisory Council established under section 1610(b) of the Energy Policy Act of 1992 shall develop, and propose to the Secretary, criteria for determining the acceptability of, and evaluating, practices by owners and operators that will increase the sequestration of carbon for the purposes of determining the acceptability of contract offers made by the owners and operators.

''(2) CONTENT.—The criteria shall address—

''(A) forest preservation and restoration and afforestation;

''(B) biodiversity enhancement;

''(C) the use of acreage to produce high-storage crops;

''(D) soil erosion management;

''(E) soil fertility restoration;

''(F) wetland restoration;

''(G) no-till farming practices;

''(H) conservation buffers;

''(I) improved cropping systems with winter cover crops; and

''(J) any other conservation practices that the Secretary determines to be appropriate for increasing carbon sequestration.

''(3) REGULATIONS.—The Secretary, acting through the Chief of the Natural Resources Conservation Service and the Chief of the Forest Service, by regulation, shall establish criteria described in paragraphs (1) and (2).

''(b) ACCEPTABILITY OF CARBON SEQUESTRATION PRACTICES.—

''(1) IN GENERAL.—As part of a contract offer accepted under this chapter, the owner or operator shall agree to carry out on land enrolled in the program established under this chapter carbon sequestration practices proposed by the owner or operator that (as determined by the Secretary)—

''(A) provide for additional sequestration beyond that which would be provided in the absence of enrollment of the land in the program; and

''(B) contribute to a positive reduction of greenhouse gases in the atmosphere through sequestration over at least a 10-year period.

''(2) MAXIMUM SEQUESTRATION BENEFITS.—In determining the acceptability of contract offers, the Secretary shall take into consideration the extent to which enrollment of the land that is the subject of the contract offer would provide the maximum sequestration benefits under the criteria developed under subsection (a).

''(c) COMPLIANCE WITH CARBON SEQUESTRATION CONTRACTS.—

''(1) IN GENERAL.—As part of a contract offer accepted under this chapter, an owner or operator of land shall permit the Secretary to verify that the owner or operator is implementing practices that sequester carbon in accordance with the contract, including an actual verification of the practices at least once every 5 years and such random inspections as are necessary.

''(2) FRAUD OR FALSE STATEMENTS.—Section 1001 of title 18, United States Code, shall apply to a statement, representation, writing, or document provided by an owner or operator under this subsection.

''(3) CONFIDENTIALITY.—Information provided by an owner or operator under this subsection shall be considered to be confidential information for the purposes of section 552(b)(4) of title 5, United States Code.

''(d) MONITORING.—The Secretary, in consultation with the Administrator of the Energy Information Administration, shall develop forms to monitor sequestration improvements made as a result of the program established under this chapter and distribute the forms to owners and operators of land enrolled in the program.

''(e) EDUCATIONAL OUTREACH.—In consultation with the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, the Secretary, acting through the Extension Service, shall conduct an educational outreach program to collect and disseminate to owners and operators of land research-based information on agricultural practices that will increase the sequestration of carbon, while preserving the social and economic well-being of the owners and operators.

''SEC. 1238B. DUTIES OF OWNERS AND OPERATORS.

''(a) IN GENERAL.—Under the terms of a contract entered into under this chapter, during the term of the contract, an owner or operator of a farm or ranch shall agree—

''(1) to implement a plan approved by the Secretary for carrying out on land subject to the contract practices that will increase the sequestration of carbon, substantially in accordance with a schedule, covering a period of not less than 10 years, that is outlined in the plan;

''(2) to place land subject to the contract in the carbon sequestration program established under this chapter;

''(3) in addition to the remedies provided under section 1238F(d), on the violation of a term or condition of the contract at any time at which the owner or operator has control of the land—

''(A) to forfeit all rights to receive rental payments and cost-sharing payments under the contract and to refund to the Secretary any rental payments and cost-sharing payments received by the owner or operator under the contract, and interest on the payments as determined by the Secretary, if the Secretary determines that the violation is of such nature as to warrant termination of the contract; or

''(B) to refund to the Secretary, or accept adjustments to, the rental payments and cost-sharing payments provided to the owner or operator, as the Secretary considers appropriate, if the Secretary determines that the violation does not warrant termination of the contract;

''(4) on the transfer of the right and interest of the owner or operator in land subject to the contract—

''(A)(i) to forfeit all rights to rental payments and cost-sharing payments under the contract; and

''(ii) to refund to the United States all rental payments and cost-sharing payments received by the owner or operator, or accept such payment adjustments or make such refunds as the Secretary considers appropriate and consistent with the objectives of this chapter; unless

''(B)(i) the transferee of the land agrees with the Secretary to assume all obligations of the contract;

''(ii) the land is purchased by or for the United States Fish and Wildlife Service; or

''(iii) the transferee and the Secretary agree to modifications to the contract that are consistent with the objectives of the program, as determined by the Secretary;

''(5) not to adopt any practice specified by the Secretary in the contract as a practice that would tend to defeat the purposes of this chapter; and

''(6) to comply with such additional provisions as the Secretary determines are desirable and are included in the contract to carry out this chapter or to facilitate the practical administration of this chapter.

''(b) PLAN.—The plan referred to in subsection (a)(1)—

''(1) shall specify the carbon sequestration practices to be carried out by the owner or operator during the term of the contract; and

''(2) may provide for the permanent retirement of any existing cropland base and allotment history for the land.

''(c) FORECLOSURE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, an owner or operator that is a party to a contract entered into under this chapter may not be required to make repayments to the Secretary of amounts received under the contract if—

''(A) the land that is subject to the contract has been foreclosed on; and

''(B) the Secretary determines that forgiving the repayments is appropriate in order to provide fair and equitable treatment.

''(2) RESUMPTION OF CONTROL.—

''(A) IN GENERAL.—This subsection shall not void the responsibilities of such an owner or operator under the contract if the owner or operator resumes control over the land that is subject to the contract within the period specified in the contract.

''(B) CONTRACT APPLICABILITY.—On the resumption of the control over the land by the owner or operator, the provisions of the contract in effect on the date of the foreclosure shall apply.

''SEC. 1238C. DUTIES OF THE SECRETARY.

''In return for a contract entered into by an owner or operator under section 1238B, the Secretary shall—

''(1) share the cost of carrying out on the land carbon sequestration practices specified in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest;

''(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

''(A) the use of carbon sequestration practices on the land; and

''(B) the retirement of any cropland base and allotment history that the owner or operator agrees to retire permanently; and

''(3) provide conservation technical assistance to assist the owner or operator in carrying out the contract.

''SEC. 1238D. PAYMENTS.

''(a) TIME OF PAYMENT.—The Secretary shall provide payment for obligations incurred by the Secretary under a contract entered into under this chapter—

''(1) with respect to any cost-sharing payment obligation incurred by the Secretary, as soon as practicable after the obligation is incurred; and

''(2) with respect to any annual rental payment obligation incurred by the Secretary—

''(A) as soon as practicable after October 1 of each calendar year; or

''(B) at the option of the Secretary, at any time before that date during the year in which the obligation is incurred.

''(b) COST-SHARING PAYMENTS.—

''(1) IN GENERAL.—In making cost-sharing payments to an owner or operator under a contract entered into under this chapter, the Secretary shall pay not more than 50 percent of the cost of carrying out carbon sequestration practices required under the contract for which the Secretary determines that cost-sharing is appropriate and in the public interest.

''(2) MAXIMUM AMOUNT.—The Secretary shall not make any payment under this chapter to the extent that the total amount of cost-sharing payments provided to an owner or operator for carbon sequestration practices from all sources would exceed 100 percent of the total cost of carrying out the practices.

''(3) OTHER FEDERAL ASSISTANCE.—An owner or operator shall not be eligible to receive or retain cost-share assistance for land under this subsection if the owner or operator receives any other Federal cost-share assistance under this subsection with respect to the land under any other provision of law.

''(c) RENTAL PAYMENTS.—

''(1) IN GENERAL.—In determining the amount of annual rental payments to be paid to owners and operators for carrying out carbon sequestration practices, the Secretary may consider, among other factors, the amount necessary to encourage owners or operators of land to participate in the program established by this chapter.

''(2) BIDS OR OTHER MEANS.—The amounts payable to owners or operators in the form of rental payments under contracts entered into under this chapter may be determined through—

''(A) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

''(B) such other means as the Secretary determines are appropriate.

''(3) FACTORS.—In determining the acceptability of contract offers, the Secretary—

''(A) shall take into consideration the extent to which enrollment of the land that is the subject of the contract offer would increase the sequestration of carbon in accordance with section 1238A;

''(B) may take into consideration the extent to which enrollment of the land that is the subject of the contract offer would improve soil resources, water quality, or wildlife habitat, or provide other environmental benefits; and

''(C) may establish different criteria in various States and regions of the United States based on the extent to which the sequestration of carbon, water quality, or wildlife habitat may be improved or erosion may be abated.

''(d) FORM OF PAYMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this section, payments under this chapter—

''(A) shall be made in cash or in the form of in-kind commodities in such amount and on such time schedule as is agreed on by the owner or operator and specified in the contract; and

''(B) may be made in advance of determination of performance.

''(2) IN-KIND COMMODITIES.—If the payment is made with in-kind commodities, the payment shall be made by the Commodity Credit Corporation—

''(A) by delivery of the commodity involved to the owner or operator at a warehouse or other similar facility located in the county in which the land subject to the contract is located or at such other location as is agreed to by the Secretary and the owner or operator;

''(B) by the transfer of negotiable warehouse receipts; or

''(C) by such other method, including the sale of the commodity in commercial markets, as is determined by the Secretary to be appropriate to enable the owner or operator to receive efficient and expeditious possession of the commodity.

''(3) SUBSTITUTION IN CASH.—If stocks of a commodity acquired by the Commodity Credit Corporation are not readily available to make full payment in kind to the owner or operator, the Secretary may substitute full or partial payment in cash for payment in kind.

''(4) STATE CARBON SEQUESTRATION PROGRAM.—Payments to an owner or operator under a special carbon sequestration program described in subsection (f)(4) shall be in the form of cash only.

''(e) PAYMENT TO OTHERS.—If an owner or operator that is entitled to a payment under a contract entered into under this chapter

dies, becomes incompetent, is otherwise unable to receive a payment under this chapter, or is succeeded by another person that renders or completes the required performance, the Secretary shall make the payment, in accordance with regulations promulgated by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all the circumstances.

''(f) PAYMENT LIMITATIONS.—

''(1) TOTAL AMOUNT.—The total amount of rental payments, including rental payments made in the form of in-kind commodities, made to a person under this chapter for any fiscal year may not exceed $50,000.

''(2) AMOUNT PER ACRE.—The amount of rental payments made to a person under this chapter for any fiscal year may not exceed $20 per acre.

''(3) REGULATIONS.—

''(A) IN GENERAL.—The Secretary shall issue regulations—

''(i) defining the term 'person' as used in this subsection; and

''(ii) prescribing such rules as the Secretary determines are necessary to ensure a fair and reasonable application of the limitation contained in this subsection.

''(B) CORPORATIONS.—The regulations issued by the Secretary on December 18, 1970, under section 101 of the Agricultural Act of 1970 (7 U.S.C. 1307) shall be used to determine whether corporations and their stockholders may be considered to be separate persons under this subsection.

''(4) OTHER PAYMENTS.—Rental payments received by an owner or operator shall be in addition to, and shall not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under—

''(A) the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127), including the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.);

''(B) the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624); or

''(C) the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

''(5) STATE CARBON SEQUESTRATION PROGRAM.—

''(A) IN GENERAL.—This subsection and section 1305(f) of the Agricultural Reconciliation Act of 1987 (7 U.S.C. 1308 note; Public Law 100–203) shall not be applicable to payments received by a State, political subdivision, or agency of a State or political subdivision in connection with agreements entered into under a special carbon sequestration program carried out by that entity that has been approved by the Secretary.

''(B) PAYMENTS TO STATES AND POLITICAL SUBDIVISIONS.—The Secretary may enter into such agreements for payments to States, political subdivisions, or agencies of States or political subdivisions as the Secretary determines will advance the purposes of this chapter.

''(g) EXEMPTION FROM AUTOMATIC SEQUESTER.—Notwithstanding any other provision of law, no order issued for any fiscal year under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall affect any payment under this chapter.

''(h) OTHER ASSISTANCE.—In addition to any payment under this chapter, an owner or operator may receive cost-share assistance, rental payments, or tax benefits from a State or political subdivision of a State for enrolling land in the carbon sequestration program.

''(i) TREATMENT OF PAYMENTS.—Payments received by an owner or operator under this chapter shall be considered rentals from real estate for the purposes of section 1402(a)(1) of the Internal Revenue Code of 1986.

''SEC. 1238E. CHANGES IN OWNERSHIP; MODIFICATION OR TERMINATION OF CONTRACTS.

''(a) CHANGES IN OWNERSHIP.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), no contract shall be entered into under this chapter concerning land with respect to which the ownership has changed in the 1-year period preceding the first year of the contract period unless—

''(A) the new ownership was acquired by will or succession as a result of the death of the previous owner;

''(B) the new ownership was acquired before April 1, 2001;

''(C) the Secretary determines that the land was acquired under circumstances that give adequate assurances that the land was not acquired for the purpose of enrolling the land in the carbon sequestration program; or

''(D) the ownership change occurred because of foreclosure on the land and the owner of the land immediately before the foreclosure exercises a right of redemption from the mortgage holder in accordance with State law.

''(2) LIMITATIONS.—Paragraph (1) shall not—

''(A) prohibit the continuation of an agreement by a new owner after an agreement has been entered into under this chapter; or

''(B) require a person to own the land as a condition of eligibility for entering into the contract if the person—

''(i) has operated the land to be covered by a contract under this section for at least 1 year preceding the later of—

''(I) the date of the contract; or

''(II) April 1, 2001; and

''(ii) controls the land for the contract period.

''(3) OPTIONS FOR NEW OWNER OR OPERATOR.—If, during the term of a contract entered into under this chapter, an owner or operator of land subject to the contract sells or otherwise transfers the ownership or right of occupancy of the land, the new owner or operator of the land may—

''(A) continue the contract under the same terms or conditions;

''(B) enter into a new contract in accordance with this chapter; or

''(C) elect not to participate in the program established by this chapter.

''(b) MODIFICATION OF CONTRACTS.—The Secretary may modify a contract entered into with an owner or operator under this chapter if—

''(1) the owner or operator agrees to the modification; and

''(2) the Secretary determines that the modification is desirable—

''(A) to carry out this chapter;

''(B) to facilitate the practical administration of this chapter; or

''(C) to achieve such other goals as the Secretary determines are appropriate, consistent with this chapter.

''(c) TERMINATION OF CONTRACTS.—

''(1) IN GENERAL.—The Secretary may terminate a contract entered into with an owner or operator under this chapter if—

''(A) the owner or operator agrees to the termination; and

''(B) the Secretary determines that the termination would be in the public interest.

''(2) CONGRESSIONAL NOTICE.—Not later than 90 days before taking any action to terminate under paragraph (1) a contract entered into under this chapter, the Secretary shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate written notice of the action.

''SEC. 1238F. BASE HISTORY.

''(a) IN GENERAL.—A reduction, based on a ratio between the total cropland acreage on the farm and the acreage placed in the carbon sequestration program authorized by this chapter, as determined by the Secretary, shall be made during the period of the contract, in the aggregate, in crop bases, quotas, and allotments on the farm with respect to crops for which there is a production adjustment program.

''(b) PRESERVATION OF BASE AND ALLOTMENT HISTORY.—Notwithstanding sections 1211 and 1221, the Secretary, by regulation, may provide for preservation of cropland base and allotment history applicable to acreage on which carbon sequestration practices are carried out under this section, for the purpose of any Federal program under which the history is used as a basis for participation in the program or for an allotment or other limitation in the program, unless the owner and operator agree under the contract to retire permanently that cropland base and allotment history.

''(c) EXTENSION OF BASE AND ALLOTMENT HISTORY.—

''(1) IN GENERAL.—The Secretary shall offer the owner or operator of a farm or ranch an opportunity to extend the preservation of cropland base and allotment history under subsection (b) for such time as the Secretary determines is appropriate after the expiration date of a contract under this chapter at the request of the owner or operator.

''(2) CONDITIONS.—In return for the extension, the owner or operator shall agree to continue to abide by the terms and conditions of the original contract, except that the owner or operator shall receive no additional cost share, annual rental, or bonus payment.

''(d) VIOLATION OF CONTRACTS.—In addition to any other remedy prescribed by law, the Secretary may reduce or terminate the quantity of cropland base and allotment history preserved under this section for acreage with respect to which there has occurred a violation of a term or condition of a contract entered into under this chapter.

''SEC. 1238G. CARBON MONITORING PILOT PROGRAMS.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary, in cooperation with the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, shall carry out 4 or more pilot programs to develop, demonstrate, and verify the best management practices for carbon monitoring on agricultural land.

''(2) CRITERIA.—The Secretary shall select pilot programs based on—

''(A) the merit of the proposed program; and

''(B) the diversity of soil sequestration types available at the site of the proposed program.

''(b) REQUIREMENTS.—Pilot programs carried out under this section shall—

''(1) involve agricultural producers in the development and verification of best management practices for carbon monitoring on agricultural land;

''(2) involve research and testing of the best management practices in various soil types and climactic zones;

''(3) analyze the effects of the adoption of the best management practices on watershed levels; and

''(4) use the results of the research conducted under the program to—

''(A) encourage agricultural producers to adopt the best management practices;

''(B) analyze the economic impact of the best management practices; and

''(C) develop the best management practices on a regional basis for watersheds and States not participating in the pilot programs.

''SEC. 1238H. FUNDING.

''The Secretary shall use to carry out this chapter (including to pay administrative

costs incurred by the Natural Resources Conservation Service in carrying out this chapter)—

''(1) funds of the Commodity Credit Corporation made available under section 1241(a)(3); and

''(2) at the option of, and transfer by, another Federal agency, funds of the agency that are available to the agency for climate change initiatives or greenhouse gas emission reductions.''.

SEC. 302. FUNDING.

Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by striking ''chapter 4'' and inserting ''chapters 2 and 4''.

SEC. 303. REGULATIONS.

(a) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this title, the Secretary of Agriculture shall publish in the Federal Register proposed regulations for carrying out this title and the amendments made by this title.

(b) FINAL REGULATIONS.—Not later than 60 days after the date of publication of the proposed regulations, the Secretary shall promulgate final regulations for carrying out this title and the amendments made by this title.

SEC. 304. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title take effect on January 1, 2002.

(b) REGULATIONS.—Section 203 takes effect on the date of enactment of this title.

TITLE IV—REPORTS

SEC. 401. INITIAL REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Agriculture and other appropriate Federal agencies, shall submit to Congress a report on—

(1) the quantity of carbon contained in the forest carbon reservoir of the National Forest System and the methodology and assumptions used to determine that quantity;

(2) the potential to increase the quantity of carbon in the National Forest System and provide positive impacts on watersheds and fish and wildlife habitats through forest management actions;

(3) the role of forests in the carbon cycle; and

(4) the contributions of United States forestry to the global carbon budget.

(b) CONTENTS.—The report shall include an assessment of the impact of forest management actions on timber harvests, wildlife habitat, recreation, forest health, and other statutory objectives of National Forest System management.

SEC. 402. ANNUAL REPORT.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of Energy shall jointly submit an annual report on the results of the carbon storage program under section 2404(b) of the Global Climate Change Prevention Act of 1990 and carbon sequestration program under section 1238 of the Food Security Act of 1985 to—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition and Forestry of the Senate;

(3) the Committee on Resources of the House of Representatives; and

(4) the Committee on Energy and Natural Resources of the Senate.

(b) GUIDELINES.—The Secretary of Agriculture, in consultation with the Carbon Advisory Council established under section 1610(b) of the Energy Policy Act of 1992, shall develop guidelines for the annual report that—

(1) require a statement of the quantity of carbon storage realized;

(2) include the data used to monitor and verify the carbon storage;

(3) are consistent with reporting requirements of the Energy Information Administration; and

(4) prevent soil carbon and forest carbon management actions from being counted twice.

(c) CONTENTS.—The report shall include—

(1) the information required by the guidelines developed under section 1610(h) of the Energy Policy Act of 1992;

(2) an assessment of the effectiveness of carbon monitoring and verification;

(3) a report on carbon activities associated with cooperative agreements for the forest carbon program under section 2404(b)(1) of the Global Climate Change Prevention Act of 1990;

(4) a State forest carbon program compliance report established by—

(A) reviewing reports submitted by States under section 403;

(B) verifying compliance with the guidelines developed under subsection 1610(h) of the Energy Policy Act of 1992;

(C) notifying the State of compliance status;

(D) notifying the State of any corrections that are needed to attain compliance; and

(E) establishing an opportunity for resubmission by the State; and

(5) an assessment of the effectiveness of the carbon sequestration program established under section 1238 of the Food Security Act of 1985, including a report on—

(A) sequestration improvements made as a result of the carbon sequestration program;

(B) sequestration practices on land enrolled in the carbon sequestration program; and

(C) compliance with contracts entered into under the carbon sequestration program.

SEC. 403. STATE REPORT.

Entities participating in cooperative agreements for forest carbon programs under section 2404(b)(1) of the Global Climate Change Prevention Act of 1990, and States receiving assistance to establish a revolving loan fund under section 2404(b)(2) of that Act, shall—

(1) monitor and verify carbon storage achieved under the forest carbon program in accordance with guidelines developed under section 1610(h)(2) of the Energy Policy Act of 1992; and

(2) submit an annual report on the results of the carbon storage program to—

(A) the Secretary of Agriculture; and

(B) any nongovernmental organization or person that provides funding for the carbon storage program.

THE CARBON SEQUESTRATION AND REPORTING ACT—BILL SUMMARY

SUMMARY

The purposes of the bill are to develop monitoring and verification systems for carbon reporting in forestry and agricultural soils, to increase carbon sequestration in forests and agricultural soils by encouraging private sector investment in forestry and conservation in agriculture, and to promote both the forestry and agriculture economies in the United States. This bill is a combination of two previously introduced bills, S. 820 and S. 785, introduced by Senators Wyden and Brownback respectively.

Title I: Carbon Advisory Council: Guidelines for Accurate Carbon Accounting for Forests. The bill directs the Secretary of Energy and the Secretary of Agriculture, through the Forest Service, to establish scientifically-based guidelines for accurate reporting, monitoring, and verification of carbon storage from forest management actions. The bill establishes a multi-stakeholder Carbon and Forestry Advisory Council to assist USDA in developing the guidelines.

Title II: Forest Carbon Management: State Revolving Loan Programs/Cooperative Agreements. The bill provides assistance to plant and manage underproducing or understocked forests to increase carbon sequestration by authorizing a state-run revolving loan program. Assistance is provided through Cooperative Agreements with State or local governments, American Indian Tribes, Alaska natives, native Hawaiians, and private-nonprofit entities; or through loans to nonindustrial private forest landowners. The Federal share of funding for Cooperative Agreements and the loan program will come from penalties that are being assessed against violators of the Clean Air Act and the Clean Water Act (civil penalties assessed in FY 1998 totaled $45 million).

Title III: Carbon Sequestration Program: Agriculture Conservation Program. The bill authorizes USDA contracts for a minimum of 10 years for farmers who wish to conserve land, improve water quality and sequester carbon by employing conservation practices, like no-till farming and the use of buffer strips to enhance carbon sequestration. The USDA would be required—in conjunction with other agencies—to finalize criteria for measuring the carbon-storing ability of various conservation practices. This bill allows farmers to submit plans on how they would store carbon on their land. Landowners already employing carbon-conservation practices would also be eligible. Participation in this program is completely voluntary, and is limited to 20 million total acres at a maximum $20 per acre.

Title IV Reports: Report on Options to Increase Carbon Storage on Federal Lands: The bill directs the Secretary of Agriculture, through the Forest Service, to report to Congress on forestry options to increase carbon storage in the National Forest System. *Forestry and Agriculture Reporting:* This bill will provide for a documented carbon database reported by participants to the Administrator of Energy Information Administration. The Administrator shall develop forms to keep track of both domestic and international sequestration gains. This data will provide a road map for dealing with climate change through independent carbon market offsets in the future.

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mrs. CARNAHAN, Mr. CHAFEE, Mr. CLELAND, Mrs. CLINTON, Ms. COLLINS, Mr. Craig, Mr. DASCHLE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mr. GRASSLEY, Mr. GREGG, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. ROBERTS, Mr. REID, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER,

Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Mr. NELSON of Nebraska, and Mr. CARPER):

S. 1256. A bill to provide for the reauthorization of the breast cancer research special postage stamp, and for other purposes; to the Committee on Governmental Affairs.

Mrs. FEINSTEIN. Mr. President, on behalf of Senator HUTCHISON and myself and 71 other Senate cosponsors, I rise today to offer legislation to extend the life of the Breast Cancer Research Stamp for an additional six years.

I was surprised by the U.S. Postal Service's recent rule-making which could possibly terminate the Breast Cancer Research Stamp program by next July. The Postal Service effectively decided to permit only one stamp to be issued at a time to raise funds for a specific cause.

This rule would therefore force competition for survival among a number of other potential and worthy fund-raising stamps. This action would be a terrible mistake.

The Breast Cancer Research Stamp has demonstrated itself to be a highly effective and self-supporting fund-raiser.

To date, the stamp has raised $21.1 million for research in addition to the $60,000 the Postal Service has recovered for administrative costs.

Every year the stamp has existed, it has generated strong consumer sales. In two months of operation in fiscal year 1998, consumers bought 9.2 million stamps, generating $700,000 for research on net sales of $3.68 million.

In fiscal year 1999, consumers bought 101.2 million stamps, yielding 7.5 million for research on net sales of $40.48 million.

In fiscal year 2000, consumers purchased 119.9 million stamps, garnering $8 million for research on net sales of $47.96 million.

In fiscal year 2001, the program continues to be vital. With two months remaining, consumers have already bought 75.2 million stamps, raising $4.8 million for research on sales of $30.08 million.

In total, the American people have purchased 305 million Breast Cancer Research stamps. This means that, on average, more than one stamp has been purchased for every citizen in our Nation and 100 million stamps were sold per year since the stamp was first introduced in August 1998.

Clearly, the program continues to have a strong and committed customer base.

We should also recognize that the National Cancer Institute and the Department of Defense have put these research dollars to good use by funding novel and innovative research in the area of breast cancer.

According to Dr. Richard Klausner, National Cancer Institute director, these awards benefit ''over a dozen critical areas of breast cancer research.''

Millions of Americans have bought the stamps to honor loved ones with the disease, to highlight their own personal battle with breast cancer, or to promote general public awareness. Virtually everywhere I travel, people tell me they buy the stamps in the hopes of helping to find a cure.

Moreover, one cannot calculate in dollars or cents the value the stamp has played in increasing the visibility of the disease and the need for additional research funding.

The life of such an extraordinary program should not prematurely end because of an administrative decision.

There is still so much more to do because this disease has far reaching effects on our nation: breast cancer remains the leading cause of cancer among women. In 2001, approximately 192,200 women will get breast cancer. This year 40,200 women will die from breast cancer. Breast cancer represents 31 percent of all new cancers faced by women. Approximately 3 million women in the United States are living with breast cancer. Of these individuals, 2 million know they have the disease, and 1 million remain unaware of their condition.

We have learned over the past few years how effective the Breast Cancer Research Stamp is at promoting public awareness of the disease. Yet, we still must reach out to the one million American women who do not know of their cancer.

Some may argue that the Breast Cancer Stamp should end so that other semi-postal stamps can have their turn at raising funds for a cause.

But it is a faulty premise that only one semi-postal stamp can succeed at a time. I believe there is room for multiple fund-raising stamps at the same time.

Every year, the Postal Service issues dozens of commemorative steps. In 2001, for example, the Postal Service sold stamps commemorating topics as various as diabetes awareness, Black Heritage, and military veterans. Many of these stamps have sold extraordinarily well.

The viability of a postage stamp depends on its appeal to postal customers. Over a three year period, the Breast Cancer Research has demonstrated a sustained and committed customer base.

I urge my colleagues to join me in passing this important legislation to grant the Breast Cancer Stamp another six years. Every dollar raised to fight the disease can help save lives.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1256

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

SECTION 1. REAUTHORIZATION OF BREAST CANCER RESEARCH SPECIAL POSTAGE STAMP.

(a) SHORT TITLE.—This Act may be cited as the ''Breast Cancer Research Stamp Act of 2001''.

(b) REAUTHORIZATION AND INAPPLICABILITY OF LIMITATION.—

(1) IN GENERAL.—Section 414 of title 39, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) For purposes of section 416 (including any regulation prescribed under subsection (e)(1)(C) of that section), the special postage stamp issued under this section shall not apply to any limitation relating to whether more than 1 semipostal may be offered for sale at the same time.

''(h) This section shall cease to be effective after July 29, 2008.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the earlier of—

(A) the date of enactment of this Act; or

(B) July 29, 2002.

(c) RATE OF POSTAGE.—Section 414(b) of title 39, United States Code, is amended—

(1) in paragraph (1), by striking ''of not to exceed 25 percent'' and inserting ''of not less than 15 percent''; and

(2) by adding after the sentence following paragraph (3) the following: ''The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.''.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 139—DESIGNATING SEPTEMBER 24, 2001, AS ''FAMILY DAY—A DAY TO EAT DINNER WITH YOUR CHILDREN''

Mr. BIDEN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 139

Whereas the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of the Nation's children;

Whereas surveys conducted by the National Center on Addiction and Substance Abuse at Columbia University have consistently found that children and teenagers who routinely eat dinner with their families are far less likely to use illegal drugs, cigarettes, and alcohol;

Whereas teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol, and cigarettes;

Whereas teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol, and cigarettes;

Whereas the correlation between family dinners and reduced risk for teenage substance abuse are well-documented;

Whereas parental influence is known to be 1 of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

Whereas family dinners have long constituted a pillar of family life in America: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 24, 2001, as ''Family Day—A Day to Eat Dinner With Your Children'';

(2) recognizes that eating dinner as a family is an important step toward raising drug-free children; and

(3) requests that the President issue a proclamation calling upon—

(A) the parents of the children of the United States to observe the day by eating dinner with their children; and

(B) the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. BIDEN. Mr. President I rise today with my colleague Senator GRASSLEY to introduce a resolution to designate Monday, September 24, 2001 as ''Family Day: A Day to Eat Dinner With Your Children.'' A similar resolution has been introduced in the House of Representatives by Representative RANGEL.

Last year, the Senate passed the first Family Day resolution. Since that time, a number of States have followed suit. The Governors of several States—including Alabama, Connecticut, Florida, Indiana, Maine, Nebraska, New Hampshire, New Jersey, Ohio, and South Carolina, have already issued Family Day proclamations and additional States are expected to do so in the near future. Family Day has been endorsed by the National Family Partnership, the U.S. Conference of Mayors, the National Association of Counties, the National Fatherhood Initiative, the National Restaurant Association, Join Together, the National Council on Family Relations, and the Community Anti-Drug Coalitions of America. The U.S. Chamber of Commerce is also urging its member chambers to adopt Family Day.

The idea for the resolution grew out of research done by The National Center on Addiction and Substance Abuse at Columbia University, CASA, a New York-based research organization led by former Secretary of Health Education and Welfare Joseph A Califano, Jr. Among CASA's many projects is an annual survey of the attitudes of teens and their parents on issues related to drugs, alcohol and cigarettes.

In its past three surveys, CASA has found that the more often a child eats dinner with his or her parents, the less likely that child is to use addictive substances. The results from the 1999 survey were the most striking, revealing that teens who almost always eat dinner with their families are 31 percent less likely than the average teen to smoke, drink or use illegal drugs and that teens who virtually never eat dinner with their families are 72 percent more likely to engage in these activities.

Of course, having dinner as a family is just a proxy for spending time with kids. It is not the meat, potatoes and vegetables that alter a child's likelihood to use drugs. It is the everyday time spent with mom and dad, the two most important role models in most kids lives.

I do not believe that this resolution will be the silver bullet to solving this Nation's drug problem. But I do feel these statistics are telling. CASA President Joe Califano talks about ''Parent Power.'' It is important that parents know the power they have over their children's decisions and the power that they have to deter kids from drinking, smoking or using drugs. For example, nearly half of the teens who have never used marijuana say that it was lessons learned from their parents that helped them to say no.

Unfortunately, many parents are pessimistic about their ability to keep their kids drug-free; forty-five percent admit that they are resigned to the fact that their child will use an illegal drug in the future.

This pessimism is often reinforced by news reports that indicate that while most parents say that they have talked to their kids about the dangers of drugs, only a minority of teens recall the discussion. Rather than be discouraged by this apparent disconnect, I think it should teach us an important lesson: that talking to kids about drugs ought not just be a one-time conversation. Rather, it must be an ongoing discussion.

Keeping up on children's lives, including knowing who their friends are and what they are doing after school, is critical. The experts tell us that some of the telltale signs that a child is drinking or using illicit drugs include behavior changes, change in social circle, lack of interest in hobbies and isolation from family. These changes can be subtle; picking up on them requires a watchful eye.

Eating dinner as a family will not guarantee that a child will remain drug-free. But family dinners are an important way for parents to instill their values in their children as well as remain connected with the challenges that children face and help them learn how to cope with problems and pressures without resorting to smoking, drinking or using drugs.

I sincerely hope that all of my colleagues join me to support this resolution and send a message to parents that they can play a powerful role in shaping the decisions their kids make regarding drinking, smoking and drug use.

Mr. GRASSLEY. Mr. President, I am pleased to join my colleague Senator BIDEN in introducing a bi-partisan resolution designating September 24, 2001 as ''Family Day: A Day to Eat Dinner With Your Children.'' This resolution recognizes the benefits of eating dinner as a family, especially as a way to keep children from using illegal drugs, tobacco, and alcohol.

Many of us here in this Chamber are parents, and some of us are even grand parents. We know the trials and difficulties of raising children. But we also know the rewards, as a father, one of my proudest moments is seeing the success of my children as they raise their own families. What I know, what many parents have come to realize, and what we are trying to emphasize through Family Day, is spending time with your children, having dinner with them regularly, is one of the best ways to develop and maintain a healthy family, and encourage our children to make healthy choices.

Senator BIDEN spoke about the most recent survey from the National Center on Addiction and Substance Abuse. And those are scary numbers, but also hopeful ones. Kids listen. Teens do recognize what their parents say. They see what their parents do. Communication is the key to all of this, and communication at the dinner table is a wonderful place for this to happen. All of this shows how essential it is for parents to get involved in their children's lives.

The family unit is the backbone of this country. Solutions to our drug problems involve all of us working together. Parents and communities must be engaged and I am committed to help making that happen. Parents need to provide a strong moral context to help our young people know how to make the right choices. They need to know how to say ''no,'' that saying no is okay, that saying no to drugs is the right thing to do—not just the safe or healthier thing, but the right thing.

I am pleased to join with Senator BIDEN, the National Center on Addiction and Substance Abuse, the Community Anti-Drug Coalitions of America, and the National Restaurant Association in designating September 24, 2001, as ''Family Day: a Day to Eat Dinner With Your Children.'' I urge our colleagues to join us.

SENATE CONCURRENT RESOLUTION 61—TO WAIVE THE PROVISIONS OF THE LEGISLATIVE REORGANIZATION ACT OF 1970 WHICH REQUIRE THE ADJOURNMENT OF THE HOUSE AND SENATE BY JULY 31ST

Mr. DASCHLE (for himself and Mr. LOTT) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 61

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the provisions of section 132(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 198(a)), the Senate and the House of Representatives shall not adjourn for a period in excess of three days, or adjourn sine die, until both Houses of Congress have adopted a concurrent resolution providing either for an adjournment (in excess of three days) to a day certain or for adjournment sine die.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1158. Mr. DAYTON (for himself and Mr. WELLSTONE) submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

SA 1159. Mr. GRAMM submitted an amendment intended to be proposed by him to the

bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1160. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1161. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1162. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1163. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1164. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1165. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1166. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1167. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1168. Mr. GRAMM proposed an amendment to amendment SA 1030 submitted by Mrs. MURRAY and intended to be proposed to the amendment SA 1025 proposed by Mrs. MURRAY to the bill (H.R. 2299) supra.

SA 1169. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1170. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1171. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1172. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1173. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1174. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1175. Mr. FITZGERALD (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1071 submitted by Mr. FITZGERALD and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1176. Ms. SNOWE (for herself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1130 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1177. Ms. SNOWE (for herself, Mr. MCCAIN, Mr. BREAUX, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1132 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1178. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1179. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1180. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1181. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1182. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1183. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1184. Mr. SMITH, of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1185. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1186. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1187. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1188. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill (S. 1246) to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1158. Mr. DAYTON (for himself and Mr. WELLSTONE) submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3 . PRIORITY HIGHWAY PROJECTS, MINNESOTA.

In selecting projects to carry out using funds apportioned under section 110 of title 23, United States Code, the State of Minnesota shall give priority consideration to the following projects:

(1) The Southeast Main and Rail Relocation Project in Moorhead, Minnesota.

(2) Improving access to and from I–35 W at Lake Street in Minneapolis, Minnesota.

SA 1159. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows;

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective one day after the date of enactment of this Act.''.

SA 1160. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective one day after the date of enactment of this Act.''.

SA 1161. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective one day after the date of enactment of this Act.''.

SA 1162. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective two days after the date of enactment of this Act.''.

SA 1163. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective three days after the date of enactment of this Act.''.

SA 1164. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective four days after the date of enactment of this Act.''.

SA 1165. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That this provision shall be effective five days after the date of enactment of this Act.''.

SA 1166. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies

for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That notwithstanding any other provision of this Act, and consistent with United States obligations under the North American Free Trade Agreement, nothing in this Act shall be applied so as to discriminate against Mexico by imposing any requirements on a Mexican motor carrier that seeks to operate in the United States that do not exist with regard to United States and Canadian motor carriers, in recognition of the fact that the North American Free Trade Agreement is an agreement among three free and equal nations, each of which has recognized rights and obligations under that trade agreement.''.

SA 1167. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That effective one day after the date of enactment of this Act, notwithstanding any other provision of this Act, and consistent with United States obligations under the North American Free Trade Agreement, nothing in this Act shall be applied so as to discriminate against Mexico by imposing any requirements on a Mexican motor carrier that seeks to operate in the United States that do not exist with regard to United States and Canadian motor carriers, in recognition of the fact that the North American Free Trade Agreement is an agreement among three free and equal nations, each of which has recognized rights and obligations under that trade agreement.''.

SA 1168. Mr. GRAMM proposed an amendment to amendment SA 1030 submitted by Mrs. MURRAY and intended to be proposed to the amendment SA 1025 proposed by Mrs. MURRAY to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following: ''*Provided*, That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the North American Free Trade Agreement.''

SA 1169. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That effective one day after the date of enactment of this Act, not withstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the North American Free Trade Agreement.''

SA 1170. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, insert the following:

SEC. . General Mitchell International Airport in Milwaukee, Wisconsin shall be considered as an alternative airport in any plan relating to alleviating congestion at O'Hare International Airport.

SA 1171. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the amendment, insert the following:

SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND NAFTA COUNTRIES.

(a) STUDY BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct a study on the extent to which motor carriers from a NAFTA country currently operating in the United States, or applying for a long-haul permit to operate in the United States, meet or exceed the safety standards required for United States motor carriers.

(2) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall report to Congress on the results of the study conducted under paragraph (1).

(B) CONTENTS.—The report shall specify whether, according to the Department of Transportation standards relating to inspected motor carriers that are ordered off the road, the motor carriers from each of the NAFTA countries—

(i) meet or exceed the Department of Transportation standards compared to United States motor carriers; or

(ii) have a failure rate greater than United States motor carriers.

(3) ACTION BASED ON REPORT.—If the report described in paragraph (2) establishes that the motor carriers from a NAFTA country meet or exceed United States motor carrier standards, subsection (b) shall not apply with respect to the motor carriers of that country. If the report establishes that the motor carriers of a NAFTA country have a greater rate of failure than United States motor carriers, the provisions of subsection (b) shall apply with respect to the motor carriers of that country for fiscal year 2002.

(4) NAFTA COUNTRY.—For purposes of this section, the term ''NAFTA country'' has the meaning given that term in section 2(4) of the North American Free Trade Agreement Implementation Act.

(b) REVIEW AND PROCESSING CERTAIN APPLICATIONS.—In the case of a NAFTA country whose motor carriers have a greater rate of failure of the Department of Transportation inspections pursuant to the report described in subsection (a), no funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a motor carrier from that NAFTA country for authority to operate beyond United States municipalities and commercial zones on the United States border with that country until—

(1) the Federal Motor Carrier Safety Administration—

(A) performs a full safety compliance review of the carrier consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, and gives the carrier a satisfactory rating before granting conditional and, again, before granting permanent authority to any such carrier;

(B) requires that any such safety compliance review take place onsite at the motor carrier facilities of the NAFTA country;

(C) requires Federal and State inspectors to verify electronically the status and validity of the license of each driver of a commercial motor carrier from the NAFTA country crossing the border;

(D) gives a distinctive Department of Transportation number to each motor carrier from that NAFTA country operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires State inspectors whose operations are funded in part or in whole by Federal funds to check for violations of Federal motor carrier safety laws and regulations, including those pertaining to operating authority and insurance;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) equips all United States border crossings with that NAFTA country with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and requires that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no motor carrier from that NAFTA country will be granted authority to operate beyond United States municipalities and commercial zones on the United States border with that country unless that carrier provides proof of valid insurance with an insurance company licensed and based in the United States; and

(I) publishes in final form regulations—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers from that NAFTA country, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States border with that NAFTA country;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a motor carrier from that NAFTA country may not enter the United States at a border crossing unless an inspector is on duty; and

(2) the Department of Transportation Inspector General certifies in writing that—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in a NAFTA country consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States border with a NAFTA country, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by motor carriers from NAFTA countries seeking authority to operate beyond United States municipalities and commercial zones on the United States border ;

(E) the information infrastructure of the government of the NAFTA country is sufficiently accurate, accessible, and integrated with that of United States law enforcement authorities to allow United States authorities to verify the status and validity of licenses, vehicle registrations, operating authority and insurance of motor carriers from that NAFTA country while operating in the United States, and that adequate telecommunications links exist at all United States-NAFTA country border crossings used by motor carrier commercial vehicles from that NAFTA country, and in all mobile enforcement units operating adjacent to the border, to ensure that licenses, vehicle registrations, operating authority and insurance information can be easily and quickly verified at border crossings or by mobile enforcement units;

(F) there is adequate capacity at each United States-NAFTA country border crossing used by motor carrier commercial vehicles from that NAFTA country to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections;

(G) there is an accessible database containing sufficiently comprehensive data to allow safety monitoring of all motor carriers from that NAFTA country that apply for authority to operate commercial vehicles beyond United States municipalities and commercial zones on the United States-NAFTA country border and the drivers of those vehicles; and

(H) measures are in place in the NAFTA country, similar to those in place in the United States, to ensure the effective enforcement and monitoring of license revocation and licensing procedures.

SA 1172. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided,* That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the Inspector General of the Department of Transportation certifies to be in violation of the North American Free Trade Agreement.''

SA 1173. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided,* That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the Department of Transportation Inspector General certifies to be in violation of the United States' obligations regarding the granting of operating authority to Mexican motor carriers.''

SA 1174. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided,* That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the United States' obligations regarding the granting of operating authority to Mexican motor carriers.''

SA 1175. Mr. FITZGERALD (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1071 submitted by Mr. FITZGERALD and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

In the matter proposed to be inserted, strike ''preserving service at Chicago Meigs Airport ('Meigs Field'),'' and insert ''preserving and utilizing existing Chicago-area reliever and general aviation airports,''.

SA 1176. Ms. SNOWE (for herself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1130 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

After ''Coast Guard.'' add the following: ''No percentage limitation on funds made available for depot-level maintenance and repair workload may be imposed as a result of this section.''.

SA 1177. Ms. SNOWE (for herself, Mr. MCCAIN, Mr. BREAUX, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1132 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

Add before the period the following: ''and insert the following:

SEC. 332, Notwithstanding any other provision of this Act, section 328 shall have no force or effect.

SA 1178. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that imposes additional requirements on Mexican nationals not imposed on Canadian nationals.

SA 1179. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals.

SA 1180. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals.

SA 1181. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals effective one day after the date of enactment of this Act.

SA 1182. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that impose additional requirements on Mexican nationals

than imposed on Canadian nationals effective one day after the date of enactment of this Act.

SA 1183. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals effective one day after the date of enactment of this Act.

SA 1184. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. ___. SENSE OF THE SENATE ON FUNDING FOR THE NATIONAL SCENIC BYWAYS PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) Congress authorized the national scenic byways program (referred to in this section as the ''program'') under section 1219 of the Transportation Equity Act for the 21st Century (112 Stat. 219), which added section 162 of title 23, United States Code, to identify and recognize roads that have outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities;

(2) the program directs that, upon nomination by a State or a Federal land management agency, the Secretary of Transportation has authority to designate roads to be recognized under the program as All-American Roads or National Scenic Byways;

(3) the program provides discretionary grants for—

(A) scenic byway projects on an All-American Road, a National Scenic Byway, or a State-designated scenic byway; and

(B) planning, designing, and developing State scenic byway programs;

(4) Congress established priorities and eligibility criteria for the program in order to ensure that a project protects the scenic, historic, cultural, natural, recreational, and archaeological integrity of a highway and adjacent areas;

(5) using the criteria and guidance authorized under section 162 of title 23, United States Code, the Secretary of Transportation applies a competitive selection process to make grants to a wide variety of projects, with the project funding requests for each year being 3 times the amount of available funds;

(6) since authorization of the program under the Transportation Equity Act for the 21st Century, the Secretary of Transportation has received applications totaling over $60,000,000 each year, and has distributed grants totaling over $20,000,000 for each fiscal year, of which—

(A) in fiscal year 1999, 242 projects were funded out of 286 projects requested from 39 States;

(B) in fiscal year 2000, 122 projects were funded out of 262 projects requested from 42 States; and

(C) in fiscal year 2001, 142 projects were funded out of 288 projects requested from 43 States;

(7) for fiscal year 2002, the Secretary of Transportation has received application requests for 281 projects from 41 States;

(8) for the first time since the Transportation Equity Act for the 21st Century authorized annual funding for the national scenic byways program, the Committee reports by the Committees on Appropriations of the House of Representatives and the Senate for fiscal year 2002 have directed the program funds to specific activities, with the Senate Committee report directing the full amount of $28,550,348 provided for the program to only 6 States; and

(9) directing funds for the program to specific activities—

(A) thwarts the purposes of the program; and

(B) severely limits the number and variety of projects to receive grants.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the authorized amount for the national scenic byways program under the Transportation Equity Act for the 21st Century of $28,848,128 for fiscal year 2002 should be available for discretionary grant award by the Secretary of Transportation; and

(2) none of those funds should be directed to specific activities by Congress.

SA 1185. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, please insert:

SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO.

No funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a Mexican motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States–Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of the carrier before granting conditional and, again, before granting permanent authority to any such carrier;

(ii) requires that such safety review shall, at a minimum, include the verification of available safety performance data necessary to determine the carrier's preparedness to comply with United States motor carrier safety rules and regulations;

(B) requires that any such safety compliance review should take place onsite at the Mexican motor carrier's facilities where such onsite review is necessary to ensure compliance with United States motor carrier safety rules and regulations;

(C) requires a policy whereby Federal and State inspectors randomly verify electronically the status and validity of the license of drivers of Mexican motor carrier commercial vehicles crossing the border;

(D) gives a distinctive Department of Transportation number to each Mexican motor carrier operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires—

(i) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority to operate beyond United States municipalities and commercial zones on the United States–Mexico border that do not display a valid Commercial Vehicle Safety Alliance in accordance with the requirements for a Level I inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and

(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when it is determined that such vehicle has a safety violation subsequent to the inspection for which the decal was granted;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) initiates a study to determine whether (i) to equip significant United States-Mexico border crossings with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and (ii) to require that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no Mexican motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States; and

(I) publishes in final form regulations or issues policies—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a Mexican motor carrier may not enter the United States at a border crossing unless an inspector is on duty or transmits to the Congress within 30 days of the date of enactment of this Act, a notice in writing that it will not be able to complete such

rulemaking or issue such policy, that explains why it will not be able to complete such rulemaking or policy, and the date by which it expects to complete such rulemaking or policy; and

(2) the Department of Transportation Inspector General reports in writing to the Secretary of Transportation and the Congress that he will periodically report on—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in Mexico consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States-Mexico border, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by Mexican motor carriers seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(E) there is adequate capacity at each United States-Mexico border crossing used by Mexican motor carrier commercial vehicles to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections;

For purposes of this section, the term ''Mexican motor carrier'' shall be defined as a Mexico-domiciled motor carrier operating beyond United States municipalities and commercial zones on the United States-Mexico border.

SA 1186. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter being proposed please insert:

SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO.

No funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a Mexican motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of the carrier before granting conditional and, again, before granting permanent authority to any such carrier;

(ii) requires that such safety review shall, at a minimum, include the verification of available safety performance data necessary to determine the carrier's preparedness to comply with United States motor carrier safety rules and regulations;

(B) requires that any such safety compliance review should take place onsite at the Mexican motor carrier's facilities where such onsite review is necessary to ensure compliance with United States motor carrier safety rules and regulations;

(C) requires a policy whereby Federal and State inspectors randomly verify electronically the status and validity of the license of drivers of Mexican motor carrier commercial vehicles crossing the border;

(D) gives a distinctive Department of Transportation number to each Mexican motor carrier operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires—

(i) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance in accordance with the requirements for a Level I inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and

(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when it is determined that such vehicle has a safety violation subsequent to the inspection for which the decal was granted;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) initiates a study to determine whether (i) to equip significant United States-Mexico border crossings with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and (ii) to require that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no Mexican motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States; and

(I) publishes in final form regulations or issues policies—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a Mexican motor carrier may not enter the United States at a border crossing unless an inspector is on duty

or transmits to the Congress within 30 days of the date of enactment of this Act, a notice in writing that it will not be able to complete such rulemaking or issue such policy, that explains why it will not be able to complete such rulemaking or policy, and the date by which it expects to complete such rulemaking or policy; and

(2) the Department of Transportation Inspector General reports in writing to the Secretary of Transportation and the Congress that he will periodically report on—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in Mexico consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States-Mexico border, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by Mexican motor carriers seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(E) there is adequate capacity at each United States-Mexico border crossing used by Mexican motor carrier commercial vehicles to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections.

For purposes of this section, the term ''Mexican motor carrier'' shall be defined as a Mexico-domiciled motor carrier operating beyond United States municipalities and commercial zones on the United States-Mexico border.

SA 1187. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the Amendment please insert:

SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO.

No funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a Mexican motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of the carrier before granting conditional and, again, before granting permanent authority to any such carrier;

(ii) requires that such safety review shall, at a minimum, include the verification of available safety performance data necessary to determine the carrier's preparedness to comply with United States motor carrier safety rules and regulations;

(B) requires that any such safety compliance review should take place onsite at the Mexican motor carrier's facilities where such onsite review is necessary to ensure compliance with United States motor carrier safety rules and regulations;

(C) requires a policy whereby Federal and State inspectors randomly verify electronically the status and validity of the license of drivers of Mexican motor carrier commercial vehicles crossing the border;

(D) gives a distinctive Department of Transportation number to each Mexican motor carrier operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires—

(i) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance in accordance with the requirements for a Level I inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and

(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when it is determined that such vehicle has a safety violation subsequent to the inspection for which the decal was granted;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) initiates a study to determine whether (i) to equip significant United States-Mexico border crossings with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and (ii) to require that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no Mexican motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States; and

(I) publishes in final form regulations or issues policies—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a Mexican motor carrier may not enter the United States at a border crossing unless an inspector is on duty

or transmits to the Congress within 30 days of the date of enactment of this Act, a notice in writing that it will not be able to complete such rulemaking or issue such policy, that explains why it will not be able to complete such rulemaking or policy, and the date by which it expects to complete such rulemaking or policy; and

(2) the Department of Transportation Inspector General reports in writing to the Secretary of Transportation and the Congress that he will periodically report on—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in Mexico consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States-Mexico border, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by Mexican motor carriers seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(E) there is adequate capacity at each United States-Mexico border crossing used by Mexican motor carrier commercial vehicles to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections.

For purposes of this section, the term ''Mexican motor carrier'' shall be defined as a Mexico-domiciled motor carrier operating beyond United States municipalities and commercial zones on the United States-Mexico border.

SA 1188. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1246, to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 7___. INTERSTATE MOVEMENT OF ANIMALS FOR ANIMAL FIGHTING.

(a) REMOVAL OF LIMITATION.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended by striking subsection (d) and inserting the following:

''(d) ACTIVITIES NOT SUBJECT TO PROHIBITION.—This section does not apply to the selling, buying, transporting, or delivery of animals in interstate or foreign commerce for any purpose or purposes, so long as those purposes do not include that of an animal fighting venture.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date that is 30 days after the date of enactment of this Act.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on July 31, 2001, at 10 a.m. in room 485, Russell Senate Building, to conduct a business meeting on pending committee business, to be followed immediately by a hearing on Indian Health Care Improvement Act focusing on urban Indian Health Care Programs.

Those wishing additional information may contact committee staff at 202/224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, July 26, 2001. The purpose of this hearing will be to consider nominations for positions at the Department of Agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 26, 2001, to conduct a hearing on the nominations of Ms. Linda Mysliwy Conlin, of New Jersey, to be an Assistant Secretary of Commerce for Trade Development; Ms. Melody H. Fennel, of Virginia, to be an Assistant Secretary of Housing and Urban Development for Congressional and Intergovernmental Relations; Ms. Henrietta Holsman Fore, of Nevada, to be Director of the Mint; Mr. Michael J. Garcia, of New York, to be an Assistant Secretary of Commerce for Export Enforcement; and Mr. Michael Minoru Fawn Liu, of Illinois, to be an Assistant Secretary of Housing and Urban Development for Public and Indian Housing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on

Thursday, July 26, 2001, to conduct the first in a series of hearings on predatory mortgage lending: the problem, impact, and responses.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 26, at 9:45 a.m. to conduct a hearing. The committee will receive testimony on legislative proposals relating to comprehensive electricity restructuring legislation, including electricity provisions of S. 388 and S. 597, and electricity provisions contained in S. 1273 and S. 2098 of the 106th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in Open Executive Session during the session of the Senate on Thursday, July 26, 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 26, 2001, at 10:30 a.m., to hold a business meeting.

The Committee will consider and vote on the following agenda items:

Legislation:

S. , Foreign Relations Authorization Act, fiscal year 2002 and 2003.

S. 367, A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

Nominations:

Mr. Stuart A. Bernstein, of the District of Columbia, to be Ambassador to Denmark.

Mrs. Sue M. Cobb, of Florida, to be Ambassador to Jamaica.

Mr. Russell F. Freeman, of North Dakota, to be Ambassador to Belize.

Mr. Michael E. Guest, of South Carolina, to be Ambassador to Romania.

Mr. Charles A. Heimbold, Jr., of Connecticut, to be Ambassador to Sweden.

Mr. Thomas J. Miller, of Virginia, to be Ambassador to Greece.

The Honorable Larry C. Napper, of Texas, to be Ambassador to the Republic of Kazakhstan.

Mr. Roger F. Noriega, of Kansas, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

Mr. Jim Nicholson, of Colorado, to be Ambassador to the Holy See.

Mr. Mercer Reynolds, of Ohio, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, July 26, 2001, at 9:30 a.m., to consider the nomination of Lynn Leibovitz to be an Associate Judge of the Superior Court of the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, July 26, 2001, at 10 a.m. in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Thursday, July 26, 2001, from 10 a.m.–12 p.m., in Dirksen 124 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs of the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, July 26, 2001, at 9 a.m., on chemical harmonization.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Subcommittee on National parks of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 26, 2001, at 2:30 p.m., to conduct a hearing. The committee will receive testimony on S. 423, to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon,'' and for other purposes; S. 941, to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes; S. 1057, to authorize the addition of lands to Pu'uhonuao Honaunau National Historical Park in the State of Hawaii, and for other purposes; S. 1105, to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of the Grand Teton National Park, and for other purposes; and H.R. 640, to adjust the boundaries of Santa Monica Mts. National Recreation Area, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE—2001 MID YEAR REPORT

The mailing and filing date of the 2001 Mid Year Report required by the Federal Election Campaign Act, as amended, is Tuesday, July 31, 2001. All Principal Campaign Committees supporting Senate candidates must file their reports with the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116. You may wish to advise your campaign committee personnel of this requirement.

The Public Records office will be open from 8:00 a.m. until 6:00 p.m. on the filing date for the purpose of receiving these filings. For further information, please do not hesitate to contact the Office of Public Records on (202) 224–0322.

WAIVING PROVISIONS OF THE LEGISLATIVE REORGANIZATION ACT OF 1970

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 61, submitted earlier today by Senators DASCHLE and LOTT.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 61) to waive the provisions of the Legislative Reorganization Act of 1970 which require the adjournment of the House and the Senate by July 31st.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 61) was agreed to, as follows:

S. CON. RES. 61

Resolved by the Senate (the House of Representatives concurring, That notwithstanding the provisions of section 132(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 198(a)), the Senate and the House of Representatives shall not adjourn for a period in excess of three days, or adjourn sine die, until both Houses of Congress have adopted a concurrent resolution providing either for an adjournment (in excess of three days) to a day certain or for adjournment sine die.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, under the previous order, I ask unanimous consent that the Senate adjourn for the evening.

There being no objection, the Senate, at 6:14 p.m., adjourned until Friday, July 27, 2001, at 10 a.m.

EXTENSIONS OF REMARKS

TRIBUTE TO BANU SINAR

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mrs. McCARTHY of New York. Mr. Speaker, I rise in recognition of Banu Sinar of New Hyde Park. I have named her Citizen of the Month in the Fourth Congressional District for August 2001 in recognition of her outstanding abilities and growth as a student in the Literacy Volunteers of America—Nassau County (LVA–NC). LVA–NC is a non-profit organization that recruits and trains volunteers to work one-on-one or in small groups of students to improve their English language skills.

I hope Banu's example and her desire to improve her English and literacy skills will encourage people to volunteer their time to the Literacy Volunteers. With over 400 students waiting for help, I encourage the residents of the Fourth District to become involved.

Banu was selected as 2001 Literacy Volunteers Student of the Year. Today, there are more than 1,000 students currently studying with the organization, free of charge.

A Turkish immigrant who arrived in the United States two and a half years ago, Banu's fluency in Turkish enabled her to perform well at the international trade company where she works as a purchasing and sales agent. However, in order to feel more at home in the United states and to help her young daughter with homework, she wanted to learn to speak English. Banu enrolled with LVA–NC, and was assigned to tutor Marion Legler, also of New Hyde Park.

Banu's accomplishments are truly remarkable, and is an example of how tutors can make a difference in people's lives. I applaud her motivation and extraordinary commitment to her studies.

Wanting to contribute something to the organization that had assisted her so greatly, Banu helped to found LVA–NC's new Student Advisory Council. The group was established as a forum for students to help develop programs to aid new adult learners.

Banu lives with her husband Hankan and daughter Asli in New Hyde Park. I congratulate Banu and her family on this achievement, and on the impending birth of their second child in October.

IN HONOR OF MS. VERA HALL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. KUCINICH. Mr. Speaker, I rise today in honor of a great woman who has led a distinguished life of humanitarian activism, Ms. Vera Hall.

Ms. Hall is the daughter of Russian Immigrants who migrated to Ashtabula County where she grew up on a farm. Ms. Hall attended Ohio State University and later transferred to Radio School during World War II and began a career communicating and recording vital information to airline pilots. During the next 40 years Vera worked for the commercial airlines Pennsylvania Central which eventually became United Airlines. Throughout the four decades she was active in the labor movement first as ACEC and then CWA.

Her hobbies include gardening and the environment along with issues concerning peace. Ms. Hall is an expert organic gardener whose colorful perennial flower gardens are breathtaking. She is a dedicated environmentalist in her daily lifestyle as well as in her political beliefs. She is serious, committed, informed, and articulate on the issues of her concerns. She has served as the treasurer for both Womens International League for Peace and Freedom and for the Racial and Economic Equality. Ms. Hall has protested war, nuclear armament, racism, apartheid, and sexism.

Ms. Hall also enjoys spending her time enjoying the arts. She supports the theater, museums, music venues and other cultural institutions.

Mr. Speaker, please rise today and join me in applauding an individual who has made numerous contributions to the Cleveland area, Ms. Vera Hall.

INTRODUCTION OF A BILL TO AUTHORIZE THE USE OF A VESSEL TO TRANSPORT THE FORMER NAVAL MEDIUM HARBOR TUG U.S.S. HOGA TO PORT EVERGLADES, FLORIDA, FOR USE AS A MEMORIAL TO VETERANS AND FOR PROVIDING VOCATIONAL SEAMANSHIP TRAINING

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. HASTINGS of Florida. Mr. Speaker, I am proud to introduce a bill which authorizes the use of a vessel to transport the naval harbor tug U.S.S. *Hoga* to Port Everglades, Florida, for use as a memorial to veterans and provide vocational seamanship training.

This bill will carry out the longstanding intent of Congress in preserving and protecting historic landmarks and national monuments. The U.S.S. *Hoga* is recognized by the United States Park Service as a national monument, and appears in the national register of historic places. Unfortunately, the U.S.S. *Hoga* is no longer seaworthy, and cannot safely be towed on the open sea. If towed through the water, it may fall apart, and we stand to lose this national monument forever. Thus, I encourage you, Mr. Speaker, and my colleagues here in Congress, to support this initiative that will allow a means to transport the U.S.S. *Hoga* on a transporter vessel, enabling the ship to arrive undamaged to the state of Florida.

Veterans have long been the thread holding together out nation, defining American independence, and ensuring American freedom. Despite the high concentration of World War II veterans in Florida, with the majority of them calling South Florida home, the state of Florida is the only coastal state without a commemorative World War II warship. This legislation will assist the U.S.S. *Hoga* Association in transporting the U.S.S. *Hoga* to its final resting place at the New River in Ft. Lauderdale, Florida.

Mr. Speaker, in the next two decades, the last of the World War II veterans will have passed on. As an immobile World War II veteran, the U.S.S. *Hoga* will be a place for future generations to pay homage to those who fought bravely under and for the United States flag. The U.S.S. *Hoga* is indeed a national treasure, and will serve many additional uses in the state of Florida. Currently, boatyards are underemployed, and fewer Americans consider a calling to defend our great country. In addition to being a memorial, the U.S.S. *Hoga* will be used to train students in seamanship duties and promote national defense by preparing young Americans for service in the United States Navy.

Finally, Mr. Speaker, let me say that I take a great deal of pride in the fact that South Florida boasts one of the nation's highest percentage of World War II veterans. I would also like to commend the U.S.S. *Hoga* Association for the tremendous work and effort it has contributed to attain this goal. As we approach the 65-year mark commemorating the beginning of World War II, I ask that we fulfill a small request made by Florida veterans to aid them in transporting a tribute to those citizens who fought for our country.

I urge all of my colleagues to support this bill.

HONORING WAYNE BEVILL

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. CHAMBLISS. Mr. Speaker, I rise today to pay tribute to Dr./Rev. Wayne Bevill who is retiring after twenty-five years of dedication and service to the Macon Rescue Mission. Dr. Bevill has been such an inspiration to everyone he comes in contact with and will be loved and missed by the staff and Board of Directors.

I have been pleased since my election to the House of Representatives to have served on the Advisory Board of the Macon Rescue Mission and to have participated in the Grand Opening ceremonies for their fine new facility in Macon. After working so closely with Wayne Bevill on a number of faith-based endeavors, I have learned what an outstanding man he really is.

His extensive list of contributions to the community is astounding. He graduated from

Rice Seminary and served as a chairman of multiple foundation, including the Bibb County Child Abuse Protocol, the Task Force Against Domestic Violence, the Middle Georgia Task Force for the Homeless, and the Bibb County Commission Task Force. He has received numerous awards for his service in helping victims of domestic violence, abused children, and homeless people. In fact, he opened the first shelter for battered women. By serving as Executive Director of the Macon Rescue Mission, he started the Macon Area Food Bank and ran the Dove Center for five years. Because of Dr. Bevill's commitment and hard work, the Macon Rescue Mission moved into its new facility in October of 2000, where it remains one of the finest and up to date facilities in the state of Georgia. In honor of his many accomplishments, Dr. Bevill received an Honorary Doctorate from Toccoa Falls College in May of 2001.

Mr. Speaker, I am proud to call to the attention of the House of Representatives the many accomplishments that have followed in the path of Dr. Wayne Bevill. I feel privileged to know such a dedicated and upstanding citizen. I thank him for his efforts to improve the lives of so many others in Macon and across Georgia.

TRIBUTE TO BILL EMMEL

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of Bill Emmel, lifelong blood donor and community advocate for blood donations, who I have named as Citizen of the Month in the Fourth Congressional District for July 2001.

The significance of Bill's commitment is profound. Particularly now, when Long Island is faced with a blood shortage crisis, his example is so important. He has helped to inspire a whole new generation of blood donors.

Bill has regularly donated blood since 1981. In his lifetime, he has donated 68 pints of whole blood and has made 91 platelet apheresis donations, for an incredible total of 159 donations as of July 12, 2001.

His extraordinary dedication is only one part of Bill's commitment to ensuring an adequate blood supply in the New York area. Understanding that his own enormous contribution is only a part of keeping Long Island adequately supplied, Bill advocates for blood donations both at work and at home. Upon learning that the Sewhanaka Union Free School District was not sponsoring blood drives due to liability concerns, Bill decided to pursue this great opportunity to recruit young donors. A resident of the school district, one of the largest in Nassau County, he met with insurance representatives, lawyers, Long Island Blood Service personnel, the superintendent and school board members, orchestrating a resolution in which the Sewhanaka School District would endorse blood drives. The effort paid off, and blood drives at the five Sewhanaka high schools have resulted in 775 donations since December 1999.

Not content to leave any stone unturned, Bill is working to get other districts which do not currently hold blood drives, such as the West Hempstead School District, to do so. He also serves as the blood drive chairperson for the Information Technology Department at the Metropolitan Life Insurance Company, where he has worked for fourteen years.

Long Island is lucky to have a person like Bill Emmel working so hard for such a noble cause. With any luck, the students in the Sewhanaka district that he inspired will become lifelong blood donors, helping to avoid another crisis in the future.

A 26 year resident of Floral Park, Bill hopes to make his 100th platelet donation this year. He is a single parent with two sons, Chris, 20, a student at St. John's University and Floral Park EMT, and David, 24, a St. John's graduate and web designer. I congratulate Bill and his sons on this achievement.

IN HONOR OF MR. JASON, J. SANUK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mr. Jason J. Sanuk, who will be honored for his attainment of Eagle Scout on August 8, 2001.

The attainment of Eagle Scout is a high and rare honor requiring years of dedication to self-improvement, hard work and the community. Each Eagle Scout must earn 21 merit badges that focus on self-improvement, social skills, and outdoor living.

In addition to acquiring and proving proficiency in those and other skills, an Eagle Scout must hold leadership positions within the troop where he learns to earn the respect and hear the criticism of those he leads.

Most importantly, the Eagle Scout must live by the Scouting Law, which holds that he must be: trustworthy, loyal, brave, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, clean, and reverent. The International Scouting Association strives to instill values to develop leadership in young men, and teach them the benefits of a strong character. Scouts are taught to follow and uphold these 12 pillars of the Scout Law in their daily life and treat all people with respect and dignity. At the start of every meeting, scouts hold high their right hand and recite the scout oath, a pledge to remain physically strong, mentally awake, and morally straight. These three guiding principles instill strong values in young leaders and teach them of respect, dignity, and equality for all.

Mr. Speaker, please join me in recognizing Mr. Jason J. Sanuk, an exceptional young man, on his dedication to improving the lives of others and his attainment of Eagle Scout.

INTRODUCTION OF THE PRESCRIPTION DRUG CONSUMER INFORMATION ACT OF 2001

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. HASTINGS of Florida. Mr. Speaker, with health care costs rising astronomically and millions of Americans feeling abused and neglected by their health care providers, it is high time that we in Congress do something to alleviate this situation. Americans feel vulnerable to the financial whims of the health care industry and they worry that their health will suffer because health care providers are more concerned with the bottom line on their quarterly reports rather than the line on a patient's heart monitor. I feel that it is my duty to stand up for the American people to protect them from runaway costs and abusive health care services.

I rise today to introduce the Prescription Drug Consumer Information Act of 2001. This bill directs the Secretary of the U.S. Department of Health and Human Services to prepare and publish an annual consumer guide detailing prescription drug prices. This catalog will prove invaluable both to consumers and to health care providers. This is a logical and necessary step in the process of ensuring affordable health care of every person in this country who buys prescription drugs. I submit that every single one of us is currently paying too much for quality health care.

Health insurance programs in the United States cover tens of millions of elderly and disabled persons. While these programs do provide quality coverage for many health care services, they often lack effective prescription drug benefits for the people who need them the most. This bill is a wonderful and significant first step in the process of providing those benefits.

Under the Prescription Drug Consumer Information Act of 2001, a complete consumer guide to all current and available prescription drugs will be distributed across the country. This catalog will contain a list of prices for all prescription drugs in an easy-to-understand format organized by therapeutic category so that the reader will be able to quickly peruse the various drugs for his or her specific condition. This catalog will be updated annually, and additional updates may be sent out during the year if a change were to occur in a drug's availability or price.

Mr. Speaker, this catalog will have numerous advantages for both consumers and health care providers. The most obvious advantage is that this catalog will enable the reader to quickly determine what drugs are available to treat his or her condition. Consumers will also be able to reduce their expenses for prescription drugs by comparing the prices of various drugs side by side. The convenience of being able to look up any prescription drug on the market for information about its price and effectiveness will prove to be an invaluable coup for the health care consumer.

My bill will also have advantages for health care providers. With this catalog, health care providers will be able to determine very easily the cost-effectiveness of certain prescription drugs as compared to other prescription drugs and therapies. This will result in a lower cost overall for both the health care provider and the consumer, as health care providers will be able to choose the most cost-effective prescription drug for their patients.

Mr. Speaker, I implore my colleagues to vote favorably on this important piece of legislation. My bill is a meaningful, proactive, and decent effort on our part to help the people that need our help. How could anyone possibly be against providing the American people

with the information that they need to ensure that they receive the best health care possible? We all talk about the importance of extending prescription drug benefits to the American people. Mr. Speaker, my bill, which will benefit the American people by enabling them to have access to accurate and timely information about prescription drugs, is an important first step, and I sincerely hope that this House will recognize it as so.

TRIBUTE TO BISHOP ERIC McDANIEL

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Bishop Eric McDaniel, who was consecrated by his Senior Bishop, Sherman Watkins, in Columbus, OH, during the Holy Convocation of the Higher Ground Assemblies on June 23, 2001.

Bishop Eric McDaniel is the oldest of four children born to Bishop Allen and Lady Richardine McDaniel, and the proud father of Brittney and Bria McDaniel. As a child, Eric McDaniel demonstrated a gift for a life in ministry, in the areas of music and the preached word. At the age of 13, he became the church organist and choir director. At the age 16, he accepted his call to ministry and preached his initial sermon.

His combined musical talent and personal faith in God inspired Bishop McDaniel to write songs. He had no idea that one day his songs would reach the level of success that they have. Some of his songs include: ''It Shall be Done,'' ''Spirit Touch Me One More Time,'' ''Thank You,'' ''Come Unto Me,'' ''Restore Your Joy,'' ''When We Reach That Place,'' among many others.

In May 1993, Bishop McDaniel responded to the call of God to the office of pastor, and founded the Lord's Church Family Workshop Center, Inc., in the Bronx, NY. In June 2000, he was appointed to the office of Bishop and was consecrated one year later by his Senior Bishop.

Mr. Speaker, Bishop McDaniel is a fine example of a great community leader and a person dedicated through his faith to helping others.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Bishop Eric McDaniel and in wishing him continued success.

HONORING THE 100TH ANNIVERSARY OF KNIGHTS OF COLUMBUS COUNCIL 592

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 100th Anniversary of the Knights of Columbus Council 592 in Belleville, Illinois.

The Knights of Columbus organization was founded in 1882 by a 29-year-old parish priest, Father Michael J. McGivney, in the basement of St. Mary's Church in New Haven, Connecticut. Today, more than a century later, the Knights of Columbus has become the largest lay organization of the Catholic Church. The order has been called ''the strong right arm of the church'' and has been praised by popes, presidents, and other world leaders, for support of the Church, programs of evangelization and Catholic education, civic involvement and aid to those in need. As recently as 1992, Mother Theresa of Calcutta praised the Knights in a speech on the occasion of her reception of the first Knights of Columbus Gaudium et Spes Award.

Thanks to the inspired work of Father McGivney, as well as the millions of other Knights over the past century—the Knights of Columbus now stands at its pinnacle of membership, benefits, and service. Currently there are over 1.6 million Knights of Columbus—more than ever before in the order's history. Together, with their families, the Knights are over 6 million strong. They have grown to more than 12,000 Councils in the U.S., Canada, Mexico, the Philippines, Puerto Rico, Cuba, the Dominican Republic, Panama, the Virgin Islands, Guatemala, Guam, and Saipan.

One of the largest Knights of Columbus Councils in Illinois and one of the most active in the nation is observing its 100th Anniversary. Council 592, which has grown from 35 members to more than 900 today has a long history of service. Council 592 started in the old Lovingston Building in East St. Louis and served as its first headquarters. As their membership increased, the Council moved to the old Odd Fellows building in East St. Louis.

Council 592 has always played an important role in the community. Its civic, fraternal, and charitable projects were numerous. One such event that Council 592 started was their annual picnic. Started in 1922, the picnic was the forerunner of the Knights of Columbus picnics now held across the United States.

Inspired by the results of their activities, the Council's members started an extensive building program. The new Knights of Columbus building was opened in 1925 at a cost of a half a million dollars. The building, a brick structure of combined modern and Gothic architecture, was one of the most attractive buildings in East St. Louis and one of the finest Knights of Columbus buildings in the country. This new building served as the scene of the city's many dances, wedding receptions, meetings and other functions. It had a swimming pool, bowling alley, gymnasium, cafeteria, meeting hall, and a 41 person bachelor quarters. In the late 1960's the Council decided to move its operations to Belleville, Illinois on the edge of East St. Louis on Lebanon Road. The new facility opened in 1969.

Council 592's first, second, and third degree teams have repeatedly been acknowledged as the best in the Midwest. The Council's members have also been instrumental in starting nearly 20 other Knights of Columbus Councils in the area since 1901. A large number of Council members served in World War I and II as well as the Korean and Vietnam conflicts. Many members remain part of our armed forces today.

Charity remains a part of Council's 592's efforts. Their main charitable event is the annual Tootsie Roll day with the proceeds going to charitable organizations. The Council continues to hold numerous activities during the year for families of members. They work with the Ainad Shrine Bonds for Braces as well as the Crippled Children's Hospital.

The Knights of Columbus are Catholic gentlemen committed to the exemplification of charity, unity, fraternity, patriotism, and defense of the priesthood. The Order is consecrated to the Blessed Virgin Mary. They are unequivocal in their loyalty to the Pope, the Vicar of Christ on Earth. It is firmly committed to the protection of human life, from conception to natural death, and to the preservation and defense of the family. It was on these bedrock principles that the Order was founded over a century ago and remains true to them today.

Mr. Speaker, I ask my colleagues to join me in honoring the 100th Anniversary of the Knights of Columbus Council 592 and to honor its members both past, present, and future.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002

SPEECH OF

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2506) making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2002, and for other purposes.

Ms. BALDWIN. Mr. Chairman, I rise today in support of the Conyers-McKinney-Schakowsky Amendment and I urge my colleagues to vote in favor of it.

Last year, this House approved funding for Plan Colombia, ostensibly to fight the drug war in Colombia. Now repackaged as the Andean Initiative, it is the same failed policy that we have been pursuing for the past decade. It will not work because it ignores the fundamental realities of the region. It is impossible to stem the flow of illegal drugs from Colombia without addressing the civil war, paramilitary violence, unequal distribution of wealth and the breakdown of civil society.

Continuing to fund the Andean Initiative will result in more violence in Colombia. It will increase the number of displaced people. It will allow paramilitary violence to continue. Already this year paramilitaries have killed 529 people. It will continue a civil war that all military experts agree is hopelessly stalemated. And to the degree that it has any impact on eliminating coca production in Southern Colombia, it will simply shift that production to other parts of Colombia or neighboring countries. Crop substitution and alternative development projects, already underfunded in Plan Colombia, have not even begun. Because of U.S. funding, fumigation of coca fields has begun, leaving these farmers without any source of income. Imagine you were a poor farmer in Colombia, what would you do to provide income for your family?

Aerial fumigation may successfully kill coca plants, but it also contaminates other food sources. And it certainly creates fear and suspicion among the people in eradication areas.

Mr. Chairman, I believe we can reduce coca production in Colombia and the Andean region. However, military helicopters and aerial

fumigation are never going to solve the problem. These tactics merely escalate the conflict and undermine the peace process in Colombia. Until we can move beyond the military strategy of Plan Colombia, we will never solve the drug problem, nor will we bring peace to Colombia.

A TRIBUTE TO SANTA CLARITA, CALIFORNIA'S ''HERO OF THE WEEK'' PROGRAM

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. McKEON. Mr. Speaker, I rise today to honor a wonderful program in the city of Santa Clarita called ''Hero of the Week'' as well as those individuals who have been honored in the program.

The program is sponsored jointly by the City of Santa Clarita Anti-Gang Task Force and Mad About Rising Crime Santa Clarita Chapter under the direction of Mr. Gary Popejoy. Started by Maria Fulkerson and Lorraine Grimaldo of the Santa Clarita Anti-Gang Task Force, the ''Hero of the Week'' program focuses on the positive actions of our youth rather than the negative. The program honors students for the constructive choices they have demonstrated. The students from the Santa Clarita Valley Junior and Senior High Schools are recommended by teachers and principals based on their observations of the student exhibiting positive behavior.

The students that are selected exhibit the qualities that we are looking for in future leaders of our nation. These students, many of whom have experienced difficult times in their own lives, have made remarkable improvements through this program. I am pleased to honor these students today here on the House floor.

On May 24th, 2001, the ''Hero of the Week'' program honored 44 members of my community for their outstanding activities that truly made them heroes in our neighborhood. These students have faced serious obstacles and, in many cases, faltered in the face of adversity. However, none of these students gave up. Their hard work and determination have truly earned them the title ''Hero'' in our community.

Mr. Speaker, I would like to conclude these remarks by listing the students honored by the city. I congratulate them and the sponsoring organizations for such a worthwhile and beneficial program.

HERO OF WEEK HONOREES

Chanine Adams, Nicole Anderson-Melendez, Leonardo Barragan, Samantha Berson, Laura Besenty, Junior Brambila, Marco Cardenas, Cassandra Cabrera, Sonny Castro, Josh Cook, Nick Dawson, Mae Ann Esparza, Jose Flores, Michael Glazier, Alana Comez, Dustin Gustaveson, Kristina Hagen, Julie Henry, Timothy Holmes, Kristyn Kennedy, Milad Khatibi, Michael Kolb, Jason Komen, Mandy Larochelle, Jane Lin, Shady Mansy, Jesse Marshall, Azadeh Mirbod, Ericka Ortega, Michael Ortiz, Kelly Polen, Jonathan Salgado, Cesar Santillan, Tara Stewart, Rafael Urquieta, Victor Vasquez, Antonio Wall, Mena Wasif, Adam Weiler, Lyndsey Wilson, Brandi Wright, Amanda Yaffe, and Dennis Yongmaneeratana.

CONGRESS MUST END LABOR RIGHTS VIOLATIONS ON AMERICAN SOIL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. GEORGE MILLER of California. Mr. Speaker, years have passed since the Departments of Labor-Interior-Justice and INS first documented widespread sweatshop conditions under the American Flag in the U.S. territory of the Commonwealth of the Northern Mariana Islands (US/CNMI). Years have passed since national media such as ABC's 20/20 first reported that thousands of young, Asian women in the US/CNMI toil as many as 12 hours a day at sub-minimum wages under dangerous and unhealthy conditions. And years have passed since U.S. Congress first had the chance to protect those who work on American soil by finally ending the exemption that has allowed this U.S. territory from following U.S. labor and immigration laws. Yet the Congress has turned a blind eye and allowed this exploitation to continue.

Too many US/CNMI clothing manufacturers continue to show complete disregard for U.S. laws. During the three-year period that ended on June 1, 2001, nearly 60% of the factories inspected by the Wage and Hour division of the Department of Labor had wage violations, and in one case, a single US/CNMI corporation owed more than $1 million in back-wages to its employees.

The Congress is partly responsible for the conditions that led to these labor violations. As you may be aware, federal immigration and minimum wage laws were not immediately extended to the territory when the Congress first established the US/CNMI. The temporary exemption was intended to help the territory develop its economy with local workers while responding to local concerns that U.S. immigration laws were too lax. However, the opposite has turned out to be the case. The local government has used its local control over its own lax immigration procedures to create a caste system that relegates disenfranchised foreign workers to the most abusive labor conditions and lowest wages. According to 1999 statistics, foreign workers held more than 85% of all private sector jobs, where they worked for sub-minimum wages, while nearly 50% of local residents held government jobs, where starting salaries are more than seven times that of the private sector.

For many years, the US/CNMI has aggressively developed an economy based on the importation of tens of thousands of desperately poor foreign workers from Asia who pay between $3,000–$7,000 for what they are told are good jobs in ''America.'' Instead these workers are surrounded by barbed wire as the toil under the same dangerous unhealthy working conditions that are far too common in many of the countries from which they came. This practice of shipping indebted women from their native countries to sweatshops on American soil continues today, and it could easily lead to many more cases of human trafficking. While the Congress took the important step last year of passing legislation that allows for more aggressive criminal prosecution of human traffickers after they have committed that deplorable crime, we must also place immigration into the American territories under the control of the Federal government so that we can better prevent human trafficking before it ever happens.

Many of our constituents would be surprised to learn that the garments manufactured in the US/CNMI—in foreign owned factories with foreign labor and foreign fabric—are awarded use of the ''Made in USA'' label and enter the states both quota and duty free. In 2000, over $1 billion worth of garments came to the states, depriving the U.S. taxpayers of more than $200 million in duty fees. We are allowing US/CNMI garment manufacturers to deceive American consumers with the use of this label, and we are providing them with an enormous subsidy as they do it. This cannot continue. We must only offer the benefits of the ''Made in the USA'' label and duty free importing to those U.S. territories that agree to follow U.S. laws.

While the House Republicans have refused to even hold a hearing on the exploitation of workers in the US/CNMI, I am glad to report that we are beginning to win support from other places. On May 15, 2001, the Bush Administration endorsed the idea of federalizing immigration policy in the US/CNMI in the form of a letter from John Ashcroft's Assistant Attorney General. The Bush Administration endorsement argued that extending Federal rules to the territory: . . . would improve immigration policy by guarding against the exploitation and abuse of individuals, by helping ensure that the United States adheres to its international treaty obligation to protect refugees, and by further hindering the entry into United States territory of aliens engaged in international organized crime, terrorism, or other such activities.

Congress cannot continue to stand by and allow these labor abuses to continue on American soil. Today, I am joined by more than 40 co-sponsors as we introduce the ''CNMI Human Dignity Act,'' which would require that the Americans living in the US/CNMI live under the same laws as all of our constituents in our home districts. This legislation would extend U.S. immigration and minimum wage laws to the US/CNMI. This legislation also includes a provision to preserve the integrity of the ''Made in USA'' label by requiring that this benefit only be allowed for garments made in compliance with U.S. immigration and labor practices. It also conditions duty-free and quota-free imports from the US/CNMI upon compliance with U.S. laws. In addition, the legislation creates a one-time grandfather provision that allows non-resident individuals who have been long-term employees in the US/CNMI on the date of enactment to apply for permanent residence. Lastly, this legislation would assure that U.S. Customs agents have the authority to board and inspect ships in US/CNMI waters to address the numerous allegations of illegal transhipment of fully completed garments from Asia.

No member of the House of Representatives would tolerate sub-minimum wages and other severe forms of labor exploitation in his or her home district, and we should not tolerate those conditions in the American territories either. I urge you to join me in supporting the CNMI Human Dignity Act.

U.S. FUNDING FOR UKRAINE

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. HINCHEY. Mr. Speaker, I oppose the provision in the Foreign Operations Appropriations Act for 2002 that reduces U.S. foreign assistance to the country of Ukraine to $125 million, which is $45 million below both last year's funding level and what the President requested.

With its geo-strategic location between Russia and our NATO allies, Ukraine has an inherent importance to our national security. It houses a major naval fleet with access to the Mediterranean and can be a major communication and oil conduit between Europe and Asia. As the 6th most populous nation in Europe, Ukraine is filled with resources and promise, and we can't afford to turn our backs on it.

Over the past 16 months, the Ukrainian economy has grown immensely. In fact since January of this year, Ukraine's GDP has risen by over 9%. The privatization of land and businesses has proceeded at an unprecedented rate and the National Bank of Ukraine has undergone a series of reforms to promote transparency and stability. These are tremendous accomplishments for a country that was part of the Soviet Union until 1991.

This year also marks the 15th Anniversary of the Chernobyl nuclear disaster and the impact of this tragedy continues to haunt the Ukrainian people. Children still suffer from illness caused by exposure to radiation. Much of the farmland, which is vital to the survival of the people, remains contaminated. The recent closing of the remaining Chernobyl reactors has added to the already severe power shortage in Ukraine. The disastrous effects of this tragedy demand that this body reach out the hand of humanitarian aid.

Despite its numerous accomplishments, Ukraine still requires U.S. assistance. The $125 million provided in this bill will not effectively fund the programs needed to assist Ukraine down the road toward democracy and prosperity. It is a shame that this bill severely cuts aid to this country, at a time when it is needed most. I believe that we should at least provide last year's level of funding, which was $170 million. Ukraine has made great strides since its independence and it deserves our continued support.

WORKPLACE REFORMERS ARE STIRRING IN CHINA

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Ms. ESHOO. Mr. Speaker, I submit for the RECORD an op-ed piece written by Mr. William B. Gould IV that appeared in the San Jose Mercury News on Monday, July 23, 2001. Mr. Gould wrote the article upon his return from China where he conducted a series of lectures at local universities. I share it with my colleagues in the hope that they will find it as instructive as I did.

[From the San Jose Mercury News, July 23, 2001]

WORKPLACE REFORMERS ARE STIRRING IN CHINA

(By William B. Gould IV)

On an uncomfortably hot June afternoon in Shanghai, university students giggle as they complete their mandatory military exercises before departing for the summer. The coexistence of these out-of-uniform drills with the mirthful laughter of students mirrors much of the paradox of Chinese free market policies alongside Communist Party controls.

The free market has meant a labor market that has witnessed more than an incremental expansion of freedom to hire and fire—millions of dismissed Chinese public enterprise workers who have not found re-employment in the newly expanding private sector can testify to the latter. The same environment affects rural migrant workers who have streamed to the job-filled urban centers with a resolve that sometimes borders on the desperate. Their unemployment and second class status mean worker protest and government scrutiny of it. Like South Africa and Poland in the '80s, China has the potential for a mobilized worker discontent that could cut across most of the sectors of political and economic life.

Last year, for instance, 20,000 miners in the northeast went on a violent rampage of burning and window smashing as they faced dismissal.

Workers in a state-owned silk factory confronted with the same prospect, called for a new and independent union.

Standing in the way of such spontaneity are not only the security apparatus but also the Communist Party government unions, which perform none of the representative functions normally present where there is freedom of association. The Chinese government, though it signed last month a Decent Work agreement with the Geneva-based International Labor Organization, defiantly proclaims its continued hostility to the right of workers to choose their bargaining agents. Yet advocates of reform are stirring and American policy makers on Capitol Hill considering China's preferential trade status need to be aware of them.

As the military drills fade into the languid Shanghai air, labor law reform expert Dong Bao Hua tells me, ''The essence of reform is to try to persuade policy makers that we want to have a government with open and societized features.'' This approach seeks to protect both rural migrants and those dislocated public enterprise workers through a number of avenues.

One is to provide a ''hotline'' with legal advice for workers with labor complaints, pregnant female employees who are unfairly dismissed, and those who have suffered workplace accidents.

Dong and his students have organized events in public squares to advertise their services. They use the courts and China's expanding government arbitration process. The cases move quickly by Western standards, most of them brought to conclusion within 60 to 90 days of a complaint's filing.

The arbitration mechanism, admittedly government controlled, resolves a variety of workplace disputes. (The so-called neutral third party is a Labor Ministry employee.) Workers can retain lawyers and in half of the cases in Shanghai they do so.

The bad news is that workers have difficulty getting their frequently fearful fellow employees to testify on their behalf. The Communist Party official government unions are of no or little help to them. As a Shenzen employment lawyer said to me: ''No representatives of workers are in the arbitration process.''

No one can completely anticipate the stress that the transition will place on China's workforce. The government's response to Tiananen Square illustrates the likely reaction to any new challenge or to an outcry against its unapologetic use of forced labor.

Yet the workplace democratic impulse is an international one. In South Africa and Poland, it had its origin in institutions far more modest than those that ultimately brought sweeping change. And Chinese officials may ultimately find comfort in the examples of Hungary and the Czech Republic, where reform did not include new Solidarity-type mass movements.

One of China's many puzzles lies in the prospects of and the government's answer to the new workplace reformers who have come on the scene.

TRIBUTE TO WILLIAM A. NACK ON BEING HONORED BY THE SAN MATEO CENTRAL LABOR COUNCIL

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Ms. ESHOO. Mr. Speaker, I rise today to honor Bill Nack, an extraordinary citizen of San Mateo County, CA who is being honored by the San Mateo Central Labor Council at its 22nd Annual COPE Benefit Dinner on July 27, 2001.

For over 30 years, Bill Nack has been an active member of the labor movement, a dedicated community leader, and an environmentalist in the San Francisco Bay Area. He has worked tirelessly to improve the health, the job safety and the economic conditions of workers in San Mateo County and throughout the nation.

Bill Nack currently serves as Business Manager and Executive Officer of the San Mateo County Building and Construction Trades Council, an association comprised of 26 construction unions and a membership of over 15,000 craftspeople.

For over 20 years, Bill Nack was an aircraft jet engine mechanic for United Airlines and a rank and file member of the International Association of Machinists, Local 1781. In 1987, he left United Airlines to work with the Santa Clara Central Labor Council and soon became the Deputy Executive Officer of the Santa Clara and San Benito Counties Building and Construction Trades Council.

As a resident of the San Francisco Bay Area, Bill Nack is a highly regarded member of the environmental community. Governor Gray Davis appointed him to the Bay Conservation and Development Committee (BCDC) to help ensure the protection of San Francisco Bay and in 1997, Bill became Chairman of the Bay Area Air Quality Management District's Advisory Council.

Bill Nack's involvement in our community is deep and broad. As a board member of Mid-Peninsula Rebuilding Together, he plays an integral role in helping to rehabilitate the homes and community facilities of low-income citizens, of the elderly, and for the disabled. He's also an active member of many other community organizations, including San Mateo County's United Way, and the San Mateo County Peninsula Policy Partnership, as well as the Bay Area Economic Forum.

Bill is married to fellow activist, Rayna Lehman, Director of AFL–CIO Community Services for the San Mateo County Central Labor Council and they are the proud parents of twin sons, Patrick and Benjamin.

Mr. Speaker, we are a better country, a better community, and a better people because of Bill Nack. It's a privilege to know him, to serve him as a constituent, to call him a friend, and to honor hi for his extraordinary leadership and I ask my colleagues to join me in paying tribute to him for all he has chosen to do.

TRIBUTE TO MR. LEROY DANIELS OF REDSTONE ARSENAL, ALABAMA

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. CRAMER. Mr. Speaker, I rise today to recognize Mr. LeRoy Daniels on the occasion of his retirement from the U.S. Army Aviation and Missile Command, located at Redstone Arsenal, Alabama.

Mr. Daniels has over 36 years of outstanding service to the defense of this nation. Throughout his years with the Army, he has served his nation in tours in Korea and at the Pentagon. He has been the Civilian Personnel Officer at both the U.S. Army Aviation Center and School at Fort Rucker, Alabama and is currently employed with the U.S. Army Aviation and Missile Command as Civilian Personnel Officer.

Mr. Daniels is a native of Troy and received both a Bachelors of Science and a Masters of Business Administration degrees from Alabama A&M University. He has received special recognition from the Secretary of the Army and the Secretary of Defense. For his leadership and vision for the Army, he has been honored with the Superior Civilian Service Award, the Commander's Award and the William H. Kushnik Award for Outstanding Achievement in Civilian Personnel among others.

His talents, skills and experience, which have made him so successful in his career, have also endeared him to his community. He serves as an Elder, a Sunday school teacher and sings in the Chancel Choir at the Church Street Cumberland Presbyterian Church. He is a member of the Alabama A&M University Business and Industry Cluster Publicity and Fund Raising Committee. He also stays active in Blacks in Government, the NAACP and the North Alabama Golf Club.

I wish Mr. Daniels the very best of luck in his retirement and, on behalf of the people of Alabama's Fifth Congressional District, I thank him for his extraordinary service to our community and the nation. I wish him a well-deserved rest.

NATIONAL PROSTATE CANCER AWARENESS WEEK

HON. FELIX J. GRUCCI, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. GRUCCI, Mr. Speaker, I rise today to bring awareness to the American public about a silent killer that will affect one in five American men in their lifetime: prostate cancer, and to assist the National Cancer Institute in recruiting men to participate in the largest ever prostate cancer prevention study.

Prostate cancer is the second leading cause of cancer death among men in this nation, according to the American Cancer Society. A family history of this disease can double your risk of being diagnosed with prostate cancer, as does a high-fat diet. Those men over the age of 40 are more likely to be stricken with the disease.

But while no one knows what causes prostate cancer, early detection is the best way to survive this sometimes deadly disease. In fact, according to the American Cancer Society nearly everyone whose prostate cancer is detected before it spreads survives.

To learn more about this disease, the National Cancer Institute is launching the largest-ever prostate cancer prevention study. The NCI will be recruiting 32,000 men for this trial, which will take up to 12 years to complete. Anyone interested in being a part of this trial can call 1–800–4–CANCER for information about where the study is being conducted in their area.

I'm proud that Stony Brook University Hospital—which is located in the First District of New York and is one of the finest medical institutions in the nation—is one of the four Long Island hospitals hosting sites for this very important study.

Next week, July 29–August 3, is National Prostate Cancer Awareness Week. I urge all men over the age of 40 to set aside time during this week to make an appointment with their doctor to schedule a prostate health screening. With early detection offering more treatment options and a better cure rate for those who are diagnosed with this disease.

Research into the prevention and cure for prostate cancer and other forms of this ailment is critically important; and additional research dollars are needed to achieve this goal is vital. That's why I have joined my colleague from Long Island, Congressman PETER KING in cosponsoring H.R. 281, the Taxpayer's Cancer Research Funding Act. This legislation would amend the Internal Revenue Code and allow certain individuals to designate that five dollars—or ten dollars in the case of joint returns—be directed to the Breast and Prostate Cancer Research Fund. These dollars would be used to award peer review research grants by the National Cancer Institute.

I ask all of my colleagues to inform their constituents about the National Cancer Institute's study and to urge the men in their district over the age of 40 to schedule a screening appointment during National Prostate Cancer Awareness Week and support H.R. 281.

HONORING THE 2000 GOVERNOR OF GUAM'S EMPLOYEE RECOGNITION PROGRAM AWARD WINNERS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. UNDERWOOD. Mr. Speaker, the governor of Guam, acknowledges the hard work of government of Guam employees. The governor's employee recognition program, better known as the Excel Program, is the highest and most competitive employees awards bestowed by the governor—showcasing outstanding employees and programs within the government of Guam.

Local governmental agencies and departments participate in this program. Awardees are chosen within each department's nominees for a number of occupational groups. These groups range from clerical to labor and trades to professional and technical positions. The various awards reflect individual and group performance, valor, sports, community service, cost savings, and integrity.

My sincerest congratulations go to this year's awardees. I urge them to keep up the good work. I am pleased to submit for the RECORD the names of this year's outstanding employees.

THE WINNERS FOR OUTSTANDING PERFORMANCE IN 2000

INSPIRATION AND ENCOURAGEMENT AWARD

Medium Dept./Agency: Kenneth G. Castro, Social Worker III, Department of Youth Affairs.

Large Dept./Agency: Lydia C. Cruz, Chamorro Language and Culture Specialist, Department of Education and Susie Reyes Wells, Administrative Assistant, Guam Memorial Hospital Authority.

SILENT ONES

Small Dept./Agency: Benny C. Cruz, Engineer III, Guam Environmental Protection Agency.

Medium Dept./Agency: Edgardo D. Retumban, Customs & Quarantine Officer II, Customs & Quarantine Agency.

Large Dept./Agency: Shirley Movida, Nursing Assistant, Guam Memorial Hospital Authority.

Large Dept./Agency: Advanced Life Support, Guam Fire Department.

COST SAVINGS/INNOVATIVE IDEA OF THE YEAR

Medium Dept./Agency: Residential Substance Abuse Program, Department of Corrections.

Large Dept./Agency: Alvin M. Razon, Engineer II, Guam Power Authority.

INTEGRITY AWARD

Joaquina Meno, Youth Service Worker I, Department of Youth Affairs.

FEMALE ATHLETE OF THE YEAR

Connie C. Benavente, Private Secretary, Department of Public Works

MALE ATHLETE OF THE YEAR

Ricky P. Mendiola, Customs & Quarantine Officer III, Customs & Quarantine Agency.

SPORTS TEAM OF THE YEAR

DPW Sports Team, Department of Public Works.

PHYSICAL FITNESS AND WELLNESS PROGRAM OF THE YEAR

Vincent S.N. Perez, Customs & Quarantine Agency.

EXCELLENCE IN HIGHER EDUCATION

Yukiko Inoue, PH.D., Assistant Professor, Foundation & Educational Research, University of Guam.

PHOTO OF THE YEAR

Public Service & Children: Martha T. Tenorio, Department of Education.

Public Service & The Elderly: Christina Sablan, Governor's Office.

Public Service & Our Environment, Christina Sablan, Governor's Office.

Funny Moments of Public Servants: John T. Muna, KGTF.

Public Service is Wonderful: Christina Sablan, Governor's Office.

SILVER STAR MEDAL

Dr. Ron McNinch, Assistant Professor, University of Guam.

LIFESAVING MEDAL

Joseph J. Aguon, Utility Worker, Guam Power Authority.

Lillian O. Guerrero, Employment Program Administrator, Department of Labor.

Jesse A. Tainatongo, Firefighter I, Guam Fire Department.

COMMUNITY SERVICE

Annie P. Roberto, Program Coordinator III, Department of Public Health & Social Services.

UNIT OF THE YEAR

Small Dept./Agency: Guam Aquaculture Development & Training Center, Department of Commerce.

Division of Support Services for Individuals with Disabilities, DISID.

BRAC Division, Guam Economic Development Authority.

Medium Dept./Agency: Residential Substance Abuse Treatment Unit, Department of Corrections.

Large Dept./Agency: Agat Fire Station #5, Platoon ''B'' Personnel, Guam Fire Department.

DEPARTMENT OF THE YEAR

Small Dept./Agency: Guam Visitors Bureau.

Medium Dept./Agency: Department of Youth Affairs.

Large Dept./Agency: Guam Police Department.

PROJECT/PROGRAM OF THE YEAR

Small Dept./Agency: South Pacific Regional Environmental Program Ministerial Conference, Guam Environmental Protection Agency; 13th Guam Micronesia Island Fair, Guam Visitors Bureau; and KGTF Ready to Learn Service, KGTF.

Medium Dept./Agency: Special Projects Work Detail (Hagatna Detention Facilities), Department of Corrections; Customs/Freight Forwarder Task Force, Customs & Quarantine Agency; and Youth Crime Watch Program, Department of Youth Affairs.

PHOTO OF THE YEAR (BEST OF THE BEST)

Christina Sablan, Governor's Office: Public Service & The Elderly and Public Service & Our Environment.

EMPLOYEES ASSOCIATION OF THE YEAR

DPW Sports Association, Department of Public Works.

EMPLOYEE OF THE YEAR

General Clerical: Cheryl B. Peralta, Clerk II, Department of Public Health & Social Services.

Typing & Secretarial: Barbara Ann C. Sanchez, Secretary I (Typist), Department of Public Works.

Keypunch & Computer Operations: John A.P. Borja, Teleprocessing Network Coordinator, Guam Telephone Authority.

Office Management & Miscellaneous Administrative: Donny S. Sisior, Administrative Assistant, Department of Public Works.

General Administration & Management Systems Analysis: Gemma B. Johnston, Budget Analyst, Guam Power Authority.

Program Administration: Christina Garcia, Industry Development Specialist, Guam Economic Development Authority.

Accounting & Fiscal: Lilian Babauta, Accounting Technician III, Guam Telephone Authority.

Personnel Administration, Equal Employment & Public Information: Grace O. Garces, Public Information Officer, Guam Environmental Protection Agency.

Computer Programming & Analysis: Arden B. Bonto, Computer Systems Analyst II, Guam Telephone Authority and Shelia F. Compton, Program Coordinator II/Computer Systems Analyst, Department of Public Health & Social Services.

Statistics & Economics: Teresita B. Rosario, Research & Statistics Analyst II, Guam Telephone Authority.

Legal: Elizabeth T. Cruz, Legal Counsel, Guam Environmental Protection Agency.

Community & Social Services: Christine San Nicolas, Social Worker II, Department of Public Health & Social Services.

Employment Service & Related: Victoria Mafnas, Employment Development Worker II, Department of Labor.

General Education: Rowena Dimla, Teacher IV, Department of Education.

Compliance Inspection/Enforcement: Ricky P. Mendiola, Customs & Quarantine Officer, III, Customs & Quarantine Agency.

Public Safety: John S. Tyquiengco, Police Officer II, Guam Police Department.

Securities & Correction: Leodegario M. Buan, Detention Facility Guard, Department of Corrections.

Photography, Crafts & Graphic Arts: Frank C. Perez, Graphic Artist Technician II, Department of Education.

Environmental Health: Roland Gutierrez, Public Health Inspector II, Department of Public Health & Social Services.

Technical & Professional Engineering: Nelson C. Yap, Engineer II, Guam Telephone Authority.

Planning: Raymond J. Aflague, Planner IV, Guam Memorial Hospital Authority.

Wildlife, Biology, Agricultural Science & Related: Jeffery P. DeSoto, Plant Protection & Quarantine Officer I, Department of Agriculture.

Crime Scene & Related Technical: Monica P. Ada, Criminalist I, Guam Police Department.

Nursing & Detail Hygiene: Lea Bolano, Nurse Aide II, Department of Public Health & Social Services.

Nutrition & Health Education: Angelita E. Cruz, Dietetic Technician, Guam Memorial Hospital Authority.

General Domestic & Food Service: Edith Palma, Food Service Worker, Guam Memorial Hospital Authority.

Custodial: Johnny Quidachay, Housekeeper I, Guam Memorial Hospital Authority.

Labor, Grounds & Maintenance: Alfredo C. Fresnoza, Utility Worker, Department of Public Works.

Equipment Operation & Related: Lewis T. Cruz, Acting Equipment Operator Leader II, Department of Public Works.

Mechanical & Metal Trades: Edward P. Cruz, Auto Mechanic II, Department of Public Works.

Building Trades: Richard A. Quintanilla, Jr., Carpenter Leader, Department of Public Works.

Power System Electrical: Edwin B. Senato, High Voltage Cable Splicer/Electrician II, Guam Power Authority.

Telephone Installation & Maintenance: John B. Angoco, Jr., Switching Technician II, Guam Telephone Authority.

Electronics & Related Technical: Anthony C. Flores, Communication Technician II, Guam Power Authority.

SUPERVISOR OF THE YEAR

Keypunch & Computer Operation: Jimmy A. Pinaula, Computer Operations Supervisor, Guam Power Authority.

Office Management & Miscellaneous Administrative: Rosario U. Perez, Administrative Office, Guam Environmental Protection Agency.

General Administration & Management Systems: Ann Marie San Agustin, Administrative Office, Guam Telephone Authority.

Program Administration: Alma Javier, Program Coordinator III, Guam International Airport Authority.

Personnel Administration, Equal Employment & Public Information: Mary A. Cruz, Personnel Services Administrator, Guam Telephone Authority.

Computer Programming & Analysis: John J. Cruz, Jr., P.E., Systems Planning Supervisor, Guam Power Authority.

Community & Social Services: Edward H. Taitano, Social Service Supervisor I, Department of Youth Affairs.

Public Safety: Joseph S. Carbullido, Police Officer III, Guam Police Department.

Technical & Professional Engineering: Domingo S. Cabusao, Police Officer III, Guam Environmental Protection Agency.

Planning: Cynthia L. Naval, Planner IV, Department of Public Health & Social Services.

Crime Scene & Related Technical: Rose A. Fejeran, Criminalist III, Guam Police Department.

Nursing & Dental Hygiene: Janice L.S. Yatar, Community Health & Nursing Services Assistant Administrator, Department of Public Health & Social Services.

Nutrition & Health Education: Elsie Romero, Clinical Dietitian I, Guam Memorial Hospital Authority.

General Domestic & Food Service: Rodolfo Frianeza, Cook II, Guam Memorial Hospital Authority.

Labor, Grounds & Maintenance: Gerald O. Javier, Maintenance Supervisor, Guam International Airport Authority.

Equipment Operations & Related: John D. Charfauros, Acting Equipment Operator Supervisor, Department of Public Works.

Mechanical & Metal Trades: Dora J. Cruz, Planner Work Coordinator (Equipment Maintenance), Port Authority of Guam.

Telephone Installation & Maintenance: Malcolm Cepeda, Acting Switching Equipment Supervisor, Guam Telephone Authority.

MANAGER OF THE YEAR

Small Dept./Agency: Bernard T. Punzalan, Administration & Operations Manager, Guam Economic Development Authority.

Medium Dept./Agency: Gerald W. Davis, Chief of Division of Aquatic & Wildlife Resources, Department of Agriculture.

Large Dept./Agency: Arthur U. San Agustin, MHR, Administrator of Division of Senior Citizens, Department of Public Health & Social Services.

MERIT CUP LEADER AWARD

(Best of the best among the outstanding Supervisors & Managers of the year)

Gerald W. Davis, Chief of Division of Aquatic & Wildlife Resources, Department of Agriculture.

MERIT CUP EMPLOYEE AWARD

(Best of the best among the outstanding Employees of the year)

Roland Gutierrez, Public Health Inspector II, Department of Public Health & Social Services.

Cheryl B. Peralta, Clerk III, Department of Public Health & Social Services.

TRIBUTE TO ALICE PEÑA BULOS ON BEING HONORED BY THE SAN MATEO CENTRAL LABOR COUNCIL

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Ms. ESHOO. Mr. Speaker, I rise today to honor Alice Peña Bulos, an extraordinary citizen of San Mateo County who is being honored by the San Mateo Central Labor Council

at its 22nd Annual COPE Benefit Dinner on July 27, 2001.

Alice Bulos has played an integral role in our nation's political arena and our community's heritage for decades. She has worked tirelessly to encourage the participation of minorities in the political process and the empowerment of Filipina and other Asian-American women in their personal and professional lives. As a long-time political activist and as an adviser to President Clinton on the Federal Council on Aging, Alice Bulos has given voice to the concerns of millions of disenfranchised and needy Americans.

Alice Bulos is known as the ''Godmother of Filipino American Politics.'' Together with her late husband Dony Bulos, she founded the Filipino American Grassroots Movement, a voter registration drive designed to involve Filipinos in the political process. She continues to serve as Chair of the Filipino American Caucus and has been outspoken on the rights and benefits due Filipino veterans who served during World War II. Alice has also served as the Charter President of the Fil-Am Democratic Club in San Mateo County, the Regional Chair of the National Filipino American Women's Network, and as a Board member of the National Asian/Pacific Democratic Council.

Community work is synonymous with Alice Bulos. Very few have done as much. She's a Board Member of the San Mateo County Chapters of the American Heart Association, the American Lung Association and the American Red Cross. She also serves on the Board of the Community Initiative on Multiculturalism and the Northern California Disaster Preparedness Network.

Alice Bulos has been an effective advocate on behalf of a number of other under-represented groups. She has led the effort to secure rights for workers at San Francisco International Airport by helping them join and organize labor unions. Alice has also worked to organize a coalition for Asian Pacific women to provide them with forums for education and business, and she has also established a support group for widows, focusing on self-esteem, self-respect, and independence.

In 1993, President Clinton appointed Alice Bulos to the Federal Council on Aging where she advised and assisted the President on matters relating to older Americans. Recognizing her exemplary work, the President again called upon Alice Bulos to serve in another advisory role—this time as a delegate to the 1995 White House Conference on Aging.

Alice is the widow of Donnie B. Bulos, a distinguished lawyer, and fellow political activist. She is the proud mother of Elizabeth, married to Carlos Ramilo, and has three magnificent grandchildren, Charity, Charles, and Clarke.

Mr. Speaker, Alice Peña Bulos is an extraordinary individual, a respected political and community leader, and a dearly valued friend. We are a better county, a better country, and a better people because of her. I ask my colleagues to join me in honoring this distinguished woman for all she has done and continues to do to make the American dream come true for others and to help keep the promise of democracy to everyone.

TRIBUTE TO MS. KIMBERLY A. SHELLMAN OF THE D.C. CHILDREN'S ADVOCACY CENTER

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. CRAMER. Mr. Speaker, I rise today to recognize and honor Ms. Kim Shellman as she finishes her duties here in Washington and moves to Atlanta to continue her work with children. Kim has been the founder, the inspiration and the blood, sweat and tears of Safe Shores—the D.C. Children's Advocacy Center. Since she first began working to provide the District of Columbia with its own child advocacy center over five years ago, she has brought professionalism, a tireless enthusiasm and a heart bigger than this city to the task. The D.C. Children's Advocacy Center is a non-profit, private-public partnership that coordinates an inter-agency team approach to child abuse cases in the District. It is modeled after the National Children's Advocacy Center that I started in Huntsville, Alabama, when I served there as District Attorney before my election to Congress. It is a joy to see something you started take off. The D.C. Children's Advocacy Center has shown us that the model can be successfully adapted in urban settings and with the unique government structure of the District.

Kim has accomplished an amazing amount here in Washington, and I have no doubt she will continue to excel in her new position in Atlanta. She has the unique ability to work with a system and sort through the bureaucracy to ensure that what's most important—our children—are being taken care of. The Children's Advocacy movement believes in putting the needs of abused children first and Kim embodies that belief. Throughout her career, she has sought out ways to help children within the confines of the justice system. As an elementary school teacher, volunteer at a Dominican orphanage, the Director of a tutoring program, a legal intern with the Family Division, a law clerk for the Presiding Judge of the Family Division at D.C. Superior Court, and finally as the Executive Director of Safe Shores, Kim has given freely of her talents, wisdom and energy to children. She has been recognized for her work with the U.S. Department of Health and Human Services 1998 Commissioner's Award for Outstanding Leadership and Service in the Prevention of Child Abuse and Neglect.

Kim has done everything for Safe Shores from supervising staff and team agencies to accounting to drafting policies and procedures to coordinating capital campaigns. She has been on the frontlines of child abuse prevention and treatment for over five years. Her success can be measured through each child that has gone through her program and has benefited from Safe Shores' services. She has been a tremendous asset for the district and we are sorry to see her go. We do, however, wish her the best as she begins her new job working with the Fulton County District Attorney's office to build a model CAC program there in Atlanta, Georgia. The children of Atlanta are very fortunate to have Kim on their side. On behalf of the U.S. House of Representatives, I wish Kim the best and sincerely thank her for going above and beyond the call of her duty on behalf of children.

TRIBUTE TO JACKIE DAVIS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a great Arkansan and outstanding law enforcement officer. I am proud to recognize Jackie Davis in the Congress for his invaluable contributions and service to his community, to our state, and to our nation.

Cabot Police Chief Jackie Davis is a life long resident of northern Lonoke County, Arkansas and started his public service career as a volunteer firefighter with the Tri-Community Fire Department, where he served for approximately two years. Chief Davis then became a volunteer firefighter at the Cabot Fire Department, where he served until hired by the Cabot Police Department on August 1, 1985.

Since joining the Cabot Police Department, Chief Davis has advanced through the ranks of the Department, holding several positions including Patrol Officer, Senior Patrol Officer, Sergeant, and Lieutenant. Chief Davis has witnessed the rapid growth of the City of Cabot throughout his career as a police officer. Chief Davis was promoted to Chief of Police in 1997 and has demonstrated his proven ability to lead a progressive police department.

Chief Davis and his wife Kim are very active in the community, supporting various public programs and school activities. Chief Davis supports his children Todd, Alex, Tara and Stacy in their various hobbies and activities, specifically academic and athletic events.

Chief Davis is truly a ''cop's cop'' and his open door policy and listening ear have made him a positive mentor and leader for his officers. There is an old police saying, ''every good cop stays a rookie at heart.'' Chief Davis is a fine example of what a Chief should be.

Jackie Davis is a law enforcement officer, a husband, a father, and a friend to many. He has dedicated his life to serving his fellow citizens as a leader in both his profession and his community, and he deserves our respect and gratitude for his priceless contributions. On behalf of the Congress, I extend congratulations and best wishes to my good friend Jackie Davis on his successes and achievements.

PENNSAUKEN HIGH SCHOOL JAZZ BAND

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. ANDREWS. Mr. Speaker, I rise today to commend and congratulate the hard work and effort of the Pennsauken High School Jazz Band. The Band has performed at the Inauguration of Christine Whiteman, Penns Landing in Philadelphia, Lincoln Center in New York City and various colleges and universities. They have won the Dixie Classics Championship and several other distinguished honors such as Best Rhythm Section, Best Trumpet Section, Best Trombone Section, outstanding soloist awards and many overall outstanding band awards. The Pennsauken Jazz

Band secured 2nd place in the New Jersey State Finals, along with awards for the best trumpet section and rhythm section in the State. Additionally, the band has received a Superior Rating at every festival they have performed in. The members of the Spring 2000 Jazz band are: Zachary Andrews; Frank Cuccio; Kristin Cuccio; Julia DePasquale; Anthony DiDomenico; Steven Engel; Eli Ferrer; Steven Forrest; Tim Gerard; Rob Hill; Christine Hinton; Rich Johnson; Ken Juray; Brian Kilpatrick; Nathan Kranefeld; Joe Lucidi; Jim MacKenzie; Ben Markowitz; Corey Mossop; Louis Muzyczek; Dominic Natale; Jeff Rivera, Rich Slack; Ernest Stuart; Perry Sutton; Vincent Williams. I wish you all the best and continued success in your endeavors.

INTRODUCTION OF THE ROUND II EZ/EC FLEXIBILITY ACT

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. CAPUANO. Mr. Speaker, I rise in support of Round II EZ/EC Flexibility Act of 2001, bipartisan legislation I introduced yesterday with my colleague from New Jersey, Mr. LOBIONDO.

The bill we introduced makes a number of small changes to the EZ/EC program that will provide these communities with greater flexibility in administering their economic development plans. Specifically, the bill authorizes $100 million in appropriations for each of the fifteen urban Empowerment Zones, $40 million for each of the five rural Empowerment Zones, and $3 million for each of the twenty rural Enterprise Communities.

The legislation also ensures that Empowerment Zones and Enterprise Communities that apply for one of the new Renewal Community designations will continue to receive the EZ/EC funding they were promised in 1999. Finally, the bill allows these communities to use their funding as the local match for receiving grants from other federal programs. This will help EZ/EC communities leverage additional resources to undertake economic development initiatives and provide job training and other vital social services.

Mr. LOBIONDO and I have worked hard over the last several years to secure funding for the communities across the nation that were designated as Round II Empowerment Zones and Enterprise Communities. We both know first hand the successes of the EZ/EC program, and we will continue to work together in a bipartisan manner to ensure that these communities are allocated the resources they need to bring economic opportunity to all Americans.

INTRODUCTION OF THE CONTACT LENS PRESCRIPTION RELEASE ACT OF 2001

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. STARK. Mr. Speaker, today I join with several colleagues to introduce bipartisan legislation, the Contact Lens Prescription Release Act of 2001. This bill would enhance consumer fairness in the contact lens industry by requiring eyecare professionals to release contact lens prescriptions after completing the fitting process.

Currently, consumers throughout the United States enjoy unobstructed access to their eyeglass prescriptions. That's because back in 1973, the Federal Trade Commission issued a regulation requiring the automatic release of eyeglass prescriptions. Through this regulation, the FTC recognized that possession of both the prescription and the product constituted an unfair advantage for eye doctors and that consumers could safely manage their eyeglass prescriptions.

At the time, it made sense that this rule was not extended to contact lenses, which were a brand new technology. Furthermore, most were hard lenses that needed to be ground and fitted to each particular eye. Today, the contact lens market looks very different. Thirty-four million Americans wear contact lens and 85% of them choose soft contacts.

Contact lenses are fast replacing eyeglasses as the corrective instrument of choice for consumers. Yet despite this trend, in most states, prescribing eye care professionals can refuse to release contact lens prescriptions—even after patients complete the initial fitting process and even to longtime contact lens wearers who simply need their time-limited prescriptions renewed.

Eye doctors cite health concerns, yet the reality is they have a strong financial incentive to restrict consumer access to the contact lens market. Without their contact lens prescription, consumers are often forced to purchase contact lens from their prescribing eye doctor.

With contact lens wearers effectively denied the right to receive their own prescriptions, anti-competitive behavior has flourished. In fact, the American Optometric Association and Johnson & Johnson's, maker of the popular ACUVUE disposable contact lens, just reached a preliminary settlement in an anti-trust lawsuit filed by the attorneys general of 32 states.

The attorneys general alleged that defendants conspired both to force consumers to buy replacement contact lenses from eye care professionals only and to eliminate competition from alternative distributors, including pharmacies, mail-order, and Internet retailers. Contact lens manufacturers CIBA Vision and Bausch & Lomb have previously reached settlement agreements on the same charges.

While the resolution of these anti-trust lawsuits is a step toward putting contact lens wearers on equal footing with eyeglass wearers, more action is needed. Contact lens wearers must be assured the same access to their prescriptions that eyeglass wearers currently enjoy. Yet the FTC has repeatedly failed to update its rule and extend prescription release requirements to contact lenses. This does not bode well for consumers. It means that in many states, people who wear contact lens cannot shop around for the best value and quality products.

In fact, this is exactly what happened to my wife back in 1994. Despite her request, this doctor refused to release her prescription, but was more than happy to sell her contacts through his professional office. At the time, it struck me as fundamentally unfair that eye doctors stand to profit from holding their patients captive. It still does.

My wife's predicament is hardly unique. Over the past few years, Consumers Union has issued several reports detailing similar problems in Texas. A 1997 survey found that 65% of Texas optometrists refused to release contact lens prescriptions upon request, yet 91% of these same individuals did not hesitate to fill a prescription released by another eye doctor. Where are the health concerns here?

The time has more than come for contact lens wearers to enjoy the same rights as eyeglass wearers. The Contact Lens Prescription Release Act would require the FTC to promulgate a prescription release rule for contact lenses paralleling the 1973 rule for eyeglasses. This would require eyecare professionals to release a patient's contact lens prescription to the patient after completing the fitting process. Upon request, contact lens prescriptions must also be released to an agent of the patient, such as an alternate contact lens distributor. Furthermore, eyecare professionals must promptly verify the information contained in a patient's prescription when an agent of the patient contacts them for such verification. To ensure that consumers are protected from misleading advertisements, the contact Lens Prescription Release Act would also make it an unfair trade practice to state or imply that contact lenses can be purchased without a valid prescription.

I encourage my colleagues to join me in support of this important legislation, what has been endorsed by Consumers Union. There is absolutely no reason for the law to be inconsistent relative to vision correction by eyeglasses vs. contact lenses. More fundamentally, there is no reason why any American should be denied the basic right to receive their prescription, whether they wear eyeglasses, contact lenses, or both.

NASA GLENN: A REGIONAL ECONOMIC ENGINE

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. SAWYER. Mr. Speaker, Northeast Ohio is home to an outstanding NASA Agency Center bearing the name of one of our nation's true heroes, and our former colleague from the other body, John H. Glenn.

Just as John Glenn was a leader in space exploration, the NASA Glenn Research Center is a leader in aeronautics, space transportation, spacecraft technology, materials science, and even microgravity research.

NASA Glenn is an integral part of the NASA mission. But while it serves a national mission, it also serves as an incubator for industries and ideas throughout the Cleveland-Akron region and the state. The Greater Cleveland Growth Association estimates that the annual statewide spin-off from NASA Glenn comes in at nearly $1 billion and 12,000 jobs.

In my district, one of the results has been more than 30 grants to the University of Akron, which is itself a national leader in polymer science and engineering. Polymer technology, including nanopolymer technology which builds advanced materials at a molecular level, holds great promise for NASA programs.

From environmentally friendly batteries to vehicle components made from strong, lightweight nanopolymers, there are exciting concepts under development in Ohio. Many of them no doubt will be incorporated into NASA's aeronautics and space programs of tomorrow, thanks to the energy and vision of the NASA Glenn Research Center. Just as important will be the application of these technologies outside of NASA, through its technology transfer function.

We know that creative scientists can invent important technologies and devices when they are charged with a specific goal, such as sending an astronaut to the moon. But I am awed by the following statistic: The NASA Glenn staff have won more of R&D Magazine's R&D 100 awards than the staff of all other NASA agency centers combined. I cannot tell you why there is that much excellence at NASA Glenn. But I can tell you that there are very good things happening in Ohio, and they hold enormous importance for us in ways that perhaps neither the scientists nor we can predict.

The action by the Subcommittee, and particularly my good friend, the gentleman from Ohio (Mr. HOBSON), will be of great assistance to keep NASA Glenn and Ohio on this course set for excellence.

TRIBUTE TO TOM BARNES

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. CALVERT. Mr. Speaker, I rise today to pay tribute to a most wonderful person, friend and father—Tom Barnes—who passed away at the young age of 55 last Wednesday, July 18th.

Calvin Coolidge, America's 13th President, once said, ''No person was ever honored for what he received; honor has been the reward for what he gave.'' And Tom Barnes gave much to his community and the whole of the Inland Empire during his life.

A small piece of heaven just south of Corona, Tom's Farms, was Tom Barnes' gift to countless men, women and children. After years of selling fruit out of the back of his truck, Tom opened Tom's Farms in 1971. In the tradition of Walter Knott of Knott's Berry Farm and the culture of roadside stands, Tom offered tourists traveling through California's Inland Empire fresh fruits, antique furniture and dining all in the picturesque setting of country-style buildings painted yellow with green trim, a lake and the majestic shade of large trees. Today, Tom's Farms remains the perfect family outing and a traditional ''must-stop'' for anyone heading south on Interstate 15.

His roots take us back to Kansas City, Missouri where Tom got his start in business by selling his father's strawberries door to door. And today, Tom's Farms serves as a proud testimonial to that upbringing where fresh fruit and vegetables, finches and macaws, cheeses and wines, and country and antique furniture is offered for the delight of all who stop and take a moment to enjoy their surroundings. Through present expansion, including the addition of an animal farm, Tom's Farms promises to provide ''down-home'' enjoyment and family fun for years to come.

Tom Barnes was best known for his business finesse and a dedication to family and community involvement—particularly when it came to supporting local police and fire safety. In fact, for the past two years, Tom offered up Tom's Farms for the Great Taste of Corona, an annual event to raise funds for the police and fire departments. Additionally, Tom's versatility allowed him to expand Tom's Farms in the form of furniture stores in Corona and San Bernardino. He was also co-owner of TB Scott's restaurant in Corona with his best friend Scott Sherman.

Tom is survived by his wife, Leslie, two sons, two daughters and a grandchild. My prayers go out to them for their loss.

Mr. Speaker, looking back at Tom's life, we see a man dedicated to his family and community—an American whose gifts to the Inland Empire and southern California led to the betterment of those who had the privilege to come in contact or work with him. Honoring Tom's memory is the least that we can do today for all that he gave over his lifetime.

MOYLAN'S INSURANCE UNDERWRITERS, INC

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. UNDERWOOD. Mr. Speaker, thirty years ago, a small company founded on Guam with only three employees was charged with the daunting task of servicing the island's insurance needs. The small company soon blossomed into a thriving business and became a hallmark of professional integrity on Guam—Moylan's Insurance Underwriters Inc.

For the past thirty years, Moylan's has earned the reputation of being the ''Home of the Good Guys and Gals'' and has been at the forefront in providing insurance services to the people of Guam. Founded in 1971 by Kurt S. and Judith Moylan, the business today has nearly 100 employees with branches in Guam, Saipan, Palau, Pohnpei, Yap, Kosrae, Chuuk and the Marshall Islands.

In 1978, Moylan's acquired Daihan Insurance Underwriters, Inc., General Agent for Korea Reinsurance Corporation from Seoul, Korea and, in 1985, they added the Micronesian Insurance Underwriters (Overseas), a General Agent for the American Home Assurance Company, the New Hampshire Insurance Company and AIG Groups.

In 1997, Moylan's Insurance was named General Agent for the MMI Group. One of Australia's largest general insurers the MMI group is affiliated with some of the largest general insurance companies in the world. In 1998, First Net Insurance Company, a project of Moylan's Insurance Underwriters, Inc. was incorporated as a domestic Property and Casualty company. The company's reinsurance program for the year 2000 is underwritten by Allianz AG out of its regional office in Singapore. Allianz is one of the largest reinsurance and financial services organizations around the world, and is rated by Standard & Poor's as a AAA security, the highest possible rating under S&P's scale.

Through all its subsidiary corporations in Micronesia, Moylan's services a 3,000-mile area that is comparable to the size of the continental United States. With considerable growth over the past two decades, Moylan's has become a recognized name in insurance within the islands in the Pacific.

Taking time out of his business ventures, founder Kurt Moylan also managed to serve the people of Guam in the political sphere. In 1964, he was elected to the 8th Guam Legislature, the youngest person ever elected to political office on Guam. Two years later, Mr. Moylan, along with Carlos G. Camacho, Judge Vicente G. Reyes and former Governor Joseph Flores formed the Republican Party of Guam. At age 30, he was appointed by President Richard M. Nixon to serve as secretary of Guam, a title equivalent to the title of lieutenant governor of Guam. At 31, Kurt Moylan was sworn in as the first elected lieutenant governor of Guam. He served until 1974. He was also elected to serve in the 16th Guam Legislature in 1980. His son, Kaleo, continued this tradition when he was elected to the 25th Guam Legislature in 1999. He is still serving Guam in this capacity—having been reelected in 2000.

For thirty years now, the island of Guam has reaped great benefits from the services provided by Moylan's Insurance Underwriters Inc. and most especially from the entrepreneurial spirit of its founders Mr. Kurt S. and Judith Moylan, and the entire Moylan family. The people of Guam are grateful for their contributions. I offer my sincerest congratulations to the good guys and gals of Moylan's. I wish them continued success in the years to come.

RECOGNIZING THE UNANIMOUS DECISION OF THE NATIONAL LABOR RELATIONS BOARD IN CROWN CORK & SEAL

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. BOEHNER. Mr. Speaker, I am pleased to bring to the attention of the House of Representatives, a remarkable and unanimous ruling of the bipartisan National Labor Relations Board—known as Crown Cork & Seal, 334 NLRB No. 92 (July 20, 2001)—that resolves an issue that many of us wrestled with throughout the 1990s. The issue is the legality of workplace teams under which employees work with their employers to resolve on-the-job issues including workplace health and safety, efficiency and productivity, training, and diversity. Prior to the Crown Cork & Seal ruling, there was some ambiguity as to whether these teams may be considered employer-dominated ''labor organizations'' under the National Labor Relations Act.

Those who were here during the 104th Congress are probably familiar with this issue. Thanks in large part to the efforts of my predecessor as Chairman of the Education and the Workforce Committee, William F. Goodling, and the former Chairman of the Employer-Employee Relations Subcommittee of that Committee, Harris Fawell, the Congress passed lelgislation—the ''Teamwork for Employees and Managers Act'' (TEAM)—aimed at addressing the ambiguity that existed. Disappointingly, President Clinton later vetoed that legislation and left the ambiguity in place.

Many of us could not understand why the issue was even contentious. The sham ''company unions'' which existed during the early

years of collective bargaining—and which necessitated the inclusion of Section 8(a)(2) in the NLRA, making it an unfair labor practice for an employer to ''dominate or interfere with the formation or administration of any labor organization or contribute . . . support to it''—are largely a relic of history. Yet the Board in its infamous Electromation case reaffirmed its interpretation of the statute's broad definition of ''labor organization'' to include an enormous variety of workplace teams. Subsequent attempts to ''clarify'' its ruling only muddied the waters further.

Unfortunately, because of the Board's holding in Electromation, employers were forced to make a difficult decision. On the one hand, they knew they needed the assistance of their employees in order to be competitive, but if they acted on that need they opened themselves up to litigation. American firms in every sector of the economy continue to learn that to compete successfully in a global economy, they need to follow the lead of the high-tech sector by engaging the full talents of their employees as never before. Today's employer-employee relationship is one of cooperation as opposed to the confrontational relations of previous generations.

The NLRB's decision in Crown Cork & Seal reflects this cooperative relationship by adopting a common-sense approach. While protecting the prohibition against company unions, the Board has ruled that a workplace team is not a ''labor organization'' if all it is really doing is assuming a function that previously was performed by a manager. That, in a nutshell, is what employee involvement is all about.

This decision will allow for the growth of employee involvement, which will, in turn, lead to a sea of change in the structuring of the employer-employee relationship. Companies will now be comfortable implementing progressive human resources practices, because they know it will benefit both the company and its employees through open communications and by pushing decision-making downward within the organization.

In closing, Mr. Speaker, I'd like to congratulate the bipartisan Board that issued this ruling unanimously—Republican Chairman Peter Hurtgen and Democrats John Truesdale, Wilma Liebman and Dennis Walsh. We should all applaud them for rishing above the partisan past of this issue. I sincerely hope that this landmark ruling points the way to a less contentious, more bipartisan approach in Washington in all of these areas where we need to upgrade laws that were passed in a previous century to apply to our workplace of today.

HONORING MICHAEL MARTIN MURPHEY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. McINNIS. Mr. Speaker, our country has undergone dramatic changes in recent years, including continued urbanization of the American West. I would like to thank Michael Martin Murphey for his leadership in the crucial movement toward the preservation of our Western heritage.

Michael is blessed with many talents, which he has applied to promote this cause. He is best known for his extensive musical ability, which has earned him countless awards and fans. His Pop and Country music have made him an award-winning artist in those areas, and his American Cowboy Music is the top-seller of its genre. For example, Michael's hit, ''Wildfire'' is one of the ''most-played songs in the history of radio'' according to the Murphey Western Institute of Oklahoma at Medicine Park. In addition, ''he is a five-time award winner in The National Cowboy Hall of Fame,'' and The Academy of Western Artists awarded him 1999 Best Album and Best Song. Michael conveys the essence of the West through his music, allowing his audience to experience the West, rather than only to read about it.

In addition to utilizing his musical ability, Michael has sprung into action using his relationship with Western land issues, his leadership skills, and his writing ability to get the word out about the preservation of Western heritage and culture. He is publisher of The American West magazine, for which he writes articles supporting his cause, and he is currently working on his first book. He also started what Country Music Magazine called ''the best festival in the US,'' the Westfest, located in Vail, Colorado. This festival celebrates ''Cowboys, Indians, Country and Western music, Rodeo, Western Art and the world of the American West.'' Michael understands the need to help people experience the West, empowering them to incorporate Western heritage into their own lives. Along those same lines, he recently established the Murphey Western Institute, a not-for-profit foundation ''dedicated to the promotion, preservation and perpetuation of the culture and heritage of the American West through research, education, recreation and entertainment.''

Mr. Speaker, Michael Martin Murphey is a man of conviction, and a man whose tireless endeavors have reached millions. I would like to pay him tribute for all that he has done to preserve and promote the American West, a significant aspect of our nation's history, and one of the most precious aspects of our American heritage.

COMMISSIONING OF THE COAST GUARD CUTTER ''GANNET''

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. SHAW. Mr. Speaker, this weekend I have the honor of attending the commissioning of the Coast Guard Cutter *Gannet*, whose sponsor is Mrs. Dorothy Fuller Kleiderlein, mother of the late Robert Fuller, who died earlier this year in service to the U.S. Coast Guard as an auxiliarist. I am honored to be invited to such a ceremony, not only because the U.S. Coast Guard represents the best in public service and selfless sacrifice for our fellow Americans, but because I have always been a strong supporter of the Coast Guard's vital mission.

The occasion: An occasion such as this serves to remind us of the important role the Coast Guard plays in defending our national security and protecting the public safety. Many have sacrificed for the benefit of protecting our shores, for the safety of those who travel to and from our coastlines, and for the general support our law enforcement and maritime communities gain from key cooperation with the U.S. Coast Guard. But the commissioning of a new ship gives us more than a moment of reflection on the past. It is a call for renewal: renewed technology and modernized hardware, yes; but moreover, a renewed commitment to the mission, the ideals, and the goals embodied in the U.S. Coast Guard.

The Coast Guard's important mission and traditions: ''Group Miami'' is one of the Coast Guard's busiest and most active commands. Anyone who has resided in South Florida—or even visited—can see why. Search & rescue cases, counter-drug operations, migrant interdiction, and marine environmental protection are constant, ongoing demands. This new ''Marine Protector'' class coastal patrol boat, a state-of-the-art 87-foot cutter, the *Gannet*, will contribute to each of the duties we call on the Coast Guard to perform. We expect those who serve our country in uniform, in every service branch, to have the benefit of the best equipment and technology available. The *Gannet* is a renewal of that commitment.

Giving the best our best: The Coast Guard's biggest asset is the people who serve, whether in active duty, as reservists, or as auxiliarists. The best people deserve the best equipment and technology we can provide. Sometimes, even the most modern support isn't enough. We know the tragedy that befell Rob Fuller and Casey Purvis. We know that even with modern technology, the Coast Guard must constantly fight the elements of nature while striving to protect us all when nature—or in some cases, human nature—strikes. But their courage and that of their colleagues must be evenly met with our unwavering support for putting the best tools into the hands of those who risk their own lives to protect us.

That is why I am pleased to call myself a supporter of the United States Coast Guard and honored to be attending a gathering to commission the *Gannet*. If we are to continue to have a strong maritime industry, waters safe for recreational boating and streets safe from the scourge of drugs, we must put the resources where they matter most. I look forward to working with other leaders to make that vision a reality.

IN HONOR OF REBECCA WATSON'S DEDICATION TO TEACHING

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. McINNIS. Mr. Speaker, today I stand before you to honor a woman that exemplifies the qualities that are greatly needed in the education system today, Rebecca Watson. A creative, caring and committed teacher, Rebecca has spent her entire teaching career shaping the minds of the students that have passed through the halls of Taylor Elementary School in Palisade, Colorado. For two consecutive years, Rebecca has been nominated for the Disney Teacher of the Year award, and although she did not receive the award last year, the compliment of a second nomination this year speaks volumes of her influence as a teacher.

Rebecca is a life long resident of the Palisade area; in fact she attended the same elementary school in which she now teaches.

She also attended Palisade High School where she participated in many activities, including spending three years as a Varsity Cheerleader. Rebecca was eager to continue her education, leaving for Fort Lewis College in Durango, Colorado the summer after graduation, while her future classmates stayed home. During the course of her college career, Rebecca participated in a unique program by spending the summer educating young women in the correctional facilities near Denver, Colorado. The program was a great learning experience, teaching both Rebecca and the girls lessons that they could carry with them the rest of their lives.

In the 26 years that Rebecca has been at Taylor Elementary she has taught a number of grades, but kindergarten is the grade level that she has grown to love. Rebecca continued to challenge herself and received her Masters Degree in Elementary education. In addition, she attends the Kindergarten Convention for elementary teachers every year. The minute you walk into her classroom you are sent back to being a five year old once again. The class is packed with colorful Sesame Street characters illustrating the alphabet or numbers. The irrepressible Cookie Monster is everywhere, reminding students that learning is fun. She is well respected among her peers and is often sought after for advice on classroom technique. Dee Crane, principal at Taylor, calls Mrs. Watson ''a real star.'' She compliments Rebecca on her creativity, her love of the kids, and dedication. Rebecca is not only recognized by Taylor Elementary staff, but she also received the Mesa County School District Teacher of the Year Award in 1999. The nomination for Disney's Teacher of the Year was a surprise only to Rebecca. Although she was not chosen for the honor last year, she was asked to share her ideas from the ''cookie class'' on the Disney website. This year Rebecca was nominated for the honor again. It is inspirational to know at a time when our education system is under such critical attack that there are teachers going above and beyond to insure the students leaving there class have every advantage.

Mr. Speaker, as Rebecca's husband Allen, and daughters Kelly and Jodie, along with friends and colleagues wait to hear the final word on the Disney Teacher of the Year Award, I would like to wish her luck and thank her for her efforts. If all the teachers in this great Nation would follow Rebecca's example, the education system in the United States would benefit greatly. That said, I ask Congress to honor Rebecca Watson, she is truly an inspiration to not only her Colorado colleagues, but to teachers around the country.

ELEVENTH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. TOWNS. Mr. Speaker, I rise on the occasion of the eleventh anniversary of the Americans with Disabilities Act, which works on protecting our citizens with both hidden and visible disabilities from discrimination.

The Americans with Disabilities Act has been protecting citizens of this great nation for the past eleven years. In fact, 52.6 million Americans live with some level of a disability. That translates into one in every 5 people. In fact, one in every eight U.S. residents has a severe disability.

This Act does not allow people to discriminate against people with disabilities and requires that necessary accommodations be made to assist the disabled. Commonplace amenities such as elevators and ramps in all new buildings were virtually unheard of before the passing of the 1990 act. What is now viewed as a regular feature in movie theaters and other venues, listening aids were once uncommon and unavailable. One of the most recent triumphs of the Americans with Disabilities Act has been the United States Supreme Court Ruling that a golf cart must be supplied to disabled golfer, Casey Martin, for his PGA Tournaments. The Americans with Disabilities Act also extends to non-physical and more often hidden disabilities, allowing at the most basic level accommodations to be made for students in schools nationwide as well as elected officials, many of whom would never have had an opportunity for public service without ADA.

Mr. Speaker, for the past eleven years the Americans with Disabilities Act has been an integral part of this nation. As such, the Americans with Disabilities Act is more than worthy of receiving our recognition today. I hope that all my colleagues will join me in commemorating this truly remarkable law.

HONORING WILLARD ALLEN MEYER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I now rise to honor the life and memory of an outstanding person, Willard Allen Meyer. As family and friends mourn his passing, we all will remember Will's talents and remarkable life.

Much of Will's life was spent educating himself. He received his B.A. in Economics from Southern Illinois University, becoming the first person in his family to graduate from college. He then continued his education at the University of Freiburg in Germany and the University of Massachusetts. After his formal schooling, Will taught economics at Allegheny College. In addition to his impressive academic career, Will was a proficient carpenter, mason, as well as a business owner, chef, civic volunteer, and community servant.

Will was also a well-traveled man. His love of new experiences drove him to live throughout the United States, Germany, France and Switzerland. Will never ceased forging new adventures, and he passed away while on a much anticipated vacation with his family in Paris, France.

Will held a strong belief that every citizen had a responsibility to try to make his or her community a better place. Throughout his civic career, he served as a Breckenridge town Councilman, as Boulder County Democratic Party's Treasurer, and as President of PlanBoulder. Will worked at the Colorado Legislative Council as a budget analyst for 12 years, serving until he passed away. He also committed himself to the City Planning Board, City Parks and Recreation Board, and the Affordable Housing Task Force, among other organizations.

While his involvement with education and the community are to be remembered, Will's lasting legacy rests in his family. He was a dedicated husband to his wife, Lynne and a proud parent to his daughter, Virginia.

Mr. Speaker, Willard Meyer was a man who lived an accomplished life. Although friends and family are profoundly saddened by his passing, each can take solace in the wonderful life that the he led. I know I speak for everyone who knew Will when I say he will be greatly missed.

H.R. 7, THE CHARITABLE CHOICE ACT OF 2001

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Ms. DeGETTE. Mr. Speaker, I voted against H.R. 7, the ''Charitable Choice Act of 2001'' because it is a fundamentally-flawed bill that would put in jeopardy one of the bedrock principles of the United States—the separation of church and state. Many religious organizations receive government funds to provide certain services under a carefully crafted and judicially-tested model and I believe these organizations have an important place in the social safety net. However, I have serious concerns about this ''Charitable Choice'' bill because it significantly deviates from the current system and permits religious organizations receiving federal funds to evade the Civil Rights Act and engage in employment discrimination based on religion. Also, it contains a major loophole that blurs the line between direct and indirect assistance to religious organizations and endangers important protections against governmental funding of religious organizations.

Religious organizations have been permitted to receive federal funds for social services since 1996 when the welfare reform bill was enacted into law. With the passage of the welfare reform bill came strict guidelines that serve to ensure the separation of church and state and the preservation of anti-discrimination laws. The current charitable choice model provides certain constitutional protections to ensure that religious activities are not supported by tax dollars. One of these provisions requires religious organizations to keep federal funds in separate accounts that are open to audit by the government. I believe religious organizations should be able to receive funds through the process in current law that protects the character of religious institutions while preserving the civil liberties of the general public. However, H.R. 7 would greatly expand current law and would break down the constitutional protections of the current system.

H.R. 7 would enable a religious organization to engage in discriminatory practices based on religion if an employee or potential employee does not practice the teachings and tenets of that religion. This creates a gaping hole in the civil liberties of many individuals including unwed and pregnant women, gays and lesbians, women who have had abortions, and divorced individuals. It could even reach people who use birth control or favor reproductive

rights. As if that was not enough, the bill intentionally supersedes any state or local antidiscrimination law. This means that a local law, passed by a community that believes employment discrimination based on religion is wrong could be effectively overturned if a religious organization receiving federal funds wants to fire an employee based solely on their beliefs. I find the willingness of this Congress to codify employment discrimination and destroy state and local antidiscrimination laws deplorable.

Additionally, the ''Charitable Choice'' bill would permit taxpayer dollars to go toward religious worship and proselytizing. Under current law, a religious organization that receives federal funding cannot use those funds for proselytizing, religious worship, or religious instruction. However, H.R. 7 contains an ill-defined provision that would allow federal funds to be funneled through governmental agencies in the form of vouchers that could be applied toward services provided by a religious organization. These funds would be available to religious organizations even if they are used for religious instruction, proselytizing, or sectarian worship. Congress should not weaken protections in current law that ensure the separation of church and state.

In conclusion, I believe H.R. 7 should have been defeated because it attacks some of the basic principles in America. I do not believe Congress should allow the wall dividing church and state to be chipped away. Congress should recognize the important contributions that religious organizations make in providing social services to needy people but should also maintain the essential protections for our democracy.

HONORING SUSIE LOAFMAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to remember a caring and compassionate individual from Silvercliff, Colorado who has recently passed away. It is with profound sadness that I now rise to honor the life and memory of Susan Marie ''Susie'' Loafman who died on Wednesday, July 11, 2001.

Susie had endured cancer and diabetes for sometime, but this did not stop her from giving so much to others in her life and in the community. After graduating from Custer County High School in 1950, she proceeded to open a local restaurant in 1964 and named it ''Susie's Cafe and Bar.'' The popularity of this establishment grew so great that people who knew of the restaurant would not drive by without visiting Susie's restaurant. Beyond the demands of operating the eatery, Susie was engaged civically with such organizations as the Chamber of Commerce, the Women's Club, the Altar and Rosary Society, the Merchants Association and the Custer County Cattlewomen. While adding to the community in this respect, she also built a strong foundation within the walls of her house by serving as a foster mother to over 30 foster children.

Mr. Speaker, at the age of 71, Susie Loafman will be remembered and appreciated for her spirit and kindness. As family and friends mourn her passing, her lessons and tenderness will live forever in the hearts of those that knew her and that she assisted. I would like to extend my deepest sympathy and warmest regards to her family at this time of remembrance. She will surely be missed.

IN REMEMBRANCE OF CAROLE JEAN THOMAS FAJARDO

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Ms. SOLIS. Mr. Speaker, I rise today to speak in remembrance of Carole Jean Thomas Fajardo, who passed away this month. Mrs. Fajardo was born in Pueblo, Colorado, and was a committed activist in the San Gabriel Valley and other areas. She graduated from the University of Texas in El Paso. She is survived by her husband Mr. Richard Fajardo who is a well-known attorney in the Los Angeles area. Her passions included music, art, animals, learning, and community empowerment efforts. And of course, Mrs. Fajardo adored her husband and family.

One of Mrs. Fajardo's most powerful traits was her innate passion for social justice. She served as a field deputy for Los Angeles County Supervisor Gloria Molina, and was instrumental in helping empower community members and community based organizations. She was also a Warden's assistant who counseled families and prisoners at the Louisiana State Penitentiary. One of her duties was to assist family members and media representatives during scheduled prison executions.

Mrs. Fajardo was also a strong supporter of the Mexican American Legal Defense and Education Fund (MALDEF) and served as executive assistant to MALDEF President Antonia Hernandez. This is where she met and fell in love with her husband Richard Fajardo.

Mrs. Fajardo was also a volunteer at the Central American Resource Center. During her years at CARECEN, she helped people in need and served as a strong supporter of immigrant and refugee rights.

Mrs. Fajardo will be dearly missed. Let us continue to keep her in our hearts and minds, and follow her example of leadership and caring.

HONORING CHUCK AND LORENE TOBIN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to honor Charles ''Chuck'' and Lorene Tobin for their many years of devotion to each other as they celebrate their 50th wedding anniversary.

After their marriage, the Tobin's moved to Dolores, Colorado in 1951, where Chuck began to work for the Texaco Bulk Plant and volunteered for the local fire department. After a dedicated career, he retired in 1992. Lorene was employed as a cafeteria cook with the Dolores School system until 1988. Since their retirement, they have both been enjoying the great outdoors and other events throughout the community.

Chuck and Lorene met at the Old Del Rio Restaurant where she was a waitress, and the two instantly fell in love. They are the proud parents of two sons, Chuck and Mike Tobin, and a daughter, Lynda Grossberg. The couple still resides in Dolores, Colorado.

Mr. Speaker, it is a wonderful privilege and honor to salute the 50th anniversary of Chuck and Lorene Tobin. It is with excitement and admiration that I wish them many more great years together.

LIFT THE UNITED STATES EMBARGO ON CUBA

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. PAUL. Mr. Speaker, encouraged in part by a recent resolution passed by the Texas State Legislature, I rise again this Congress to introduce my bill to lift the United States Embargo on Cuba.

On June 29, 2001, the Texas state legislature adopted a resolution calling for an end to U.S. economic sanctions against Cuba. Lawmakers emphasized the failure of sanctions to remove Castro from power, and the unwillingness of other nations to respect the embargo. One Texas Representative stated:

''We have a lot of rice and agricultural products, as well as high-tech products, that would be much cheaper for Cuba to purchase from Texas. All that could come through the ports of Houston and Corpus Christi.'' I wholeheartedly support this resolution, and I have introduced similar federal legislation in past years to lift all trade, travel, and telecommunications restrictions with Cuba. I only wish Congress understood the simple wisdom expressed in Austin, so that we could end the harmful and ineffective trade sanctions that serve no national purpose.

I oppose economic sanctions for two very simple reasons. First, they don't work as effective foreign policy. Time after time, from Cuba to China to Iraq, we have failed to unseat despotic leaders by refusing to trade with the people of those nations. If anything, the anti-American sentiment aroused by sanctions often strengthens the popularity of such leaders, who use America as a convenient scapegoat to divert attention from their own tyranny. History clearly shows that free and open trade does far more to liberalize oppressive governments than trade wars. Economic freedom and political freedom are inextricably linked—when people get a taste of goods and information from abroad, they are less likely to tolerate a closed society at home. So while sanctions may serve our patriotic fervor, they mostly harm innocent citizens and do nothing to displace the governments we claim as enemies.

Second, sanctions simply hurt American industries, particularly agriculture. Every market we close to our nation's farmers is a market exploited by foreign farmers. China, Russia, the middle east, North Korea, and Cuba all represent huge markets for our farm products, yet many in Congress favor current or proposed trade restrictions that prevent our farmers from selling to the billions of people in

these ares. The department of Agriculture estimates that Iraq alone represents a $1 billion market for American farm goods. Given our status as one of the world's largest agricultural producers, why would we ever choose to restrict our exports? The only beneficiaries of our sanctions policies are our foreign competitors.

Still, support for sanctions continues in Congress. The House International Relations committee last week considered legislation that will extend existing economic sanctions against Iran and Libya for another 5 years. While I certainly oppose this legislation, I did agree with the President that we should at least limit the time period to 2 years, so that Congress could reassess the policy sooner. I introduced an amendment to this effect, but the majority of committee members voted to continue ''punishing'' Iran and Libya for 5 years; presumably some members would agree to maintain sanctions indefinitely. Interestingly, the bill focuses on preventing oil exploration and development in the region, even when new sources of oil are sorely needed to reduce prices at the pump for American consumers.

I certainly understand the emotional feelings many Americans have toward nations such as Iran, Iraq, Libya, and Cuba. Yet we must not let our emotions overwhelm our judgment in foreign policy matters, because ultimately human lives are at stake. For example, 10 years of trade sanctions against Iraq, not to mention aggressive air patrols and even bombings, have not ended Saddam Hussein's rule. If anything, the political situation has worsened, while the threat to Kuwait remains. The sanctions have, however, created suffering due to critical shortages of food and medicine among the mostly poor inhabitants of Iraq. So while the economic benefits of trade are an important argument against sanctions, we must also consider the humanitarian argument. Our sanctions policies undermine America's position as a humane nation, bolstering the common criticism that we are a bully with no respect for people outside our borders. Economic common sense, self-interested foreign policy goals, and humanitarian ideals all point to the same conclusion: Congress should work to end economic sanctions against all nations immediately.

The legislation I introduce today is representative of true free trade in that while it opens trade, it prohibits the U.S. Taxpayer from being compelled to subsidize the United States government, the Cuban government or individuals or entities that choose to trade with Cuban citizens.

I submit for inclusion in the record, a copy of the Sense of Congress Resolution passed in Austin in late June.

SENATE CONCURRENT RESOLUTION NO. 54

Whereas, The relationship between the United States and Cuba has long been marked by tension and confrontation; further heightening this hostility is the 40-year-old United States trade embargo against the island nation that remains the longest-standing embargo in modern history; and

Whereas, Cuba imports nearly a billion dollars' worth of food every year, including approximately 1,100,000 tons of wheat, 420,000 tons of rice, 37,000 tons of poultry, and 60,000 tons of dairy products; these amounts are expected to grow significantly in coming years as Cuba slowly recovers from the severe economic recession it has endured following the withdrawal of subsidies from the former Soviet Union in the last decade; and

Whereas, Agriculture is the second-largest industry in Texas, and this state ranks among the top five states in overall value of agricultural exports at more than $3 billion annually; thus, Texas is ideally positioned to benefit from the market opportunities that free trade with Cuba would provide; rather than depriving Cuba of agricultural products, the United States embargo succeeds only in driving sales to competitors in other countries that have no such restrictions; and

Whereas, In recent years, Cuba has developed important pharmaceutical products, namely, a new meningitis B vaccine that has virtually eliminated the disease in Cuba; such products have the potential to protect Americans against diseases that continue to threaten large populations around the world; and

Whereas, Cuba's potential oil reserves have attracted the interest of numerous other countries who have been helping Cuba develop its existing wells and search for new reserves; Cuba's oil output has increased more than 400 percent over the last decade; and

Whereas, The United States' trade, financial, and travel restrictions against Cuba hinder Texas' export of agricultural and food products, its ability to import critical energy products, the treatment of illnesses experienced by Texans, and the right of Texans to travel freely; now, therefore, be it

Resolved, That the 77th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to consider the removal of trade, financial, and travel restrictions relating to Cuba; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the congress of the United States of America.

45TH ANTIOCHIAN ARCHDIOCESE CONVENTION

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. ISSA. Mr. Speaker, I rise today to recognize and send my personal greetings to all those gathered for the forty-fifth Archdiocese Convention of the Antiochian Orthodox Christian Archdiocese of North America. In welcoming the diverse spiritual leaders of the Church that are gathering together, I want to especially welcome His Excellency, Issam Fares, Deputy Prime Minister of Lebanon.

I would like to commend the Antiochian Archdiocese for using this convention to search for ways to help young people and families struggling with the challenges of our society. This biennial convention is an opportunity to share the history, cultural heritage and religious dedication of the members throughout North America. The work of Antiochian Orthodox Church through such programs as the International Orthodox Christian Charities, the bone marrow testing drive, health fairs and the Jerusalem Project, are the finest examples of the religious freedom that only we share in the United States.

I wish to congratulate the members of the Antiochian Orthodox community on their efforts and wish them many years of success in their work throughout the United States.

RENEWAL OF THE IRAN LIBYA SANCTIONS ACT

HON. MICHAEL FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. FERGUSON. Mr. Speaker, it was not too long ago that Pan Am flight 103 left London's Heathrow airport for New York City on December 21, 1988. The plane was transporting 259 passengers, including students returning for the holidays, families eager to reunite with loved ones, tourists attempting to experience this great nation and business people on a routine trip.

Within an hour of takeoff, an explosion ripped through the plan and swiftly broke the aircraft into three pieces. The plan landed on the small Scottish town of Lockerbie, Scotland, killing 11 residents. If the delayed flight had taken off on time, the bomb would have most likely exploded over the Atlantic Ocean and we might not have ever known the cause of the accident.

Consequently, our government enacted the Iran and Libya Sanctions Act (ILSA) on August 5, 1996, to address the acts of terrorism condoned by these countries. The law rightfully mandates sanctions against foreign investment in the petroleum sectors of Iran and Libya, as well as exports of weapons, oil equipment and aviation equipment to Libya in violation of United Nations Resolutions 748 and 883. ILSA has served to bring justice to the culprits of these acts of terrorism.

Since then, a Libyan terrorist intelligence officer was found guilty of murder for his involvement in the Pan Am 103 explosion. Despite the conviction of this culprit affiliated with the Libyan government and further evidence indicating that regime's involvement, Libya still refuses to acknowledge any connection to the bombing or pay compensation to the families of the victims.

Today, the behavior that led the United States to take such measures against Iran in the first place has not improved, but grown even more severe in the past year. Iran continues to condone terrorism and recklessly fund groups, such as the Hezbollah, HAMAS, and the Palestine Islamic Jihad, who partake in acts of violence against civilians. Most disturbing, Iran continues efforts to acquire weapons of mass destruction—including nuclear, chemical, biological—and the missiles to deliver them.

The recent State Department Report on Patterns of Global Terrorism reiterates, ''Iran remained the most active state sponsor of terrorism in 2000.'' The report also notes Iran has provided increasing support to numerous groups responsible for intentional attacks on civilians, while Iranian agencies ''continue to be involved in the planning and the execution of terrorist acts.'' Moreover, Iran continues to provide funding, training and logistical assistance to a variety of radical groups in the Persian Gulf, Africa, Turkey and Central Asia.

For many years, Iran has been able to finance programs to acquire weapons of mass destruction and support terrorist activity through its energy exports, which are where

most of the countries revenues derive. ILSA is an effective measure to deter foreign corporations from investing in Iran and reduce the amount of funds available to Tehran to support terrorism and weapons activities. In fact, ILSA has succeeded in specifically deterring Japanese investment, as well as European allies from investing in the energy sector.

Accordingly, I believe it is imperative the United States send a clear message to nations that resort to terrorism by promoting nonnegotiable policies that directly reinforce the premise that these actions will not be taken lightly and have serious long-term consequences. By not renewing these sanctions or limiting their conditions in any capacity, the United States would illustrate that we are not concerned with offensive Iranian behavior. I strongly urge this Congress not to falter in our resolve to combat terrorism in the world.

We owe the renewal of these sanctions to the 270 victims of this particular act of terrorism, their families, and all the civilians who have been affected by these horrible acts of intimidation.

I pray for the families who paid the ultimate price, who's loved ones died. But they are not forgotten and these sanctions serve as a reminder of the terrorism that took their lives and the unwavering stance we must take. It is our responsibility to ensure that they have not died in vain.

A NEWSPAPER ARTICLE ON THE LIFE OF FREDERIC BASTIAT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2001

Mr. PAUL. Mr. Speaker, I commend to the attention of members an editorial appearing in the Wall Street Journal which is headlined ''In Praise of an Economic Revolutionary.'' The column is authored by Mr. Bob McTeer, president and CEO of the Federal Reserve Bank of Dallas.

In his article, Mr. McTeer highlights the life of Frederic Bastiat, a member of the French Chamber of Deputies during the 19th century who made great contributions to both individual liberty and free markets with clear, simple and humorous observations and arguments. Bastiat was a pioneer in the field of economics who fought against the protectionist fallacies and absurdities that persisted in his day and indeed continue to haunt us today.

Bastiat understood well what few in Congress have come to grasp—that it is absurd to favor producers over consumers and sellers over buyers. This is because producers and sellers benefit from scarcity and high prices while consumers benefit from abundance and low prices. As a consequence, when government policies favor producers, the citizens of the United States are faced with scarcity and unnecessarily high prices. In essence, the economic pie is made smaller for all.

As members of Congress we should note, as Bastiat did, that because we have limited resources and unlimited wants, it is unwise to create inefficiencies for the purpose of creating or protecting jobs. As Mr. McTeer writes, ''Progress comes from reducing the work needed to produce, not increasing it.''

By supporting protectionist policies that tend to create stagnation and hurt consumers, some members stand in the way of economic progress that would benefit all. Yet we should reject these policies and in the tradition of Bastiat do away with the absurd notice that inefficiencies are good for this country and its people.

Mr. Speaker, again I commend Mr. McTeer's column and encourage the recognition of the economic revolutionary, Frederic Bastiat.

IN PRAISE OF AN ECONOMIC REVOLUTIONARY

(By Bob McTeer)

''The state is the great fictitious entity by which everyone seeks to live at the expense of everyone else,''—Frédéric Bastiat (1801–1850)

Claude Frédéric Bastiat was born in Bayonne, in the southwest of France, 200 years ago last Friday. This week, I kicked off a conference in nearby Dax, France, celebrating Bastiat's contributions to individual liberty and free markets.

The whole world should be celebrating the birthday of this pioneer of free-market capitalism.

Bastiat's output was prodigious, especially in the last five years of his life. Through his writing and speeches, and as a member of the French Chamber of Deputies, Bastiat fought valiantly against the protectionism and socialism of his time. He proselytized for free trade, free markets and individual liberty. His weapons were wit and satire; his method was the reductio ad absurdum. More than any other person before or since, he exposed economic fallacies with a clarity, simplicity and humor that left opponents with no place to hide.

The most famous example of Bastiat's satire was his petition to the French parliament on behalf of candlemakers and related industries. He was seeking relief from ''ruinous competition of a foreign rival who works under conditions so far superior to our own for the production of light that he is flooding the domestic market with it at an incredibly low price.'' The foreign rival was the sun. The relief sought was a law requiring the closing of all blinds to shut out the sunlight and stimulate the domestic candle industry.

Despite the publication of Adam Smith's ''The Wealth of Nations'' decades earlier, Bastiat was still fighting the mercantilist view of exports as good and imports as bad. He pointed out that under this view, the ideal situation would be for a ship loaded with exports to sink at sea. One nation gets the benefit of exporting and no nation has to bear the burden of importing.

Bastiat once saw an editorial proposing a Bordeaux stop on the railroad from Paris to Spain to stimulate local business. He wondered, why only Bordeaux? Why not have a stop in every single town along the way—a never-ending series of breaks—so the prosperity could be enjoyed by all? They could call it a ''negative railroad.''

This point is true even today. Trade with Mexico has boomed since the passage of the North American Free Trade Agreement and so has truck traffic across the Rio Grande. Luckily we have bridges to facilitate the crossing. But while the bridges were made for crossing, the hundreds of warehouses near the border were not. They're for storing and waiting—where Mexican truckers are required to hand over their cargo to domestic carriers. Bastiat had his ''negative railroads.'' We have ''negative bridges.''

Then there's Bastiat's broken-window fallacy. It seems someone broke a window. It's unfortunate, but there's a silver lining. Money spent to repair the window will being new business to the repairman. He, in turn, will spend his higher income and generate more business for others. The broken window could ultimately create a boom.

Wait a minute, Bastiat cautioned. That's based only on what is seen. You must also consider what is not seen—what does not happen. What is not seen is how the money would have been spent if the window had not been broken. The broken window didn't increase spending; it diverted spending.

Obvious? Sure, but we fall for a version of the broken-window fallacy every time we evaluate the impact of a government program without considering what taxpayers would have done with the money instead. Some people even judge monetary policy by what happens, without considering what might have happened.

Most economic myths give way to Bastiat's distinction between the seen and the unseen. Related concepts include half truths and whole truths, intended and unintended consequences, the short run and long run and partial effects and total effects. Henry Hazlitt expanded on these themes in his wonderful book, ''Economics in One Lesson.'' If you don't have time to read Bastiat's collected works, try Hazlitt's book.

Bastiat called attention to the absurdities that come from favoring producers over consumers and sellers over buyers. Producers benefit from scarcity and high prices while consumers benefit from abundance and low prices. Government policies favoring producers, therefore, tend to favor scarcity over abundance. They shrink the pie.

Bastiat stressed that because we have limited resources and unlimited wants, it's foolish to contrive inefficiencies just to create jobs. Progress comes from reducing the work needed to produce, not increasing it. Yet, a day doesn't pass that we don't hear of some proposal to ''create jobs,'' as if there's no work to be done otherwise. If it's jobs we want, let's just replace all the bulldozers with shovels. If we want even more work, replace shovels with spoons. Bastiat suggested working with only our left hands.

I was cautioned that most of the participants in the Bastiat conference would probably be from other countries, since Bastiat's free-market views aren't highly regarded in France. That reminded me of my visit to Adam Smith's grave in Scotland a couple of years ago. I went into a souvenir shop about a block away and asked what kind of Adam Smith souvenirs they had. They not only didn't have any, they'd never even had a request for one before. What a shame!

Daily Digest

HIGHLIGHTS

The House failed to pass H.J. Res. 55, disapproving Normal Trade Relations with Vietnam.

House Committee ordered reported the Legislative Branch appropriations for the fiscal year 2002.

Senate

Chamber Action

Routine Proceedings, pages S8251–S8300

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 1250–1256, S. Res. 139, and S. Con. Res. 61. **Page S8280**

Measures Reported:

S. 625, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes.

S. 778, to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, with amendments.

S. 1099, to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants. **Page S8279**

Measures Passed:

House and Senate Adjournment Waiver: Senate agreed to S. Con. Res. 61, to waive the provisions of the Legislative Reorganization Act of 1970 which require the adjournment of the House and Senate by July 31st. **Page S8300**

Department of Transportation and Related Agencies Appropriations Act: Senate continued consideration of H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, taking action on the following amendments proposed thereto: **Pages S8259–73**

Pending:

Murray/Shelby Amendment No. 1025, in the nature of a substitute. **Pages S8259–73**

Murray/Shelby Amendment No. 1030 (to Amendment No. 1025), to enhance the inspection requirements for Mexican motor carriers seeking to operate in the United States and to require them to display decals. **Pages S8259–73**

Gramm Amendment No. 1168 (to Amendment No. 1030), to prevent violations of United States commitments under the North American Free Trade Agreement. **Pages S8260–63**

During consideration of this measure today, Senate also took the following action:

By 70 yeas to 30 nays (Vote No. 252), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to close further debate on Amendment No. 1025 (listed above). **Page S8259**

A unanimous-consent agreement was reached providing for further consideration of the bill on Friday, July 27, 2001. **Page S8273**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the report on progress of spending by the Executive Branch during the first two quarters of Fiscal Year 2001 in support of Plan Colombia; to the Foreign Relations. (PM–37) **Page S8279**

Executive Reports of Committees: **Pages S8279–80**

Messages From the House: **Page S8279**

Measures Referred: **Page S8279**

Statements on Introduced Bills: **Pages S8282–92**

Additional Cosponsors: **Pages S8280–82**

Amendments Submitted: **Pages S8293–99**

Additional Statements: **Page S8279**

Notices of Hearings/Meetings: **Page S8299**

Authority for Committees: **Pages S8299–S8300**

Record Votes: One record vote was taken today. (Total—252) **Page S8259**

Adjournment: Senate met at 12 noon, and adjourned at 6:14 p.m., until 10 a.m., on Friday, July 27, 2001.

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings on the nominations of Mark Edward Rey, of the District of Columbia, to be Under Secretary for Natural Resources and Environment, and Hilda Gay Legg, of Kentucky, to be Administrator, Rural Utilities Service, both of the Department of Agriculture, after the nominees testified and answered questions in their own behalf. Mr. Rey was introduced by Senators Murkowski and Craig, and Ms. Legg was introduced by Senator McConnell and Representative Harold Rogers.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002; and

H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, with an amendment in the nature of a substitute.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 4,486 military nominations in the Army, Navy, Air Force, and Marine Corps.

PREDATORY MORTGAGE LENDING

Committee on Banking, Housing, and Urban Affairs: Committee held hearings to examine the problem, impact, and responses of predatory mortgage lending practices, receiving testimony from Iowa Attorney General Thomas J. Miller, Des Moines; Stephen W. Prough, Ameriquest Mortgage Company, Orange, California; Charles W. Calomiris, Columbia University Graduate School of Business, New York, New York; Martin Eakes, Self-Help Credit Union, Durham, North Carolina, on behalf of the Coalition for Responsible Lending; Carol Mackey, Rochester Hills, Michigan; Paul Satriano, St. Paul, Minnesota; Leroy Williams, Philadelphia, Pennsylvania; and Mary Podelco, Montgomery, West Virginia.

Hearings continue tomorrow.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Melody H. Fennel, of Virginia, to be Assistant Secretary of Housing and Urban Development for Congressional and Intergovernmental Relations, Michael Minoru Fawn Liu, of Illinois, to be Assistant Secretary of Housing and Urban Development for Public and Indian Housing, Henrietta Holsman Fore, of Nevada, to be Director of the Mint, Department of the Treasury, Linda Mysliwy Conlin, of New Jersey, to be Assistant Secretary of Commerce for Trade Development, and Michael J. Garcia, of New York, to be Assistant Secretary of Commerce for Export Enforcement, after the nominees testified and answered questions in their own behalf. Mr. Liu was introduced by Senator Akaka and Ms. Fore was introduced by Senator Hutchison.

CHEMICAL HARMONIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism concluded hearings to examine chemical harmonization issues, including related provisions of S. 532, to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit a State to register a Canadian pesticide for distribution and use within that State, after receiving testimony from Representative Pomeroy; Stephen L. Johnson, Assistant Administrator for the Office of Pollution, Pesticides, and Toxic Substances, Environmental Protection Agency; Roger Johnson, North Dakota Department of Agriculture, Bismarck; Ron Fitchhorn, Bloomington, Illinois, on behalf of the Illinois Corn Growers Association; David McClure, Lewistown, Montana, on behalf of the American Farm Bureau Federation and the Montana Farm Bureau; Jay Vroom, American Crop Protection Association, and Henry Zell, Montana Farmers Union, Great Falls, Montana.

COMPREHENSIVE ELECTRICITY RESTRUCTURING

Committee on Energy and Natural Resources: Committee concluded hearings on proposals relating to comprehensive electricity restructuring that promotes competition, protects consumers, enhances reliability, promotes renewable energy, improves efficiency, repeals the Public Utility Holding Company Act of 1935, and reforms the Public Utility Regulatory Policies Act of 1978, and related provisions contained in the Committee's White Paper on Electricity Legislation (a discussion of the developments that necessitate the change of the legal structure of the electricity industry and legislative solutions), S.

597, Comprehensive and Balanced Energy Policy Act of 2001, S. 388, National Energy Security Act of 2001, and S. 1273, Federal Power Act Amendments of 1999, and S. 2098, Electric Power Market Competition and Reliability Act of 2000, after receiving testimony from Curt L. Hebert, Jr., Chairman, and Nora Mead Brownell, Pat Wood III, Linda Breathitt, and William L. Massey, each a Commissioner, all of the Federal Energy Regulatory Commission, Department of Energy; and New Mexico Secretary of Energy, Minerals and Natural Resources Jennifer Salisbury, Santa Fe, on behalf of the Western Governors' Association.

NATIONAL PARKS

Committee on Energy and Natural Resources: Subcommittee on National Parks, Historic Preservation, and Recreation concluded hearings on S. 423, to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon'', S. 941, to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, S. 1057, to authorize the addition of lands to Pu'uhonua o Honaunau National Historical Park in the State of Hawaii, S. 1105, to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and H.R. 640, to adjust the boundaries of Santa Monica Mountains National Recreation Area, after receiving testimony from Representatives Lantos, Eshoo, Wu, and Baird; John J. Reynolds, Regional Director, Pacific West Region, National Park Service, Department of the Interior; Ron Arnold, Wyoming Office of State Lands and Investments, Cheyenne; Audrey C. Rust, Peninsula Open Space Trust, Menlo Park, California; Jim Medeiros, Sr., Honaunau, Hawaii; and Wayne Leslie, Kealakekua, Hawaii.

ELECTRIC POWER PLANT EMISSIONS

Committee on Environment and Public Works: Committee held hearings to examine the public health and environmental impacts associated with air emissions from electric utility power plants, and proposed legislation that would amend the Clean Air Act to reduce emissions from electric powerplants, receiving testimony from Senator Collins; Christine Todd Whitman, Administrator, Environmental Protection Agency; Scott Johnson, Vermont Agency of Natural Resources, Waterbury; George D. Thurston, New York University School of Medicine and National Institute of Environmental Health Sciences' Community Outreach and Education Program, New York, New York; C. Boyden Gray, Wilmer, Cutler and Pickering, Washington, D.C., on behalf of the Electric Reliability Coordinating Council; Dale E. Heydlaugg, American Electric Power Company, Columbus, Ohio, on behalf of the Edison Electric Institute; and Conrad G. Schneider, Clean Air Task Force, Brunswick, Maine, on behalf of the National Environmental Trust and U.S. Public Interest Research Group.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported S. 643, to implement the agreement establishing a United States-Jordan free trade area.

NOMINATION

Committee on Governmental Affairs: Committee concluded hearings on the nomination of Lynn C. Leibovitz, to be an Associate Judge of the Superior Court of the District of Columbia, after the nominee, who was introduced by District of Columbia Delegate Holmes Norton, testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 778, to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, with an amendment;

S. 625, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes;

S. 1099, to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants; and

The nominations of Asa Hutchinson, of Arkansas, to be Administrator of Drug Enforcement, and James W. Ziglar, of Mississippi, to be Commissioner of Immigration and Naturalization, both of the Department of Justice.

MEDICARE ANTI-FRAUD EFFORTS

Special Committee on Aging: Committee concluded hearings to examine the Federal government's Medicare anti-fraud efforts, focusing on distinguishing human error from fraud, the coordination among government agencies fighting Medicare fraud, provider compliance and education issues, and the Medicare appeals process, after receiving testimony from Thomas Scully, Administrator, Centers for Medicare and Medicaid Services, and Lewis Morris, Assistant Inspector General for Legal Affairs, Office of Inspector General, both of the Department of Health and Human Services; Leslie G. Aronovitz, Director, Health Care, Program Administration and Integrity Issues, General Accounting Office; Stuart

E. Schiffer, Acting Assistant Attorney General, Civil Division, Department of Justice; and Robert P. Charrow, Crowell and Moring, former Principal Deputy General Counsel of Health and Human Services, Joseph E. diGenova, diGenova and Toensing, former U.S. Attorney for the District of Columbia, on behalf of the American Hospital Association, and James W. Moorman, Taxpayers Against Fraud, all of Washington, D.C.

House of Representatives

Chamber Action

Bills Introduced: 17 public bills, H.R. 2646, 2648–2663; 2 private bills, H.R. 2664–2665; and 2 resolutions, H. Con. Res. 201 and H. Res. 211, were introduced. **Pages H4723–24**

Reports Filed: Reports were filed as follows:

H. Res. 210, providing for consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002 (H. Rept. 107–164).

H.R. 988, to designate the United States courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse" (H. Rept. 107–166);

H. Res. 193, requesting that the President focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority (H. Rept. 107–167);

H.R. 943, to amend the Public Health Service Act with respect to the availability of influenza vaccine through the program under section 317 of such Act, amended (H. Rept. 107–168); and

H.R. 2647, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002 (H. Rept. 107–169). **Page H4723**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Msgr. James G. Kelly, St. Margaret's Church of Buffalo, New York. **Page H4639**

Failed to Pass Joint Resolution Disapproving Normal Trade Relations Treatment to Vietnam: The House failed to pass H.J. Res. 55, disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam by a yea-and-nay vote of 91 yeas to 324 nays with 1 voting "present" Roll No. 275. **Pages H4639–50**

The joint resolution was considered pursuant to the unanimous consent order of the House of July 25.

Suspension ILSA Extension Act of 2001: The House agreed to suspend the rules and pass H.R. 1954, amended, to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, debated on Tuesday, July 24 until Thursday, July 26 by a yea-and-nay vote of 409 yeas to 6 nays with 1 voting "present," Roll No. 276. **Pages H4650–51**

Recess: The House recessed at 12:08 p.m. and reconvened at 1:17 p.m. **Page H4651**

VA/HUD Appropriations Act for Fiscal Year 2002: The House completed general debate and began considering amendments to H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002. Consideration will resume on Friday, July 27. **Pages H4661–H4718**

Agreed To:

Hastings of Florida that increases funding for Veterans Health Administration Medical Care by $1 million; **Page H4687**

Evans amendment No. 11 printed in the Congressional Record of July 25 that prohibits the implementation of any administrative proposal that would require military retirees to make an "irrevocable choice" for any specified period of time between the Department of Veteran Affairs and military health care under the TRICARE for Life plan. **Pages H4698–99**

Velázquez amendment No. 22 printed in the Congressional Record of July 25 that increases Youthbuild program funding by $10 million and decreases HUD salaries and expenses accordingly (agreed to by a recorded vote of 216 ayes to 209 noes, Roll No. 284); **Pages H4708–10, H4717**

Rejected:

Foley amendment that sought to increase Veterans Administration benefit claims processing funding by

$25 million and decrease National Science Foundation funding for Polar and Antarctic Research by $92 million (rejected by a recorded vote of 107 ayes to 311 noes, Roll No. 281); **Pages H4691–93, H4715**

Nadler amendment No. 17 printed in the Congressional Record of July 25 that sought to increase funding for veteran extended care facilities by $4.8 million and funding for 34,000 section 8 housing vouchers, including 10,000 for the disabled, by $195 million and offsets these increases by eliminating the $200 million in funding for the home ownership Downpayment Assistance Initiative (rejected by a recorded vote of 139 ayes to 284 noes, Roll No. 282); **Pages H4696–98, H4716**

Davis of Illinois amendment that sought to increase funding for the Revitalization of Severely Distressed Public Housing (HOPE VI) program by $100 million and decrease the Public Housing Capital Fund accordingly (rejected by a recorded vote of 60 ayes to 360 noes, Roll No. 283); and **Pages H4705–07, H4716–17**

LaFalce amendment No. 15 printed in the Congressional Record of July 25 that sought to increase funding for Homeless Assistance Grants by $122.6 million and decrease the home ownership Downpayment Assistance Initiative by $100 million and HUD salaries and expenses by $22.6 million (rejected by a recorded vote of 124 ayes to 300 noes, Roll No. 285). **Pages H4710–14, H4717–18**

Withdrawn:

Carson amendment was offered but subsequently withdrawn that sought to increase Veterans Administration Office of Inspector General funding by $16.2 million and decrease Veterans Medical Care funding accordingly; and **Pages H4689–90**

Gutierrez amendment No. 13 printed in the Congressional Record of July 25 was offered but subsequently withdrawn that sought to increase veterans medical and prosthetic research by $24 million and decrease NASA Human Space Flight funding accordingly. **Pages H4690–91**

Point of order sustained:

Against Obey en bloc amendment that sought to increase funding for Veterans Medical Care by $300 million, Public Housing by $282 million, Shelter Plus Care Contracts by $100 million, EPA enforcement by $7 million, and the Corporation for National and Community Service by $311 million with offsets from decreasing the newly applied tax cut for the highest marginal tax payers by changing the rate from 38.6 percent to 39.1 percent; **Pages H4682–86**

Against Filner amendment that sought to appropriate $30 million for health care benefits for Filipino World War II veterans who were excluded from benefits by the Rescissions Acts of 1946; **Pages H4700–02**

Against Kleczka amendment No. 3 printed in the Congressional Record that sought to allow Veterans Affairs pharmacies to dispense medications to veterans on prescriptions written by private practitioners; and **Pages H4702–03**

Against Filner en bloc amendment that sought to increase funding for Veterans Medical Care by $1.7 billion, compensation and pensions for veterans who were exposed to Hepatitis C by $3 million, Veterans Affairs medical research by $24 million, and Montgomery GI Bill program by $871 million and designates all increases as emergency designations. **Pages H4703–05**

Rejected the Frank motion that the Committee rise by a recorded vote of 189 ayes to 230 noes, Roll No. 280. **Page H4714**

The House agreed to H. Res. 210, the rule that is providing for consideration of the bill by a recorded vote of 228 ayes to 195 noes, Roll No. 279. Agreed to order the previous question by a yea-and-nay vote of 220 yeas to 204 nays, Roll No. 278. **Pages H4652–61**

Earlier, agreed to H. Res. 209, waiving a requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a Rules Committee report on the same day it is presented to the House with respect to a resolution reported on July 26, 2001, providing for consideration of H.R. 2620, VA/HUD Appropriations Act for Fiscal Year 2002 by a yea-and-nay vote of 216 yeas to 200 nays, Roll No. 277. **Pages H4651–52**

Presidential Message—Plan Colombia: Read a message from the President wherein he transmitted a report detailing the progress of spending by the executive branch during the first two quarters of Fiscal Year 2001 in support of Plan Colombia—referred to the Committees on International Relations and Appropriations and ordered printed (H. Doc. 107–109). **Page H4718**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H4725–26.

Quorum Calls—Votes: Four yea-and-nay votes and seven recorded votes developed during the proceedings of the House today and appear on pages H4649, H4650, H4652, H4659–60, H4660–61, H4714, H4715, H4716, H4716–17, H4717, and H4718. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:25 p.m.

Committee Meetings

AGRICULTURAL ACT

Committee on Agriculture: Began markup of H.R. 2646, Agriculture Act of 2001.

Will continue tomorrow.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Ordered reported a measure making appropriations for the Legislative Branch for the Fiscal Year ending September 30, 2002.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Special Oversight Panel on the Merchant Marine approved recommendations to H.R. 2586, National Defense Authorization Act for Fiscal Year 2002.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Special Oversight Panel on Morale, Welfare and Recreation approved recommendations to H.R. 2586, National Defense Authorization Act for Fiscal Year 2002.

NATIONAL DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Military Readiness approved for full Committee action, as amended, H.R. 2586, National Defense Authorization Act for Fiscal Year 2002.

CONSUMER INFORMATION USE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing on ''How Do Businesses Use Customer Information: Is the Customer's Privacy Protected?'' Testimony was heard from public witnesses.

MEDICARE MODERNIZATION

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Medicare Modernization: Examining the President's Framework for Strengthening the Program.'' Testimony was heard from Tommy Thompson, Secretary of Health and Human Services.

MARKET DATA

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled ''Market Data II: Implications to investors and market transparency of granting ownership rights over stock quotes.'' Testimony was heard from public witnesses.

DEPOSIT INSURANCE REFORM

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Viewpoints of Select Regulators on Deposit Insurance Reform.'' Testimony was heard from Laurence H. Meyer, member, Board of Governors, Federal Reserve System; and the following officials of the Department of the Treasury: Sheila Bair, Assistant Secretary, Financial Institutions; John D. Hawke, Jr., Comptroller; and Ellen Seidman, Director, Office of Thrift Supervision.

AMERICANS ABROAD

Committee on Government Reform: Subcommittee on Census held a hearing on Americans Abroad, How Can We Count Them? Testimony was heard from Representative Gilman; Edward Betancourt, Director, Office of Policy Review and Interagency Liaison Overseas Citizens Services, Bureau of Consular Affairs, Department of State; and public witnesses.

OVERSIGHT—DOD'S ILLEGAL MANIPULATION OF APPROPRIATED FUNDS

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations held an ''Oversight hearing on the Department of Defense's Illegal Manipulation of Appropriated Funds.'' Testimony was heard from Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance, GAO; and the following officials of the Department of Defense: Thomas R. Bloom, Director, Defense Finance and Accounting Service; and Tina W. Jonas, Deputy Under Secretary, Financial Management.

U.S.-KOREA RELATIONS

Committee on International Relations: Subcommittee on East Asia and the Pacific held a hearing on U.S.-Korea Relations after the Policy Review. Testimony was heard from Charles L. Pritchard, Special Envoy for Korean Peace Talks, U.S. Representative to KEDO, Department of State.

U.S. POLICY TOWARDS PALESTINIANS

Committee on International Relations: Subcommittee on Middle East and South Asia held a hearing on U.S. Policy Towards the Palestinians—Part I. Testimony was heard from William J. Burns, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State.

FEDERAL COURTS IMPROVEMENT ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 2522, Federal Courts Improvement Act of 2001. Testimony was heard from Deanell R. Tacha, Chief Judge, U.S. Court of Appeals for the Tenth Circuit.

CONSUMER PRODUCT PROTECTION ACT

Committee on the Judiciary: Subcommittee on Crime approved for full Committee action, as amended, H.R. 2621, Consumer Product Protection Act of 2001.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from Representative Hart; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests, and Forest Health held a hearing on the following bills: H.R. 1576, James Peak Wilderness, Wilderness Study, and Protection Area Act; and H.R. 1772, to provide for an exchange of certain property between the United States and Ephraim City, Utah. Testimony was heard from Representatives Cannon and Udall of Colorado; Denny Bschor, Director, Recreation, Heritage, and Wilderness Resources, Forest Service, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 2385, Virgin River Dinosaur Footprint Preserve Act; and H.R. 2488, to designate certain lands in the Pilot Range in the State of Utah as wilderness, Testimony was heard from Tom Fulton, Deputy Assistant Secretary, Land and Minerals, Department of the Interior; Col. Tom Larkin, USAF, Director, Utah Test and Training Range, U.S. Air Force, Hill Air Force Base, Utah; Dan McArthur, Mayor, St. George, Utah; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 1985, Short-Term and Long-Term California Water Security; and H.R. 2404, California Water Quality and Reliability Act of 2001. Testimony was heard from Gale Norton, Secretary of the Interior; Thomas M. Hannigan, Director, Department of Water Resources, State of California; and public witnesses.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by a vote of 8 to 4, an open rule providing 1 hour of debate on H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered for amendment by paragraph. 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), except as specified in the rule. The rule provides that the amendment printed in the report of the Committee on Rules accompanying the rule 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 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. The rule waives all point of order against the amendment printed in the report. The rule 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 Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

COMBATING THE INVADERS

Committee on Science: Subcommittee on Environment, Technology and Standards held a hearing on Combating the Invaders: Research on Non-Native Species. Testimony was heard from the following officials of the NOAA, Department of Commerce: David Evans, Assistant Administrator, Office of Oceanic and Atmosphere Research; and Stephen B. Brandt, Director, Great Lakes Environmental Research Laboratory; Scott Smith, Coordinator, Aquatic Nuisance Species, Department of Fish and Wildlife, State of Washington; and public witnesses.

OVERSIGHT—AIRCRAFT MANUFACTURING INDUSTRY COMPETITIVENESS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on the Competitiveness of the U.S. Aircraft Manufacturing Industry. Testimony was heard from Grant D. Aldonas, Under Secretary. International Trade, International Trade Administration, Department of Commerce; Steve Falken, Director, Aerospace and Automotive Trade Policy, Office of the U.S. Trade Representative; Robert A. Rogowsky, Director, Office of Operations, U.S. International Trade Commission; Samuel L. Venneri, Associate Administrator, Aerospace Technology, NASA; Jeffrey L. Miller, Group Vice President, Structured Trade and Finance Group, Export-Import Bank of the United States; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Ordered reported the following measures: H.J. Res. 51, approving the extension of nondiscriminatory treatment with respect

to the products of the Socialist Republic of Vietnam; and H.R. 2603, amended, United States-Jordan Free Trade Area Implementation Act of 2001.

SENIORS—MISLEADING MAILINGS TARGETED

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Misleading Mailings Targeted to Seniors. Testimony was heard from James G. Huse, Jr., Inspector General, SSA; Darrin Williams, Chief of Staff, Office of the Attorney General, State of Arkansas; and public witnesses.

COUNTERNARCOTICS ISSUES

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Counternarcotics Issues. Testimony was heard from departmental witness.

COMMITTEE MEETINGS FOR FRIDAY, JULY 27, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to continue hearings to examine the problem, impact, and responses of predatory mortgage lending practices, 10 a.m., SD–538.

Committee on Energy and Natural Resources: to hold hearings on H.R. 308, to establish the Guam War Claims Review Commission; and H.R. 309, to provide for the determination of withholding tax rates under the Guam income tax, 9:30 a.m., SD–366.

Committee on Foreign Relations: business meeting to consider the nomination of Stuart A. Bernstein, of the District of Columbia, to be Ambassador to Denmark; the nomination of Sue McCourt Cobb, of Florida, to be Ambassador to Jamaica; the nomination of Russell F. Freeman, of North Dakota, to be Ambassador to Belize; the nomination of Michael E. Guest, of South Carolina, to be Ambassador to Romania; the nomination of Charles A. Heimbold, Jr., of Connecticut, to be Ambassador to Sweden; the nomination of Thomas J. Miller, of Virginia, to be Ambassador to Greece; the nomination of Larry C. Napper, of Texas, to be Ambassador to the Republic of Kazakhstan; the nomination of Roger Francisco Noriega, of Kansas, to be Permanent Representative of the United States of America to the Organization of American States; the nomination of Jim Nicholson, of Colorado, to be Ambassador to the Holy See; the nomination of Mercer Reynolds, of Ohio, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein; and pending nominations, Time to be announced, Room to be announced.

House

Committee on Agriculture, to continue markup of H.R. 2646, Agricultural Act of 2001, 9 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Military Installations and Facilities, to mark up H.R. 2586, National Defense Authorization Act for Fiscal Year 2002, 10 a.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled ''National Electricity Policy: Barriers to Competitive Generation,'' 9:30 a.m., 2123 Rayburn.

Committee on Government Reform, Subcommittee on the District of Columbia, hearing on ''Spring Valley—Toxic Waste Contamination in the Nation's Capital,'' 10 a.m., 2154 Rayburn.

Next Meeting of the SENATE

10 a.m., Friday, July 27

Senate Chamber

Program for Friday: Senate will continue consideration of H.R. 2299, Department of Transportation and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, July 27

House Chamber

Program for Friday: Consideration of H.R. 2620, VA/HUD Appropriations Act for Fiscal Year 2002 (open rule, one hour of debate).

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